



Control Number: 47543



Item Number: 18

Addendum StartPage: 0

DOCKET NO. 47543

RECEIVED

APPLICATION OF GREEN VALLEY §
SPECIAL UTILITY DISTRICT AND §
CITY OF CIBOLO FOR APPROVAL OF §
A SERVICE AREA CONTRACT §
UNDER TEXAS WATER CODE § 13.248 §
AND TO AMEND CERTIFICATES OF §
CONVENIENCE AND NECESSITY IN §
GUADALUPE COUNTY §

PUBLIC UTILITY COMMISSION

2018 JAN 29 AM 11:55
PUBLIC UTILITY COMMISSION
OF TEXAS FILING CLERK

NOTICE OF APPROVAL

This Notice addresses the application of Green Valley Special Utility District (Green Valley) and the City of Cibolo (collectively the applicants) to amend by agreement their water certificates of convenience and necessity (CCN) in Guadalupe County under Texas Water Code (TWC) § 13.248. Commission Staff recommended approval of the application. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History

1. On August 24, 2017, Green Valley and Cibolo filed a joint application to amend their respective water CCNs in Guadalupe County. The applicants have agreed to transfer a portion of Green Valley's CCN No. 10646 to Cibolo's CCN No. 11903.
2. The requested area includes approximately 116 acres and no affected customers. The contract included with the application is signed by both of the landowners in the affected area.
3. On August 30, 2017, Order No. 1 was issued requiring comments on administrative completeness.
4. On October 13, 2017, Green Valley and Cibolo filed a supplement to their application.

18

5. On October 30, 2017, Order No. 4 was issued deeming the application administratively complete, establishing a procedural schedule, and finding that no additional notice beyond publication in the *Texas Register* should be required.
6. On December 19, 2017, Green Valley and Cibolo filed consent forms to the map and certificates transmitted to them on December 11, 2017.
7. On January 5, 2018, Commission Staff filed a final recommendation for approval of the application. Commission Staff attached the final map and CCN certificates.
8. The final maps and CCN certificates referenced in Findings of Fact Nos. 6 & 7 are attached to this Notice.

Notice

9. Notice was provided by publication in the *Texas Register* on September 8, 2017.
10. No additional notice of this application was required.

Evidentiary Record

11. On January 26, 2018, Order No. 5 was issued admitting evidence into the record of this proceeding.

Informal Disposition

12. More than 15 days have passed since the completion of the notice provided in this docket.
13. Commission Staff and the applicants are the only remaining parties to this proceeding.
14. No issues of fact or law remain disputed by any party.

II. Conclusions of Law

1. The Commission has jurisdiction over these matters under TWC §§ 13.041 and 13.248.
2. Green Valley is a retail public utility as defined in TWC § 13.002(19) and 16 Texas Administrative Code (TAC) § 24.3(59).
3. Cibolo is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(59).
4. Public notice of the application was provided in compliance with TWC § 13.246 and 16 TAC § 24.117.

5. The application meets the requirements set forth in TWC § 13.248, and 16 TAC § 24.117.
6. After considering the factors in TWC § 13.248, Green Valley and Cibolo are entitled to approval of their agreement to transfer areas within their respective certificates of convenience and necessity, having demonstrated adequate financial, managerial, and technical capability for providing continuous and adequate service to the requested area and its current service area as required by TWC § 13.241(a).
7. Approval of the application is necessary for the service, accommodation, convenience, or safety of the public as required by TWC § 13.246(b) and 16 TAC § 24.102(c).
8. Under TWC § 13.257(r) and 16 TAC § 24.106(e), Green Valley and Cibolo are required to record a certified copy of the approved CCN and map, along with a boundary description of the service area in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
9. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs


In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. The application is approved.
2. Green Valley's water CCN No. 10646 is amended, consistent with this Notice.
3. Green Valley shall serve every customer and applicant for service within the areas certified under CCN No. 10646, and such service shall be continuous and adequate.
4. Green Valley shall comply with the recording requirements in TWC § 13.257(r) for the area in Guadalupe County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
5. Cibolo's water CCN No. 11903 is amended, consistent with this Notice.

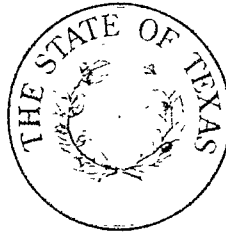
6. Cibolo serve every customer and applicant for service within the areas certified under CCN No. 11903, and such service shall be continuous and adequate.
7. Cibolo shall comply with the recording requirements in TWC § 13.257(r) for the area in Guadalupe County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
8. All other motions and any other requests for general or specific relief, if not expressly granted, are denied.

Signed at Austin, Texas the 29th day of January 2018.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE



Public Utility Commission of Texas

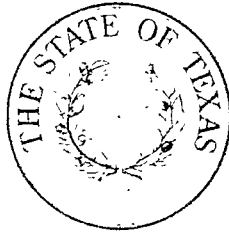
By These Presents Be It Known To All That
City of Cibolo

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Cibolo is entitled to this

Certificate of Convenience and Necessity No. 11903

to provide continuous and adequate water utility service to that service area or those service areas in Guadalupe County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47543 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Cibolo to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, the 29th day of JANUARY 2018.



Public Utility Commission of Texas

By These Presents Be It Known To All That

Green Valley Special Utility District

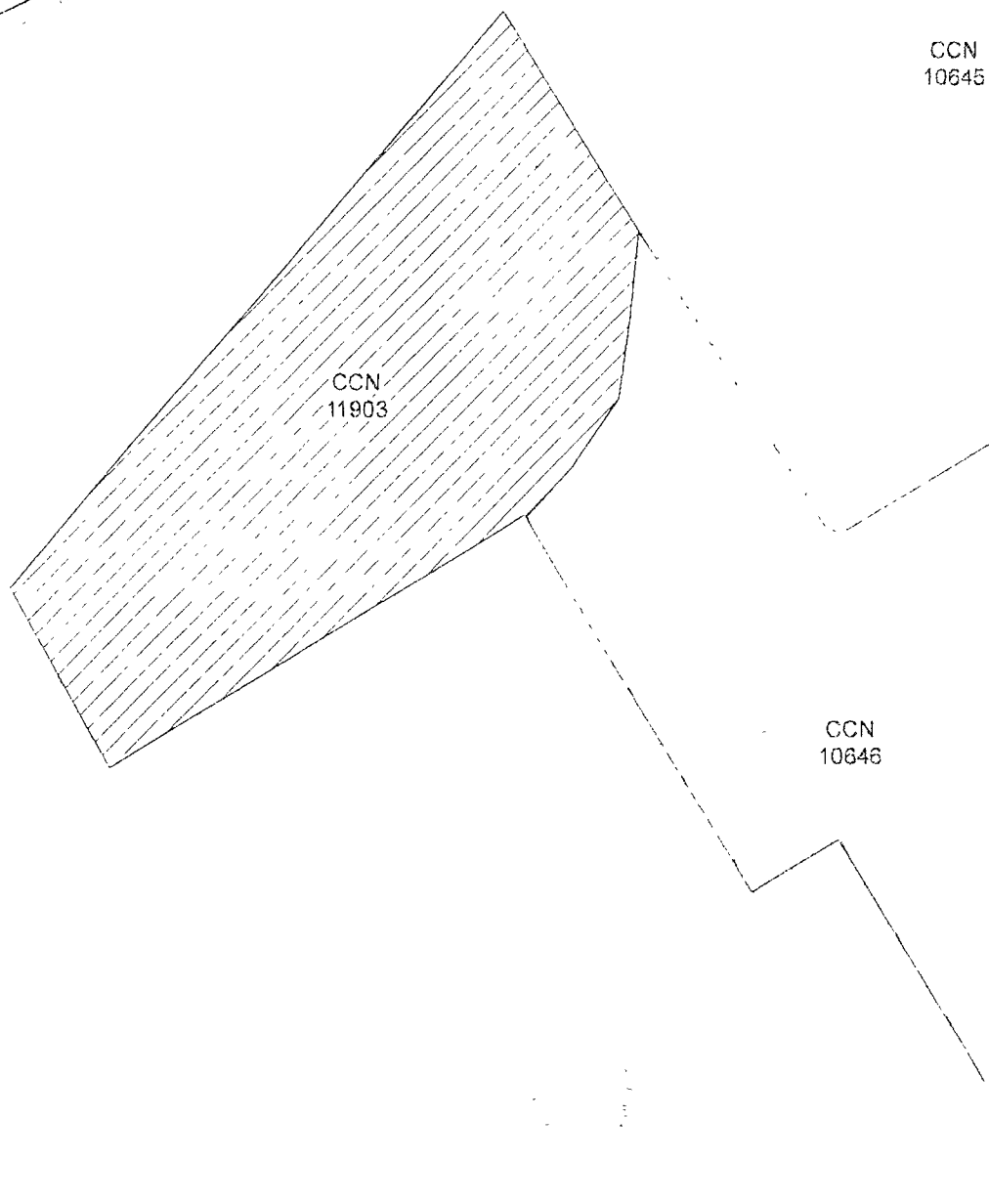
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Green Valley Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 10646

to provide continuous and adequate water utility service to that service area or those service areas in Bexar, Comal, and Guadalupe Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47543 are on file at the Commission offices in Austin, Texas; and are a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Green Valley Special Utility District to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.




Issued at Austin, Texas, the 29th day of JANUARY 2018.

City of Cibolo
Portion of Water CCN No. 11903
PUC Docket No. 47543
13.248 Agreement Amended CCN No. 11903 and
Decertified a Portion of Green Valley SUD, CCN No. 10646 in Guadalupe County



Public Utility Commission of Texas
701 N. Congress Ave
Austin, TX 78701

Water CCN

-  11903 - City of Cibolo
-  10646 - Green Valley SUD
-  10645 - City of Schertz

0 450 900
Feet



Map by: Koral Patel
Date created: November 10, 2017
Project Path: n:\finalmapping\47543CityofCibolo.mxd