



Control Number: 47636



Item Number: 6

Addendum StartPage: 0

RECEIVED

2017 OCT 26 AM 11:29

PETITION OF MIKE HOPKINS, §  
 EXECUTOR OF THE ESTATE OF §  
 HERMAN H. HOPKINS TO AMEND §  
 THE CITY OF DENTON'S §  
 CERTIFICATE OF CONVENIENCE §  
 AND NECESSITY IN DENTON §  
 COUNTY BY EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION  
 OF TEXAS

**ORDER NO. 2**

**FINDING THE PETITION ADMINISTRATIVELY INCOMPLETE AND DEFICIENT,  
 ESTABLISHING DEADLINE FOR OPPORTUNITY TO CURE**

This Order addresses Commission Staff's October 23, 2017 recommendation that the petition of Mike Hopkins, Executor of the Estate of Herman H. Hopkins be deemed administratively incomplete because it contains material deficiencies, as specified in the pleading and attached memo of Greg Charles, of the Commission's Water Utility Regulation Division. Commission Staff stated that the petition is lacking a notarized affidavit in support of the required information<sup>1</sup> and proof that a copy of the petition was mailed to the current CCN holder via certified mail. Commission Staff also recommended that the reference to the CCN area be corrected in the notice and that the notice be reissued in the *Texas Register*. Commission Staff proposed deadlines for the petitioner to supplement the application and for Commission Staff to provide a supplemental recommendation on administrative completeness of the application.

Consistent with Commission Staff's recommendation, the petition is found administratively incomplete and deficient. Petitions are not considered filed until a determination of administrative completeness is made;<sup>2</sup> thus, at this time the petition is not considered filed with the Commission. Corrected notice will be re-issued in the *Texas Register* with a 30-day extension of the intervention deadline and the style of the proceeding has also been corrected.

On or before **November 20, 2017**, the petitioner shall supplement the petition to cure the deficiencies noted by Commission Staff. Processing of the petition cannot proceed until the

<sup>1</sup> 16 Texas Administrative Code (TAC) § 24.113(l)(3)(A).


<sup>2</sup> 16 TAC § 24.8(a).

6

requested items are received and reviewed. On or before **December 20, 2017**, Commission Staff shall file additional comments regarding administrative completeness, along with a proposed procedural schedule, if appropriate.

Signed at Austin, Texas the 26<sup>th</sup> day of October 2017.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
\_\_\_\_\_  
**SUSAN E. GOODSON**  
**ADMINISTRATIVE LAW JUDGE**

Q:\CADM\Docket Management\Water\CCN\_EXPEDITED\47xxx\47636-2def.docx