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DOCKET NO. 47704

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**PETITION OF WYNNE/JACKSON,
INC. TO AMEND MARKOUT WATER
SUPPLY CORPORATION'S
CERTIFICATE OF CONVENIENCE
AND NECESSITY BY EXPEDITED
RELEASE IN KAUFMAN COUNTY**

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PUBLIC UTILITY COMMISSION

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PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION
ON ADMINISTRATIVE COMPLETENESS**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness. Staff recommends that the application be deemed sufficient for further review. In support thereof, Staff shows the following:

I. BACKGROUND

On October 16, 2017, Wynne/Jackson, Inc. (Petitioner) filed a petition for an expedited release from Markout Water Supply Corporation's (WSC) Certificate of Convenience and Necessity (CCN) No. 10846, in Kaufman County. Specifically, the property Petitioner requested for expedited release is approximately 336.7 acres. WSC filed a motion to intervene On November 10, 2017.

On October 19, 2017, Order No. 1 was issued, establishing a deadline of November 15, 2017, for Staff to file a recommendation on the administrative completeness of the application. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Sean Scaff in the Commission's Water Utility Regulation Division, Staff has reviewed the application filed by Applicants, and recommends that it be found administratively complete.

III. NOTICE SUFFICIENCY

Petitioner asserts in its petition that it provided notice to the CCN holder, WSC, by certified mail on October 16, 2017. As previously noted, the Commission also published notice

of this petition in the *Texas Register* on November 3, 2017. Such notice meets the requirement of 16 TAC § 24.113(s). Accordingly, Staff recommends that the notice issued be found sufficient.

IV. REQUEST FOR PROCEDURAL SCHEDULE

Staff respectfully requests for the Administrative Law Judge to adopt a procedural schedule similar to the scheduled implemented in Docket No. 47203.

V. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively complete and that the proposed procedural schedule be adopted.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 15th of November, 2017 in accordance with 16 TAC § 22.74.


Rachelle N. Robles

PUC Interoffice Memorandum

To: Rachelle Robles, Attorney
Legal Division

From: Sean Scaff, Engineering Specialist
Kristy Nguyen, GIS Specialist
Water Utilities Division

Thru: Tammy Benter, Director
Water Utilities Division

Date: November 6, 2017

Subject: **Docket No. 47704:** *Petition of Wynne/Jackson, Inc. to Amend Markout Water Supply Corporation's Certificate of Convenience and Necessity by Expedited Release in Kaufman County*

On October 16, 2017 Wynne/Jackson, Inc. (Petitioner) filed a petition for an expedited release from Markout Water Supply Corporation's (WSC) Certificate of Convenience and Necessity (CCN) No. 10846, in Kaufman County. This petition is being reviewed under Tex. Water Code § 13.254 (a-5) (TWC), and 16 Tex. Admin. Code §24.113(r) (TAC).

The Petitioner submitted an adequate map delineating the requested area for expedited release with enough detail to confirm the accurate positioning of their digital data pursuant to 16 TAC § 24.119. The map and digital data are sufficient for determining the location of the requested release area within the WSC's certificated area. Mapping Staff were able to confirm the acreage of the subject property, and determined that the requested area is located within the subject property.

Furthermore, the Petitioner provided a warranty deed confirming the Petitioner's ownership of the tract of land within the subject property. The area being requested for expedited release is approximately 336.7 acres.

The Petitioner also provided a statement attesting that a copy of the petition was sent to the WSC the same day the petition was sent to the Public Utility Commission (PUC) pursuant to 16 TAC §24.113(s).

The Petitioner has met PUC's requirements to allow for the release of the requested area from Markout WSC's Certificate of Convenience and Necessity No. 10846. Staff recommends that the petition be accepted for filing.