



Control Number: 47925



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DOCKET NO. 47925

**APPLICATION OF SUNFIELD
MUNICIPAL UTILITY DISTRICT
NO. 4 TO AMEND A WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR DUAL
CERTIFICATION WITH GOFORTH
SPECIAL UTILITY DISTRICT IN
HAYS AND TRAVIS COUNTIES**

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PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS AND PROPOSED NOTICE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 2, files this Supplemental Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the Application be deemed sufficient for further review. In support thereof, Staff shows the following:

I. BACKGROUND

On January 4, 2018, Sunfield Municipal Utility District No. 4 (Sunfield) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 13116 and for dual certification with Goforth Special Utility District in Hays and Travis County, Texas.

On February 5, 2018, Order No. 2 was issued, establishing a deadline of April 6, 2018 for Staff to file supplemental comments on the administrative completeness of the application and proposed notice and propose a procedural schedule. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Andrew Novak in the Commission's Water Utility Regulation Division, Staff has reviewed the application and supplemental information filed by Sunfield and recommends that it be found administratively complete and accepted for filing.

III. NOTICE

As detailed in the attached memorandum, Staff recommends that Sunfield be directed to use the attached forms to provide notice of the application to the following:

- any districts, utilities, and cities within two (2) miles of the proposed area;
- the county judge of each county and each groundwater conservation district that is wholly or partly included in the proposed area to be certified;
- each city with an extraterritorial jurisdiction (ETJ) that is wholly or partly included in the proposed area to be certified; and
- customers; and
- publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Hays and Travis Counties.
- Staff also recommends that Sunfield be directed to use the attached forms to provide notice of the application to the following specific entities:
 - Aqua Texas Inc (CCN No. 11157)
 - Arroyo Doble Water Supply Inc (CCN No. 11117)
 - Barton Springs/Edwards Aquifer CD
 - City of Austin (CCN No. 11322)
 - City of Buda (CCN No. 11953)
 - City of Creedmoor
 - City of Niederwald
 - Creedmoor Maha WSC (CCN No. 11029)
 - Goforth SUD (CCN No. 11356)
 - Guadalupe-Blanco River Authority
 - Hays County Judge
 - Lower Colorado River Authority (CCN No. 11670)
 - Monarch Utilities (CCN No. 12983)
 - Mystic Oak Water Supply Inc (CCN No. 12409)
 - North Hays County MUD 1
 - South Buda WCID 1
 - Sunfield MUD 1
 - Sunfield MUD 2
 - Sunfield MUD 3
 - Travis County Judge
 - Travis-Creedmoor MUD
 - Woods of Bear Creek Water (CCN No. 11907)

Sunfield must provide an accurate map delineating the requested service area with each individual notice to neighboring utilities, other affected parties, landowners and customers. Information related to districts including addresses, can be obtained by Sunfield from the TCEQ web site located at <http://www14.tceq.texas.gov/iwud/>.

Within 30 days of the date of the notice, Sunfield must file in the docket a map and copy of notice along with an affidavit specifying every person and entity to whom notice was provided, the date that the notice was provided, and the publisher's affidavit for proof of newspaper publication. It is recommended that Sunfield use the attached notices and affidavits to meet these requirements.

IV. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline for Sunfield to file with the Commission signed affidavits that the notice was given along with a copy of the notice sent to the affected parties and published in a newspaper of general circulation	May 21, 2018
Deadline for Staff to file a recommendation on sufficiency of notice	Within ten (10) days of Sunfield filing proof of completed notice with the Commission
Deadline to intervene	Thirty (30) days after notice is issued

V. CONCLUSION

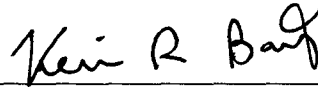
For the reasons discussed above, Staff respectfully recommends that the application be found administratively complete, that Sunfield be directed to provide notice as detailed above and in the attached memorandum, and that the proposed procedural schedule be adopted.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney




Kevin R. Bartz
State Bar No. 24101488
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7275
(512) 936-7268 (facsimile)
Kevin.Bartz@puc.texas.gov

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 6, 2018, in accordance with 16 TAC § 22.74.



Kevin R. Bartz

PUC Interoffice Memorandum

To: Kevin Bartz, Attorney
Legal Division

Through: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Andrew Novak, Financial Analyst
Water Utility Regulation Division

Date: April 6, 2018

Subject: **Docket No. 47925:** *Application of Sunfield Municipal Utility District No. 4 to Amend a Water Certificate of Convenience and Necessity for Dual Certification with Goforth Special Utility District in Hays and Travis Counties.*

On January 4, 2018, Sunfield Municipal Utility District No. 4 (Sunfield or Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend water Certificate of Convenience and Necessity (CCN) No. 13116 and obtain dual certification with a portion Goforth Special Utility District's CCN No. 11356, pursuant to Texas Water Code Ann. (TWC), §§ 13.242 to 13.250 and the 16 Texas Administrative Code (TAC) §§ 24.101 to 24.107.

On February 28, 2018, the Applicant filed additional information in response to Commission Order No. 2. Staff has reviewed the information and recommends the application be deemed administratively complete and sufficient for filing. Staff further recommends the Applicant be ordered to do the following:

- 1) Provide notice of the application to the following:
 - a) any districts, utilities, and cities within two (2) miles of the proposed area;
 - b) the county judge of each county and each groundwater conservation district that is wholly or partly included in the proposed area to be certified;
 - c) each city with an extraterritorial jurisdiction (ETJ) that is wholly or partly included in the proposed area to be certified; and
 - d) customers; and
 - e) publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Hays and Travis Counties.
- 2) Provide notice of the application to the following:
 - Aqua Texas Inc (CCN No. 11157)
 - Arroyo Doble Water Supply Inc (CCN No. 11117)
 - Barton Springs/Edwards Aquifer CD
 - City of Austin (CCN No. 11322)
 - City of Buda (CCN No. 11953)
 - City of Creedmoor
 - City of Niederwald
 - Creedmoor Maha WSC (CCN No. 11029)
 - Goforth SUD (CCN No. 11356)
 - Guadalupe-Blanco River Authority
 - Hays County Judge
 - Lower Colorado River Authority (CCN No. 11670)

- Monarch Utilities (CCN No. 12983)
 - Mystic Oak Water Supply Inc (CCN No. 12409)
 - North Hays County MUD 1
 - South Buda WCID 1
 - Sunfield MUD 1
 - Sunfield MUD 2
 - Sunfield MUD 3
 - Travis County Judge
 - Travis-Creedmoor MUD
 - Woods of Bear Creek Water (CCN No. 11907)
- 3) Include a map showing the requested service area with the individual notices to neighboring utilities, and other affected parties and customers. It is the Applicant's burden to provide an accurate map delineating the proposed area with each individual notice. Information related to districts, including addresses, can be obtained from the TCEQ's web site located at <http://www14.tceq.texas.gov/iwud/>.
- 4) Within 30 days of the date of the notice, file in the docket a map and copy of notice along with an affidavit specifying every person and entity to whom notice was provided, the date that the notice was provided, and the publisher's affidavit for proof of newspaper publication. It is recommended that the Applicant use the attached notices and affidavits to meet these requirements.

Notice to Neighboring Systems, Cities and Customers

SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 4'S NOTICE OF APPLICATION TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13116 AND TO OBTAIN DUAL CERTIFICATION WITH A PORTION GOFORTH SPECIAL UTILITY DISTRICT'S CCN NO. 11356 FOR THE PROVISION OF WATER SERVICE IN HAYS AND TRAVIS COUNTIES, TEXAS

To: _____
(Name of neighboring systems, cities and landowners)

Date Notice Mailed: ____, 2018

(Address)

(City State Zip)

Sunfield Municipal Utility District No. 4 has submitted an application with the Public Utility Commission of Texas to amend its water CCN No. 13116 and to obtain dual certification with a portion of Goforth Special Utility District's CCN No. 11356 in Hays and Travis Counties.

The requested area is located approximately 3 miles east of downtown Buda, TX, and is generally bounded on the north by Turnersville Road; on the east by South Turnersville Road; on the south by Satterwhite Road; and on the west by CR 118. The total area being requested includes approximately 1056 acres and 0 current customers.

See enclosed map of the proposed service area.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Si desea informacion en Espanol, puede llamar al 1-512-936-7221

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES, CUSTOMERS AND AFFECTED PARTIES
DOCKET NO. 47925

STATE OF TEXAS

COUNTY OF _____

has provided individual notice to the following:

DATE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is owner,
member or partnership, title of officer of corporation, or other authorized representative of applicant);
that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar
with the notices given with this application, and have complied with all notice requirements in the
application and application acceptance letter; and that all such statements made and matters set forth
therein are true and correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or
its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 2018, to certify which
witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

NOTICE FOR PUBLICATION

SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 4'S NOTICE OF APPLICATION TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13116 AND TO OBTAIN DUAL CERTIFICATION WITH A PORTION GOFORTH SPECIAL UTILITY DISTRICT'S CCN NO. 11356 FOR THE PROVISION OF WATER SERVICE IN HAYS AND TRAVIS COUNTIES, TEXAS

Sunfield Municipal Utility District No. 4 has submitted an application with the Public Utility Commission of Texas to amend its water CCN No. 13116 and to obtain dual certification with a portion of Goforth Special Utility District's CCN No. 11356 in Hays and Travis Counties.

The requested area is located approximately 3 miles east of downtown Buda, TX, and is generally bounded on the north by Turnersville Road; on the east by South Turnersville Road; on the south by Satterwhite Road; and on the west by CR 118. The total area being requested includes approximately 1056 acres and 0 current customers.

A copy of the map may be viewed at: 14755 Preston Road Suite 600, Dallas, TX, 75254, 972-419-4717.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date.

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PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT
DOCKET NO. 47925

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared

_____ ,

who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____