



Control Number: 47936



Item Number: 5

Addendum StartPage: 0

RECEIVED

APPLICATION OF MSEC §
ENTERPRISES, INC. TO AMEND A §
WATER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

2018 FEB 06 PM 4:07
PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF’S 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. 1, files this Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the application be deemed deficient and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

I. BACKGROUND

On January 9, 2018, MSEC Enterprises, Inc. (MSEC) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12887 in Montgomery County. The total area being requested includes approximately 79 acres and 1 current customer.

On January 12, 2018, Order No. 1 was issued, establishing a deadline of February 8, 2018, for Staff to file a recommendation on the administrative completeness of the application, the sufficiency of the proposed notice, and to propose a procedural schedule. Therefore, this pleading is timely filed.

II. APPLICATION DEFICIENCY RECOMMENDATION

As further detailed in the attached memorandum of Debbie Tamayo of the Commission’s Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively incomplete at this time. Staff recommends that MSEC be ordered to cure the deficiencies identified in Ms. Tamayo’s memorandum by March 8, 2018, and that Staff be given a deadline of April 5, 2018, to file a supplemental recommendation on the administrative completeness of the application. Staff notes that MSEC should not issue notice until the application is found administratively complete.

III. COMMENTS ON PROCEDURAL SCHEDULE

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of this docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation for application sufficiency.

IV. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete at this time and that MSEC be ordered to file a supplement addressing the identified deficiencies in the application by March 8, 2018.

Dated: February 6, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney



Landon J. Lill
State Bar No. 24092700
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)
Landon.Lill@puc.texas.gov

DOCKET NO. 47936

CERTIFICATE OF SERVICE

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



Landon J. Lill

PUC Interoffice Memorandum

To: Landon Lill, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Debbie Reyes Tamayo, Program Specialist
Water Utility Regulation Division

Date: February 5, 2018

Subject: **Docket 47936**, *Application of MSEC Enterprises, Inc. to Amend a Water Certificate of Convenience and Necessity in Montgomery County*

On January 9, 2018, MSEC Enterprises, Inc., (MSEC or Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12887 in Montgomery County, Texas pursuant to Texas Water Code Ann. (TWC), §§ 13.242 - 13.250 and the 16 Tex. Admin Code (TAC) §§ 24.101 - 24.107.

Staff has reviewed the information filed by the Applicant and recommends that the application be deemed insufficient for filing and administratively incomplete. Staff further recommends the following:

Mapping Deficiencies

The requested area shown in the digital data overlaps a portion already certificated to MSEC's CCN No. 12887. Also, the general location map is not printed to scale and a detailed map was not included in the filing.

Applicant must file the following items to resolve the mapping deficiencies:

- 1) A revised general location map identifying the requested area in reference to the nearest county boundary, city, or town.
- 2) A detailed map identifying the requested area in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- 3) Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).