



Control Number: 47979



Item Number: 9

Addendum StartPage: 0

DOCKET NO. 47979

RECEIVED

2018 FEB 26 PM 4:17

**APPLICATION OF THE CITY OF
HEATH TO AMEND A CERTIFICATE
OF CONVENIENCE AND NECESSITY
UNDER WATER CODE SECTION 13.255
AND DECERTIFY A PORTION OF
FORNEY LAKE WATER SUPPLY
CORPORATION'S SERVICE AREA IN
ROCKWALL AND KAUFMAN
COUNTIES**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION
ON NOTICE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest files this Recommendation on Notice. Staff recommends that the notice be deemed sufficient. In support thereof, Staff shows the following:

I. BACKGROUND

On January 23, 2018, the City of Heath (Heath) filed an application to amend water certificate of convenience and necessity (CCN) No. 12060 to provide water service to the Forney Lake Water Supply Corporation's (FLWS) CCN area and to decertify a portion of FLWS's CCN No. 10086 in Rockwall and Kaufman counties. Heath and FLWS provided an agreement pursuant to Tex. Water Code Ann. § 13.255(a) (West 2008 & Supp. 2017). On February 5, 2018, Heath filed a copy of the transmittal letter associated with the application. On February 16, 2018, Heath filed minor corrections to the map included in the application. The total area being requested includes approximately 2,600 acres and 839 customers.

II. NOTICE

Staff recommends that notice be found sufficient. All of the information required by 16 Texas Administrative Code (TAC) § 24.120(c) is found in the application. It has been brought to Staff's attention that Art Rodriguez, who is carbon-copied on the transmittal letter filed on February 5, 2018, is FLWS's attorney. Art Rodriguez confirmed via email that FLWS received a copy of the application. Therefore, Heath has correctly noticed FLWS.

III. CONCLUSION

For the reasons detailed above, Staff recommends that notice be found sufficient.

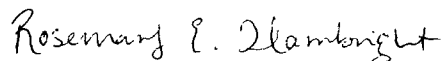
Dated: February 26, 2018

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

Stephen Mack
Managing Attorney

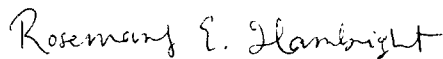


Rosemary E. Hambright
State Bar No. 24101856
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7230
(512) 936-7268 (facsimile)
Rosemary.Hambright@puc.texas.gov

DOCKET NO. 47979

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on February 26, 2018, in accordance with 16 TAC § 22.74.



Rosemary E. Hambright