



Control Number: 48034



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DOCKET NO. 48034

RECEIVED

APPLICATION OF QUADVEST, L.P. §
TO AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
IN FORT BEND COUNTY §

PUBLIC UTILITY COMMISSION: 29
OF TEXAS
PUBLIC UTILITY COMMISSION
FILING CLERK

**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 February 7, 2018, Quadvest L.P. (Quadvest) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 11612 and sewer CCN No. 20952 in Fort Bend County. The total area being requested includes approximately one hundred eight (108) acres and zero (0) current customers.

On March 12, 2018, Order No. 2 was issued establishing a deadline of April 23, 2018, for Staff to file a supplemental recommendation on the administrative completeness of the application and to propose a procedural schedule for further processing of the application. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

As further detailed in the attached memorandum of Fred Bednarski in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively complete and accepted for filing.

III. NOTICE

As detailed in the attached memorandum, Staff recommends that Quadvest proceed with providing public notice and be directed to use the attached forms to provide such notice to the following persons, political subdivisions and other entities:

- a. cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area;
- b. the county judge of each county that is wholly or partially included in the requested area;
- c. each groundwater conservation district that is wholly or partially included in the requested area;
- d. affected customers; and
- e. publish notice once a week for two (2) consecutive weeks in a newspaper of general circulation in Fort Bend County.

In addition, Staff recommends that Quadvest provide correct notice of the application to the following entities:

- Village of Fairchilds
- Brazos River Authority
- Fort Bend County Drainage District
- Fort Bend Subsidence District
- Fort Bend County Judge

Along with each individual notice, Staff recommends that Quadvest provide an accurate map delineating the requested service area. Additionally, Staff recommends that Quadvest file in the docket an affidavit specifying every person and entity to whom notice was provided and the date that such notice was provided within thirty (30) days of the date of the notice. Further, Staff recommends that Quadvest file the publisher's affidavit for proof of newspaper publication. It is recommended that Quadvest use the attached notices and affidavits to meet these requirements.

IV. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for Quadvest 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	June 7, 2018
Deadline for Staff to file a recommendation on sufficiency of notice and propose a supplemental procedural schedule	Within ten (10) days of Quadvest 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 recommends that the application be found administratively complete, that Quadvest be directed to provide notice as detailed above and in the attached memorandum, and that the proposed procedural schedule be adopted.

Dated: April 23, 2018

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney



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DOCKET NO. 48034

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 23, 2018 in accordance with 16 TAC § 22.74.



Richard Nemer

PUC Interoffice Memorandum

To: Richard Nemer, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Fred Bednarski, Financial Engineer
Water Utility Regulation Division

Date: April 23, 2018

Subject: **Docket No. 48034**, *Application of Quadvest, L.P. to Amend its Certificates of Convenience and Necessity in Fort Bend County*

On February 7, 2018, Quadvest, L.P. (Quadvest or Applicant) filed an application with the Public Utility Commission of Texas (Commission) to amend water Certificate of Convenience and Necessity (CCN) No. 11612 and sewer CCN No. 20952 in Fort Bend County pursuant to Tex. Water Code Ann. (TWC) §§ 13.242 to 13.250 and 16 Tex. Admin. Code (TAC) §§ 24.101 to 24.107.

Based on Staff's review of the additional information filed by Applicant on April 9, 2018, Staff recommends that the application be deemed sufficient for filing and found administratively complete. Staff further recommends the following:

- 1) Provide notice of the application to the following:
 - a) cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area;
 - b) the county judge of each county that is wholly or partially included in the requested area;
 - c) each groundwater conservation district that is wholly or partially included in the requested area;
 - d) landowners who own a tract of land that is at least 25 acres and is wholly or partly located in the requested area to be certified. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the requested area is located;
 - e) affected customers; and
 - f) publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in Fort Bend County.
- 2) Provide correct notice of the application to the following entities:
 - Village of Fairchilds
 - Brazos River Authority
 - Fort Bend County Drainage District
 - Fort Bend Subsidence District
 - Fort Bend County Judge
- 3) 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 the Applicant from the TCEQ web site located at <http://www14.tceq.texas.gov/iwud/>.

- 4) Within thirty (30) days of the date of the notice, file in the docket a map and copy of notice including 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, Landowners and Cities

NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN FORT BEND COUNTY, TEXAS

To: _____
(Neighboring System, Landowner or City)

Date Notice Mailed: _____, 2018

(Address)

(City State Zip)

Quadvest L.P. has filed an application with the Public Utility Commission of Texas to amend its Certificate of Convenience and Necessity for CCN No. 11612 and for CCN No. 20952 for the provision of retail water and sewer utility services in Fort Bend County.

The requested area is located approximately 8.5 miles southeast of downtown Rosenberg, Texas, and is generally bounded on the north by Fairchilds Creek; on the east by Boothline Road; on the south by Vacek Road; and on the west by Leroy Road. The total requested area includes approximately 109 acres and 0 current customers.

The requested area overlaps the boundaries of the Fort Bend Subsidence District. If Fort Bend Subsidence District does not request a public hearing, the Commission shall determine that the district is consenting to the Quadvest L.P.'s request to provide retail water and sewer utility services in the requested area. See enclosed map showing the requested 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 thirty (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 final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least twenty-five (25) acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within thirty (30) days from the date that notice was provided by the Utility. All opt out requests must include a large scale map and a metes and bounds description of the landowner's tract of land.

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

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

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

Notice for Publication

**NOTICE OF APPLICATION TO AMEND CERTIFICATES OF CONVENIENCE AND
NECESSITY (CCNs) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN FORT
BEND COUNTY, TEXAS**

Quadvest L.P. has filed an application with the Public Utility Commission of Texas to amend its water Certificate of Convenience and Necessity (CCN) No. 11612 and sewer CCN No. 20952 for the provision of retail water and sewer utility services in Fort Bend County.

The requested area is located approximately 8.5 miles southeast of downtown Rosenberg, Texas, and is generally bounded on the north by Fairchilds Creek; on the east by Boothline Road; on the south by Vacek Road; and on the west by Leroy Road.

The total requested area includes approximately 109 acres and 0 current customers.

The requested area overlaps the boundaries of the Fort Bend Subsidence District. If Fort Bend Subsidence District does not request a public hearing, the Commission shall determine that the district is consenting to the Quadvest L.P.'s request to provide retail water and sewer utility services in the requested area.

A copy of the map showing the requested area is available at: 26926 FM 2978, Magnolia, TX 77354 for Map

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 thirty (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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Si desea información en español, puede llamar al 1-888-782-8477.

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO LANDOWNERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES DOCKET NO. **48034**

STATE OF TEXAS

COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is,
owner, member of 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 for 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 _____, 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 _____

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT

DOCKET NO. **48034**

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 _____