



Control Number: 48350



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DOCKET NO. 48350

RECEIVED

APPLICATION OF THE CITY OF §  
DAYTON FOR CERTIFICATES OF §  
CONVENIENCE AND NECESSITY §  
IN LIBERTY AND HARRIS §  
COUNTIES §

BEFORE THE PUBLIC UTILITY COMMISSION  
OF TEXAS  
NOV 26 PM 2:52  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**STAFF'S RECOMMENDATION ON SUFFICIENCY OF MAPPING**

COMES NOW the staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Sufficiency of Mapping and, in support thereof, shows the following:

**I. BACKGROUND**

On May 8, 2018, the City of Dayton (City) filed an application to obtain water and sewer Certificates of Convenience and Necessity in Liberty and Harris Counties, pursuant to Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237 (formerly §§ 24.101 to 24.107). The service area being requested includes an area totaling roughly 80,045 acres, with approximately 1,080 customers. Order No. 5 required Staff to file, by November 26, 2018, a recommendation on the sufficiency of the mapping information supplied by the City. This pleading is, therefore, timely filed.

**II. RECOMMENDATION ON SUFFICIENCY OF MAPPING**

Staff has reviewed the City's application and supporting documentation and, as indicated by the attached memorandum of Elisabeth English, of the Commission's Water Utility Regulation Division, recommends that the mapping information provided by the City be found deficient at this time. Staff recommends that:

- the City be given until January 2, 2019, to file supplemental information sufficient to correct the deficiencies identified in the attached memo; and
- Staff be given until February 4, 2019, to file a further recommendation on the sufficiency of the mapping information and propose a schedule for continued processing.

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**III. CONCLUSION**

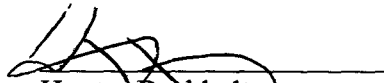
For the reasons detailed above, Staff recommends that the mapping information provided by the City be found deficient at this time and that the schedule proposed above be adopted.

Dated: November 26, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director  
Stephen Mack  
Managing Attorney

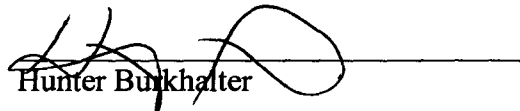


Hunter Burkhalter  
State Bar No. 00783758  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7216  
(512) 936-7268 (facsimile)  
hunter.burkhalter@puc.texas.gov

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**CERTIFICATE OF SERVICE**

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



Hunter Burkhalter

## PUC Interoffice Memorandum

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**To:** Hunter Burkhalter, Attorney  
Legal Division

**Thru:** Lisa Fuentes, Manager  
Water Utility Regulation Division

**From:** Elisabeth English, Engineering Specialist  
Water Utility Regulation Division

**Date:** November 26, 2018

**Subject:** **Docket No. 48350**, *Application of City of Dayton for Certificates of Convenience and Necessity in Liberty County*

On May 8, 2018, City of Dayton, (Dayton or Applicant) filed with the Public Utility Commission of Texas (Commission) an application to obtain water and sewer Certificates of Convenience and Necessity in Liberty and Harris Counties, Texas pursuant to Texas Water Code Ann. (TWC), §§ 13.241 to 13.250 and the 16 Tex. Admin Code (TAC) §§ 24.101 to 24.107 (formerly TAC §§ 24.101 to 24.107). The Applicant is seeking to obtain water and sewer CCN's to provide service to the Fordland Estates Section 4, Fordland Estates Section 5, and Luke Colbert Subdivision consisting of 80,045 total acres with approximately 1080 current customers.

Staff has reviewed Dayton's supplemental information filed on October 19, 2018, and continues to find that the maps and digital data are deficient. Dayton removed all opt out requests; however, the revised digital data filed was not provided in a continuous polyline necessary for Staff to create a polygon record. Please submit the item below:

- Digital mapping data for the revised 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); OR metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.