



Control Number: 48375



Item Number: 12

Addendum StartPage: 0

**DOCKET NO. 48375**

<b>APPLICATION OF CITY OF ELGIN AND AQUA WATER SUPPLY CORPORATION FOR APPROVAL OF SERVICE AREA CONTRACT UNDER TEXAS WATER CODE § 13.248 AND TO AMEND CERTIFICATES OF CONVENIENCE AND NECESSITY IN BASTROP COUNTY</b>	<b>§ § § § § § § §</b>	<b>PUBLIC UTILITY COMMISSION OF TEXAS</b>
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2018 AUG 27 AM 10:52  
FILING CLERK

**COMMISSION STAFF'S FINAL RECOMMENDATION**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Recommendation on Sufficiency and would show the following:

**I. BACKGROUND**

On May 17, 2018, the City of Elgin (Elgin) and Aqua Water Supply Corporation (Aqua) filed an application under the Texas Water Code § 13.248 for approval of a service area contract and to amend their water certificates of convenience and necessity (CCN) in Bastrop County.

Elgin holds CCN No. 10311 and Aqua holds CCN No. 10294. The Applicants, by mutual agreement, seek approval to alter the boundaries of the certificates and transfer two separate affected areas comprising 140 acres and 0 current customers. There is no transfer of assets or facilities between the applicants.

Order No. 2, issued on June 22, 2018, established a deadline for Staff to file a final recommendation, if no hearing was requested, by August 28, 2018. Therefore, this pleading is timely filed.

**II. RECOMMENDATION**

As detailed in the attached memorandum from Leila Guerrero in the Commission's Water Utility Regulation Division (Attachment A), Staff has reviewed the application and recommends that it be approved. In accordance with this recommendation, the certificates (Attachment B) and

map (Attachment C) that the parties consented to in their filings of August 3, 2018, and August 8, 2018, are attached. On or before September 5, 2018, the parties will jointly file proposed findings of fact and conclusions of law.

### **III. CONCLUSION**

Staff respectfully recommends that the Commission approve the application.

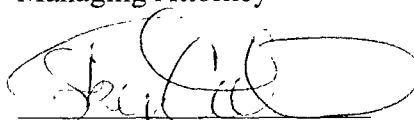
Dated: August 27, 2018

Respectfully Submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney

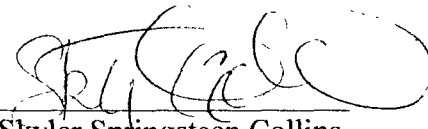


Skyler Springsteen Collins  
State Bar No. 24105618  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7203  
(512) 936-7268 (facsimile)  
Skyler.Collins@puc.texas.gov

**DOCKET NO. 48375**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on, August 27, 2018,  
in accordance with 16 TAC § 22.74.

  
Skyler Springsteen Collins

# Attachment A

# **Public Utility Commission of Texas**

## **Interoffice Memorandum**

**TO:** Skyler Collins, Attorney  
Legal Division

**THRU:** Tammy Benter, Director  
Heidi Graham, Manager  
Water Utility Regulation Division

**FROM:** Leila Guerrero, Regulatory Accountant/Auditor  
Water Utility Regulation Division

**DATE:** August 17, 2018

**SUBJECT:** **Docket No. 48375**, *Application of Aqua Water Supply Corporation and City of Elgin for Approval of a Service Area Contract Under Texas Water Code §13.248 and to Amend Certificates of Convenience and Necessity in Bastrop County*

On May 17, 2018, Aqua Water Supply Corporation (“Aqua WSC”) and City of Elgin (“City”), (collectively Applicants) filed an application with the Public Utility Commission of Texas (“Commission”) for approval of a service area contract under Tex. Water Code §13.248 (TWC), to amend Certificates of Convenience and Necessity (CCN) Nos. 10311 (City) and 10294 (Aqua WSC) in Bastrop County, Texas.

The Applicants have agreed to transfer a portion of water service area, approximately 140 acres, from Aqua WSC, CCN No. 10294, to the City, CCN No. 10311.

Notice was not required for this application because there are no affected customers in the area subject to the transfer.

The application meets all of the statutory requirements of TWC Chapter 13 and 16 Tex. Admin. Code Chapter 24 rules and regulations. Staff recommends approval of the application.

The Applicants consented to the attached maps and certificates in separate filings on August 3, 2018, and August 8, 2018.

Based on the above information, Staff recommends the Commission do the following:

- Issue an order approving the application; and
- Provide the attached maps and certificates to the Applicants.

Staff further recommends that the Applicants file certified copies of the CCN maps along with a written description of the CCN service areas in the county clerk’s office pursuant to TWC §§ 13.257 (r)-(s).

# Attachment B



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

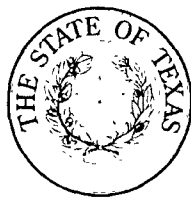
## **Aqua Water Supply Corporation**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Aqua Water Supply Corporation is entitled to this

### **Certificate of Convenience and Necessity No. 10294**

to provide continuous and adequate water utility service to that service area or those service areas in Bastrop County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48375 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Aqua Water Supply Corporation, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

**City of Elgin**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Elgin is entitled to this

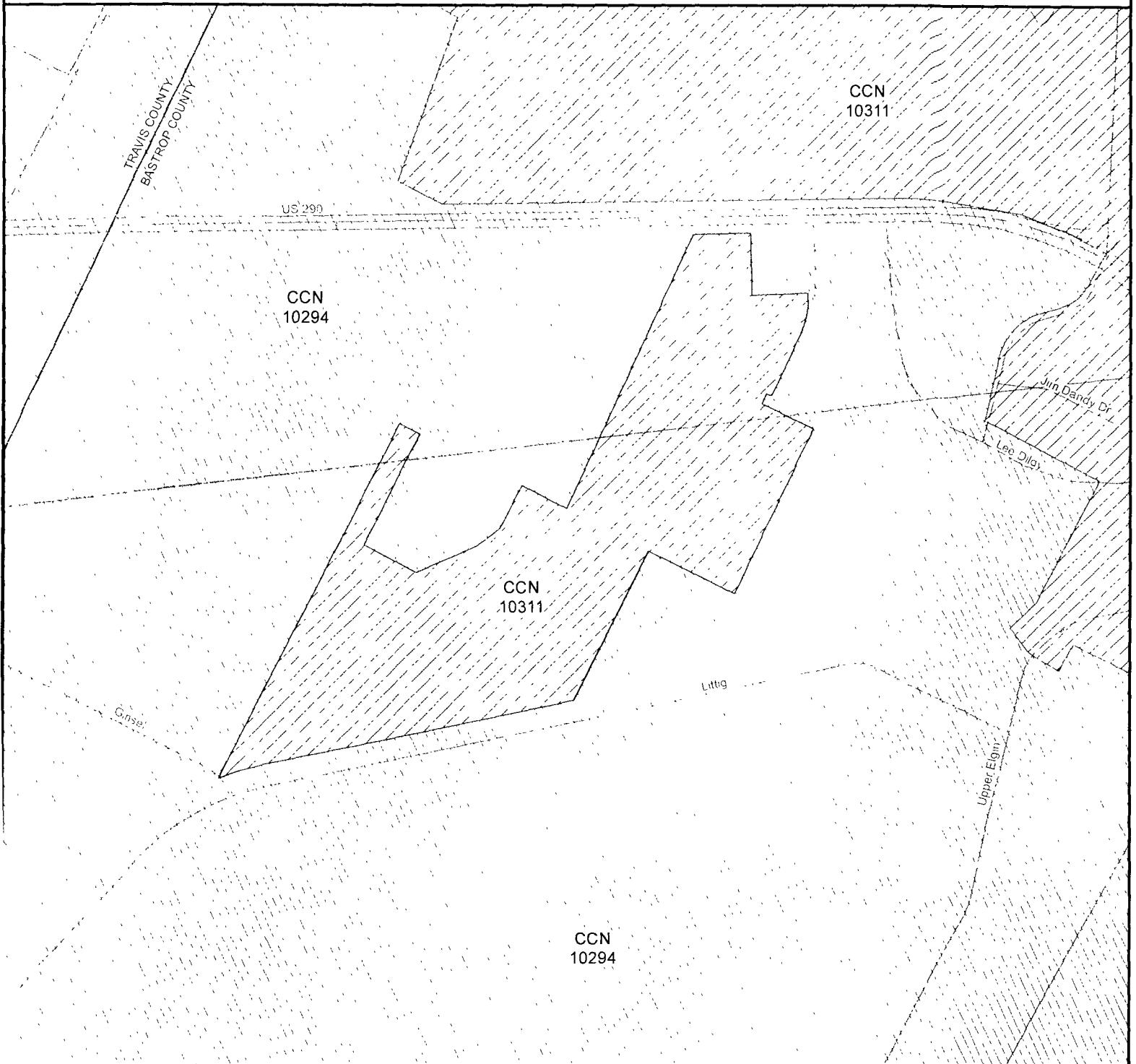
## **Certificate of Convenience and Necessity No. 10311**

to provide continuous and adequate water utility service to that service area or those service areas in Bastrop County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48375 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Elgin, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this \_\_\_\_\_ day of \_\_\_\_\_ 2018.



# Attachment C

City of Elgin  
Portion of Water CCN No. 10311  
PUC Docket No. 48375  
13.248 Agreement Amended CCN No. 10311 and  
Decertified a Portion of Aqua WSC, CCN No. 10294 in Bastrop County



Public Utility Commission of Texas  
1701 N Congress Ave  
Austin, TX 78701

**Water CCN**

-  10311 - City of Elgin
-  10294 - Aqua WSC

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Feet



Map by Koral Patel  
Date created July 11, 2018  
Project Path n finalmapping\48375CityofElgin.mxd