



Control Number: 48375



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DOCKET NO. 48375

RECEIVED

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	§	PUBLIC UTILITY COMMISSION OF TEXAS FILING CLERK 2018 JUN 18 PM 2:36
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COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY

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.

Elgin's application was filed pursuant to 16 Tex. Admin. Code (TAC) § 24.117.¹ On May 22, 2018, the Commission issued an Order Requiring Staff Recommendation, which mandated

¹ 16 Tex. Admin. Code § 24.117 (TAC)

that Staff file a recommendation on the sufficiency of the application and propose a procedural schedule by June 18, 2018. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Leila Guerrero in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively complete. The Commission published notice of the application in the *Texas Register* on June 1, 2018. Staff further recommends that no additional notice is required because there are no customers currently located in the area proposed for transfer.

III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for intervention	July 2, 2018
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	August 6, 2018
Deadline for Applicant to file signed consent forms with the Commission	August 21, 2018
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	August 28, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	September 5, 2018

IV. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that the application be found administratively complete and requests that the procedural schedule proposed above be adopted.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

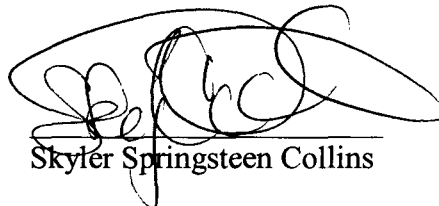
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Skyler Springsteen Collins
State Bar No. 24105618
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7203
(512) 936-7268 (facsimile)
Skyler.Collins@puc.texas.gov

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on June 18, 2018, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to read 'Skyler Collins', is written over a horizontal line.
Skyler Springsteen Collins

Public Utility Commission of Texas
Interoffice Memorandum

TO: Skyler Collins, Attorney
Legal Division

THRU: Lisa Fuentes, Manager
Water Utility Regulation Division

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

DATE: June 14, 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, Texas*

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 ("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 total area being requested include approximately 140 acres and zero customers.

On June 8, 2018, the Applicant submitted additional mapping information in response to Commission Order No. 1. Staff has reviewed information and recommends the application be deemed administratively complete and sufficient for filing.

For this application, notice is not required because there are no affected customers in the area subject to the transfer.