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DOCKET NO. 48396

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PUBLIC UTILITY COMMISSION

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OF TEXAS

APPLICATION OF THE CITY OF §
JUSTIN AND AQUA TEXAS, INC. §
FOR APPROVAL OF SERVICE AREA §
CONTRACT UNDER TEXAS WATER §
CODE § 13.248 AND TO AMEND §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY IN DENTON §
COUNTY §

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF APPLICATION AND NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Sufficiency of Application and Notice. In support thereof, Staff would show the following:

I. BACKGROUND

On May 29, 2018, the City of Justin and Aqua Texas, Inc. (Collectively, Applicants) filed an application pursuant to Tex. Water Code § 13.248 and 16 Texas Administrative Code § 24.117, for approval of an agreement that would amend their water Certificates of Convenience and Necessity (CCN) in Denton County to realign certain CCN Boundaries.

Order No. 1, filed by the Administrative Law Judge (ALJ) on June 4, 2018 required Staff to file a recommendation on the sufficiency of the application and notice on or before June 29, 2018. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON SUFFICIENCY OF APPLICATION AND NOTICE

As detailed in the attached memorandum by Sherrie Keylon of the Commission's Water Utility Regulation Division, Staff has reviewed the application and notice. Notice was provided in the Texas Register at 43 Tex. Reg. 3942 on June 15, 2018. Staff recommends that no additional notice is required because there are no customers currently located in the area proposed for transfer. Additionally, Staff recommends that the application be found administratively complete.

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III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for Intervention	July 16, 2018
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to the Applicants for review and consent	August 17, 2018
Deadline for Applicants to file signed consent forms with the Commission	September 7, 2018
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	September 14, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	September 21, 2018

IV. CONCLUSION

Staff respectfully recommends that the application be found administratively complete, that additional notice is not required, and that the above procedural schedule be adopted.

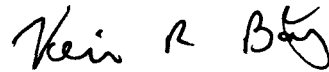
Dated: June 29, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

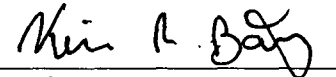


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 29th of June, 2018 in accordance with 16 TAC § 22.74.



Kevin R. Bartz

PUC Interoffice Memorandum

To: Kevin Bartz, Attorney
Legal Division

Through: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Sherrie Keylon, Financial Analyst
Water Utility Regulation Division

Date: June 29, 2018

Subject: *Docket 48396, Application of the City of Justin and Aqua Texas, Inc. for Approval of Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Denton County*

On May 29, 2018, the City of Justin and Aqua Texas, Inc., (Collectively, Applicants) filed an application, pursuant to Texas Water Code § 13.248 and 16 Texas Administrative Code § 24.117, for approval of an agreement that would amend their water Certificates of Convenience and Necessity (CCN) in Denton County to realign certain CCN boundaries.

The City of Justin, CCN No. 10167, and Aqua Texas, Inc., have a signed agreement to transfer a portion of Aqua Texas, Inc.'s CCN No. 13201 to the City of Justin, included in the filing as Exhibit B. The requested area includes approximately 62 acres with no current customers. Small and large scale maps were included in the filing as Exhibit D. The agreement was presented to and approved by the City of Justin's city council on January 29, 2018. A copy of the agenda and minutes from the city council meeting were included as Exhibit C in the filing.

Based on Staff's review of documentation filed on May 29, 2018, Staff recommends that the application be deemed administratively complete and sufficient for filing.

Notice was provided in the Texas Register at 43 Tex. Reg. 3942 (June 15, 2018). Since there are no customers in the requested area to be transferred, Staff recommends that no additional notice is required.