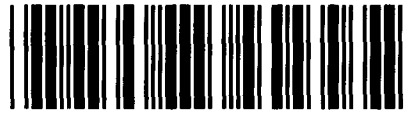


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APPLICATION OF AQUA TEXAS, INC. AND THE CITY OF TOMBALL FOR APPROVAL OF SERVICE AREA CONTRACT UNDER TEXAS WATER CODE § 13.248 AND TO AMEND CERTIFICATES OF CONVENIENCE AND NECESSITY IN BASTROP COUNTY	§ § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS	PUBLIC UTILITY COMMISSION FILING CLERK
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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 June 14, 2018, Aqua Texas, Inc. (Aqua) and the City of Tomball (City) 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 Harris County.

Aqua holds water CCN No. 13203 and sewer CCN No. 21065, and City holds water CCN No. 13257 and sewer CCN No. 21103. The Applicants, by mutual agreement, seek approval to alter the boundaries and transfer affected areas comprising 709 acres and 0 current customers. No Aqua facilities or customers are currently located in the area proposed for transfer.

Aqua and City's application was filed pursuant to 16 Tex. Admin. Code (TAC) § 24.117.¹ On June 18, 2018, the Commission issued an Order Requiring Staff Recommendation, which

¹ 16 Tex. Admin. Code § 24.117 (TAC)

required Staff to file a recommendation on the sufficiency of the application and propose a procedural schedule by July 16, 2018. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Debbie Reyes in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively complete. Notice of the application was published in the *Texas Register* on June 29, 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 30, 2018
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	September 5, 2018
Deadline for Applicant to file signed consent forms with the Commission	September 19, 2018
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	September 26, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	October 4, 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

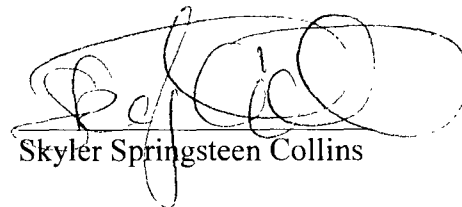


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DOCKET NO. 48465

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.



Skyler Springsteen Collins

PUC Interoffice Memorandum

To: Skyler Collins, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Debbie Reyes, Program Specialist
Water Utility Regulation Division

Date: July 12, 2018

Subject: **Docket 48465**, *Application of the Aqua Texas, Inc. and the City of Tomball for Approval of Service Area Contract under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity (CCN) in Harris County*

On June 14, 2018, Aqua Texas, Inc. d/b/a Aqua Texas (Aqua) and City of Tomball, Texas (City) (collectively, Applicants) filed an application under Texas Water Code (TWC) § 13.248 and 16 Texas Administrative Code (TAC) § 24.117. The Applicants seek approval of a contract expressing the Applicants' agreement to transfer portions of Aqua's water CCN No. 13203 and sewer CCN No. 21065 service areas to the City's adjacent existing water CCN No. 13257 and sewer CCN No. 21103 service areas.

The Applicant's application includes the transfer of approximately 353 total acres and 0 current customers from Aqua's water CCN No. 13203 to the City's water CCN No. 13257. In addition, the application includes the transfer of approximately 356 acres and 0 current customers from Aqua's sewer CCN No. 21065 to the City's sewer CCN No. 21103.

There are no customers in the requested areas to be transferred; therefore notice is not required.

The mapping information, including the hard copy maps filed on June 14, 2018, and the digital data filed on July 12, 2018, is sufficient. Therefore, Staff recommends that the application be deemed sufficient for filing and found administratively complete.