

Control Number: 48491



Item Number: 6

Addendum StartPage: 0

DOCKET NO. 48491

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APPLICATION OF MSEC §  
ENTERPRISES, INC. TO AMEND ITS §  
WATER CERTIFICATE OF §  
CONVENIENCE AND NECESSITY IN §  
MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS AND PROPOSED NOTICE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the application be deemed deficient and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

**I. BACKGROUND**

On June 26, 2018, MSEC Enterprises, Inc. (MSEC) filed an application to amend water certificate of convenience and necessity number (CCN) 12887 in Montgomery County. MSEC is seeking to amend its application to provide water service requested by the landowner in an area with no current retail water utility service. The affected service area requested includes approximately 40 acres and 0 customers.

On June 29, 2018, the Administrative Law Judge (ALJ) issued Order No. 1, establishing a deadline of July 26, 2018 for Staff to file a recommendation on the administrative completeness of the application, the sufficiency of the proposed notice, and to propose a procedural schedule. Therefore, this pleading is timely filed.

**II. APPLICATION DEFICIENCY RECOMMENDATION**

As detailed in the attached memorandum of Jolie Mathis in the Commission's Water Utility Regulation Division, Staff has reviewed the application and respectfully recommends that the ALJ find it administratively incomplete at this time. Staff recommends that Applicant be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by August 27, 2018, and that Staff be given a deadline of September 27, 2018, to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Applicant should not issue notice until the application is found administratively complete.

### **III. COMMENTS ON PROCEDURAL SCHEDULE**

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of this docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation for application sufficiency.

### **IV. CONCLUSION**

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Applicant be ordered to file a supplement addressing the identified deficiencies in the application by August 27, 2018.

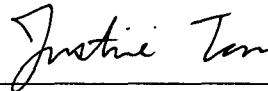
Dated: July 26, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Stephen Mack  
Managing Attorney



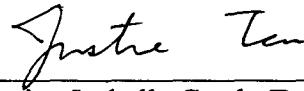
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**DOCKET NO. 48491**

**CERTIFICATE OF SERVICE**

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

A handwritten signature in cursive script that reads "Justine Tan". The signature is written in black ink and is positioned above a horizontal line.

Justine Isabelle Caedo Tan

## PUC Interoffice Memorandum

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**To:** Justine Tan, Attorney  
Legal Division

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

**From:** Jolie Mathis, Staff Engineer  
Gary Horton, Jr., GIS Specialist  
Water Utility Regulation Division

**Date:** 7/24/18

**Subject:** **Docket 48491**, *Application of MSEC Enterprises, Inc. to Amend its Certificate of Convenience and Necessity (CCN) in Montgomery County*

On June 26, 2018, MSEC Enterprises, Inc. filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12887 and sewer CCN No. Montgomery County, Texas pursuant to Texas Water Code Ann. (TWC) §§ 13.242 to 13.250 and the 16 Tex. Admin Code (TAC) §§ 24.101 to 24.107.

Staff has reviewed the information provided by the Applicant and recommends the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

### **Mapping Information**

Maps submitted are deficient. Applicant must submit the following items to resolve the mapping deficiencies:

1. Digital mapping data for the 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.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).