



Control Number: 48564



Item Number: 10

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**DOCKET NO. 48564**

**APPLICATION OF CITY OF ROYSE §  
CITY AND BHP WATER SUPPLY §  
CORPORATION FOR APPROVAL §  
OF SERVICE AREA CONTRACT §  
UNDER TEXAS WATER CODE §  
§ 13.248 AND TO AMEND §  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY IN HUNT COUNTY §**

**RECEIVED  
2018 NOV 29 PM 1:09  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF TEXAS**

**COMMISSION STAFF'S RECOMMENDATION ON FINAL DISPOSITION**

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

**I. BACKGROUND**

On August 2, 2018, the City of Royse City (Royse City) and BHP Water Supply Corporation (BHP), (collectively Applicants) filed an application with the Public Utility Commission (Commission) for approval of a service area contract under Tex. Water Code (TWC) § 13.248, to amend Certificates of Convenience and Necessity (CCN) Nos. 10064 held by BHP Water Supply Corporation (BHP), with Royse City's water CCN No. 12827 in Hunt County, Texas. This application is filed pursuant to Texas Water Code (TWC) § 13.248. The applicants, by settlement agreement, seek approval to dually certify approximately 210 acres of BHP's current water service area under its CCN No. 10064 with Royse City's water CCN No. 12827. There are no affected customers in the requested area.

On September 5, 2018, Order No. 2 was issued, establishing a deadline of December 3, 2018, for Staff to file a final recommendation on the application. Therefore, this pleading is timely filed.

**II. RECOMMENDATION ON FINAL DISPOSITION**

As detailed in the attached memorandum from Elizabeth English 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 maps (Attachment C) that the parties consented to in their filings of

November 16, 2018 are attached. On or before December 10, 2018, the parties will jointly file proposed findings of fact and conclusions of law.

### **III. CONCLUSION**

Staff respectfully requests that the ALJ issue an order consistent with the above recommendation.

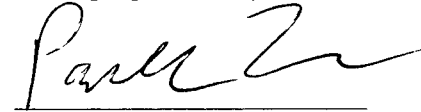
Dated: November 29, 2018

Respectfully Submitted,

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

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney

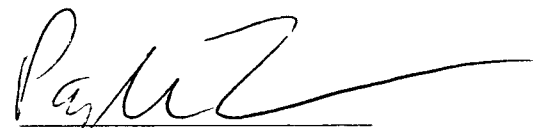


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**DOCKET NO. 48564**

#### **CERTIFICATE OF SERVICE**

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



Patrick D. Todd

# Attachment A

**Public Utility Commission of Texas**  
**Interoffice Memorandum**

**TO:** Patrick Todd, Attorney  
Legal Division

**THRU:** Heidi Graham, Manager  
Water Utility Regulation Division

**FROM:** Elisabeth English, Engineering Specialist  
Water Utility Regulation Division

**DATE:** November 29, 2018

**SUBJECT:** **Docket No. 48375**, *Application of City of Royse City and BHP Water Supply Corporation for Approval of Service Area Contract under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Hunt County*

On August 2, 2018, City of Royse City (Royse City) and BHP Water Supply Corporation (BHP WSC), (collectively, Applicants) filed an application with the Public Utility Commission (Commission) for approval of a service area contract under Texas Water Code (TWC) § 13.248, to amend Certificates of Convenience and Necessity (CCN) Nos. 12827 (Royse City) and 10064 (BHP WSC) in Hunt County, Texas.

The Applicants filed an agreement designating an area to be served by both Royse City and BHP WSC in accordance with TWC § 13.248. The Applicants requested to dually certify approximately 210 acres of BHP WSC's current water service area under CCN 10064 with Royse City's water CCN 12827. Notice was not required because there are no affected customers in the requested area.

Applicants consented to the attached map and certificates on November 16, 2018.

The application meets all of the statutory requirements of TWC Chapter 13 and 16 Texas Administrative Code Chapter 24 rules and regulations; therefore, Staff recommends approval of the application and the attached final maps and certificates. Staff further recommends that the Applicants file certified copies of the CCN maps along with written descriptions of the CCN service areas in the Hunt 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**

## **BHP 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, BHP Water Supply Corporation, is entitled to this

### **Certificate of Convenience and Necessity No. 10064**

to provide continuous and adequate water utility service to that service area or those service areas in Hunt, Rockwall, and Collin Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48564 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 BHP 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 Royse City**

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 Royse City, is entitled to this

### **Certificate of Convenience and Necessity No. 12827**

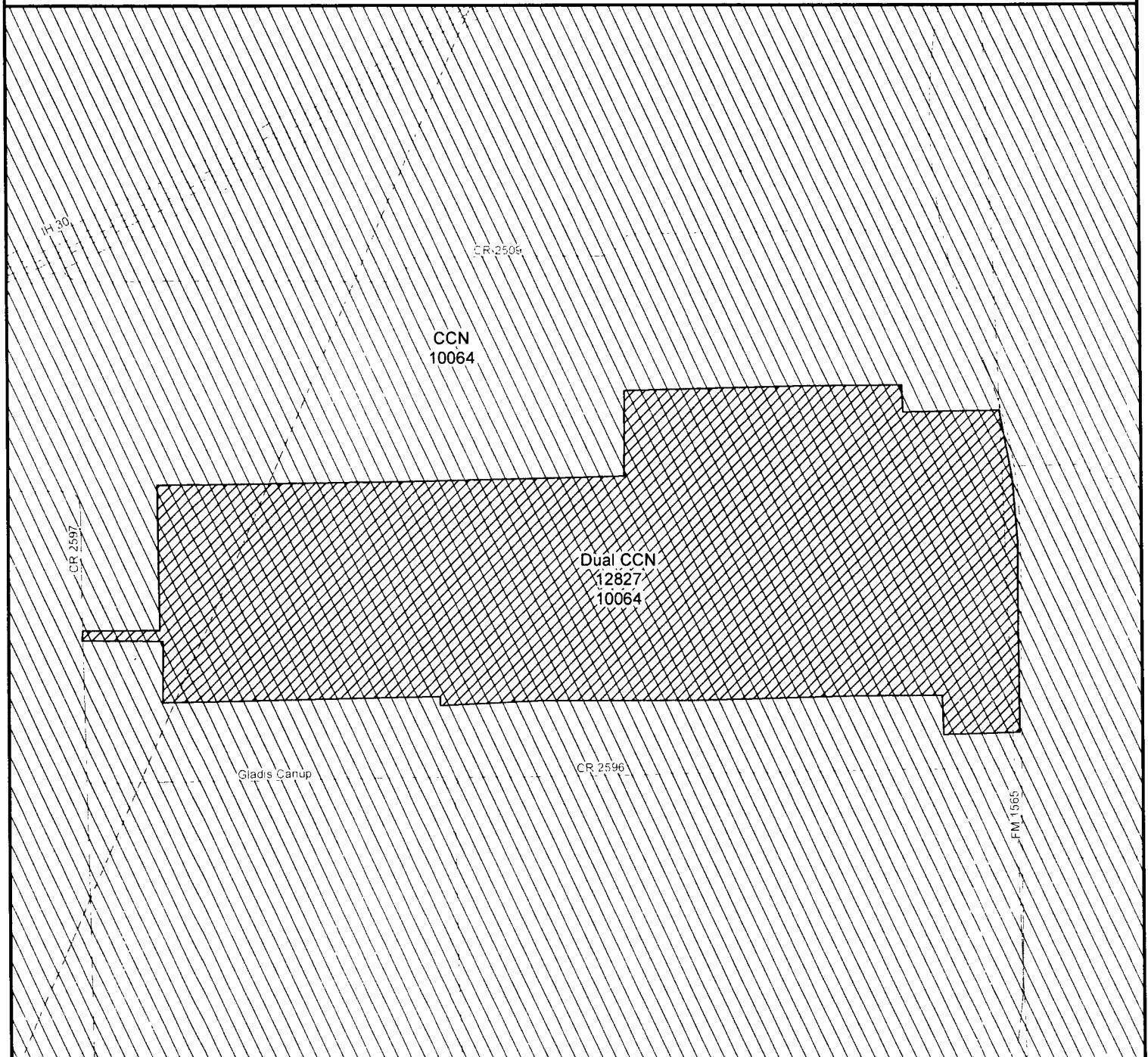
to provide continuous and adequate water utility service to that service area or those service areas in Hunt, Rockwall, and Collin Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48564 are on file at the Commission offices in Austin, 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 Royse City, 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 Royse City  
Portion of Water CCN No. 12827  
PUC Docket No. 48564  
13.248 Agreement Obtained Dual Certification with BHP WSC, CCN No. 10064 in Hunt County



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

**Water CCN**

-  12827 - City of Royse City
-  10064 - BHP WSC

0 450 900  
Feet



Map by Komal Patel  
Date created: October 30, 2018  
Project Path: n:\finalmapping\  
48564BHPWSC.mxd