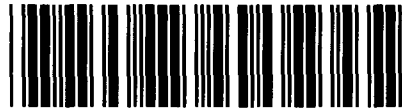




Control Number: 48569



Item Number: 21

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF DENTON §
COUNTY FRESH WATER SUPPLY §
DISTRICT NO. 10 FOR PARTIAL §
DECERTIFICATION OF ITS CCN §
SERVICE AREA AND APPROVAL §
OF A SERVICE AREA CONTRACT §
WITH MUSTANG SPECIAL §
UTILITY DISTRICT UNDER TEXAS §
WATER CODE § 13.248 IN DENTON §
COUNTY §

PUBLIC UTILITY COMMISSION

OF TEXAS

COMMISSION STAFF'S FINAL RECOMMENDATION

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Final Recommendation in response to Order No. 5 and would show the following:

I. BACKGROUND

On August 3, 2018, Denton County Fresh Water Supply District No. 10 (the District) filed a petition for approval of an agreement with Mustang Special Utility District (Mustang SUD) under Texas Water Code (TWC) § 13.248 and 16 Texas Administrative Code (TAC) § 24.253 (formerly 16 TAC § 24.117). As part of that agreement, a portion of certificated service area that is currently dually certificated to the District and Mustang SUD would be decertified from the District's water and sewer certificates of convenience and necessity (CCN) Nos. 13021 and 20923.

On October 17, 2018, Order No. 5 was issued, deeming notice sufficient and establishing a deadline of January 11, 2019, for Staff to file a final recommendation on the application. This pleading is therefore timely filed.

II. RECOMMENDATION

As detailed in the attached memorandum from Fred Bednarski III in the Commission's Water Utility Regulation Division, Staff has reviewed the application and all supplemental information that has been provided and recommends that the application be approved. The certificates and maps that the District and Mustang SUD consented to in their consent forms filed

on December 10 and 11 are attached. The parties will file a joint proposed findings of fact and conclusions of law in accordance with the procedural schedule established in Order No. 5.

III. CONCLUSION

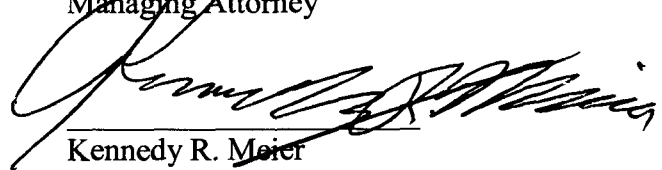
For the reasons discussed above, Staff recommends that the application be approved.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

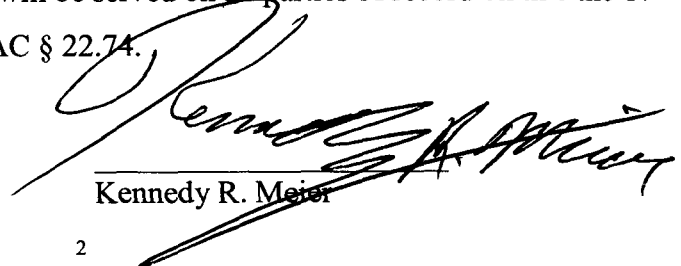


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DOCKET NO. 48569

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 17th of December, 2018 in accordance with 16 TAC § 22.74.



Kennedy R. Meier

Public Utility Commission of Texas
Interoffice Memorandum

TO: Kennedy Meier, Attorney
Legal Division

THRU: Lisa Fuentes, Manager
Water Utility Regulation Division

FROM: Fred Bednarski III, Financial Analyst
Water Utility Regulation Division

DATE: December 17, 2018

SUBJECT: **Docket No. 48569**, *Application of Denton County Fresh Water Supply District No. 10 for partial Decertification of its CCN Service Area and Approval of a Service Area Contract with Mustang Special Utility District under Texas Water Code § 13.248 in Denton County*

On August 3, 2018, Denton County Fresh Water Supply District No. 10 (Denton County FWSD 10) filed a petition with the Public Utility Commission of Texas to decertify a portion of its water Certificate of Convenience and Necessity (CCN) No. 13021 and its sewer CCN No. 20923 in Denton County pursuant to Texas Water Code (TWC) § 13.248. The area to be decertified is currently dually certificated, for water and sewer, with Mustang Special Utility District's (Mustang SUD) water CCN No. 11856 and sewer CCN No. 20930.

Denton County FWSD 10 and Mustang SUD have agreed for Mustang SUD to be singly certificated in the requested area and to serve the existing customers. The total area includes approximately 849 acres and 2,452 current customers.

Notice was provided on or about October 2, 2018, to all affected customers in the area subject to this application. No parties filed for intervenor status.

The application meets all of the statutory requirements of TWC Chapter 13 and the 16 Texas Administrative Code Chapter 24 rules and regulations. Staff recommends approval of the application.

The Applicants consented to the attached map and certificates on December 10, and December 11, 2018.

Based on the above information, Staff recommends that:

- The application be approved and an order issued; and
- The attached maps and certificates be provided to the Applicants.

Staff further recommends that the Applicants file certified copies of the CCN maps along with a written description of the CCN service areas in the county clerk's office pursuant to TWC §§ 13.257 (r)-(s).



Public Utility Commission of Texas

By These Presents Be It Known To All That

Denton County Fresh Water Supply District No. 10

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, Denton County Fresh Water Supply District No. 10 is entitled to this

Certificate of Convenience and Necessity No. 13021

to provide continuous and adequate water utility service to that service area or those service areas in Denton County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48569 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 Denton County Fresh Water Supply District No. 10 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 _____ 2019.



Public Utility Commission of Texas

By These Presents Be It Known To All That

Denton County Fresh Water Supply District No. 10

having obtained certification to provide sewer 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, Denton County Fresh Water Supply District No. 10 is entitled to this

Certificate of Convenience and Necessity No. 20923

to provide continuous and adequate sewer utility service to that service area or those service areas in Denton County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48569 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 Denton County Fresh Water Supply District No. 10 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 _____ 2019.



Public Utility Commission of Texas

By These Presents Be It Known To All That

Mustang Special Utility District

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, Mustang Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 11856

to provide continuous and adequate water utility service to that service area or those service areas in Denton County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48569 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 Mustang Special Utility District 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 _____ 2019.



Public Utility Commission of Texas

By These Presents Be It Known To All That

Mustang Special Utility District

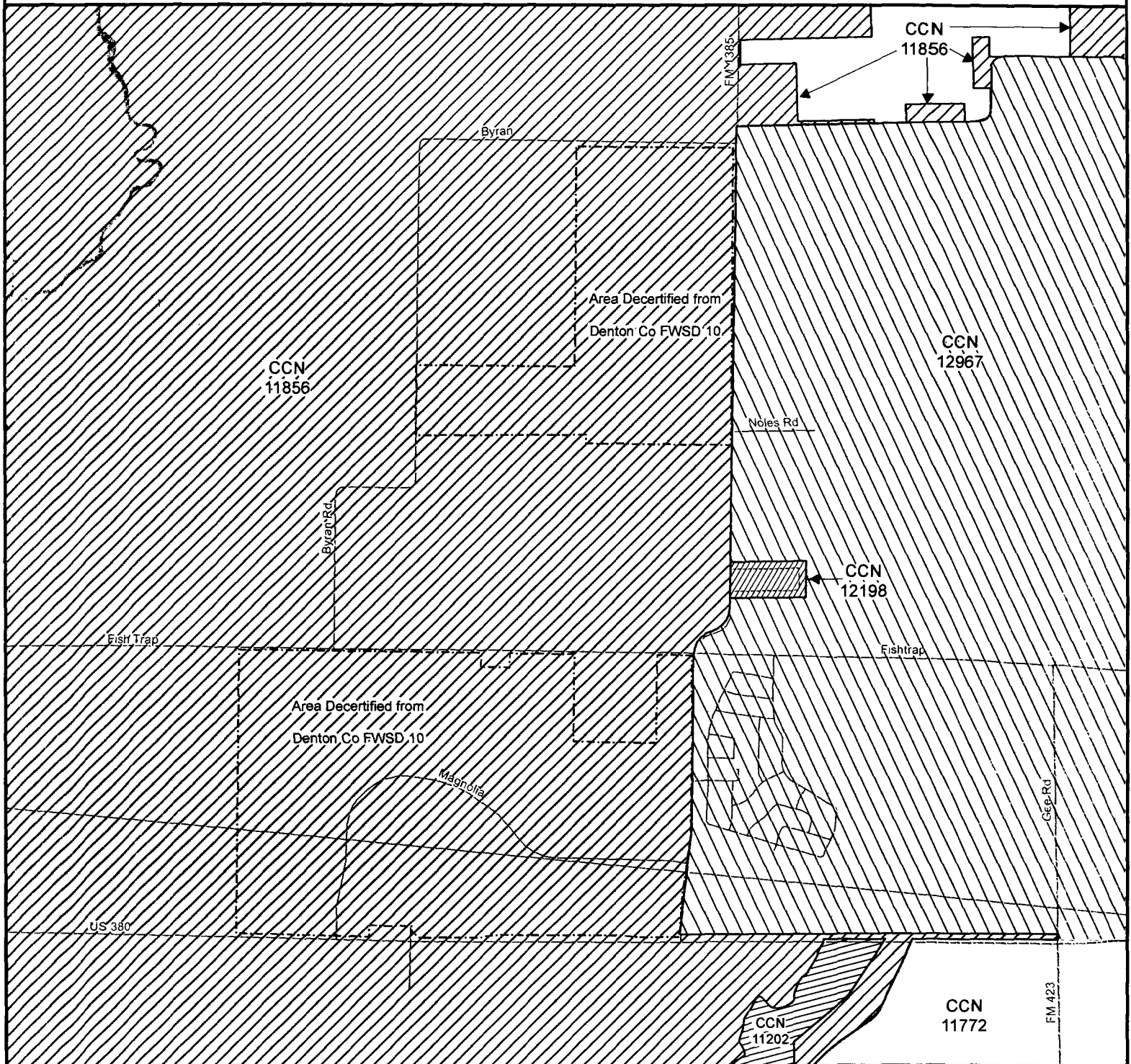
having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Mustang Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 20930

to provide continuous and adequate sewer utility service to that service area or those service areas in Denton County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48569 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 Mustang Special Utility District 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.

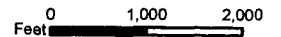
Issued at Austin, Texas, this _____ day of _____ 2019.

Denton County Fresh Water Supply District No. 10
Portion of Water CCN No. 13021
PUC Docket No. 48569
13.248 Agreement Decertified a Portion of Denton County Fresh Water Supply District No. 10
in Denton County

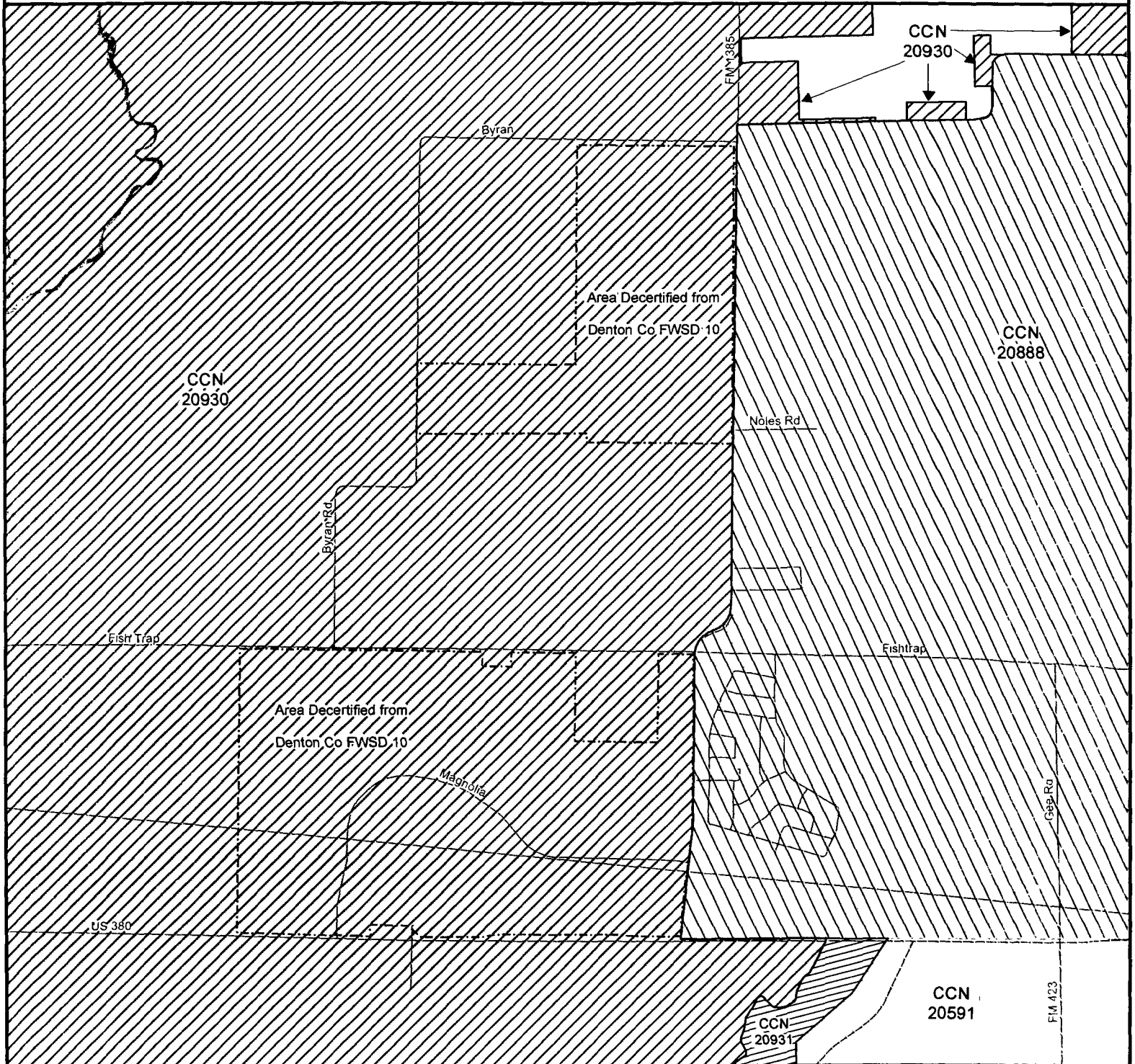


Water CCN

- 11856 - Mustang SUD
- 12967 - City of Prosper
- 12198 - Water Assn of North Lake Inc
- 11202 - Town of Little Elm
- Area Decertified
- 11772 - City of Frisco







Denton County Fresh Water Supply District No. 10
Portion of Sewer CCN No. 20923
PUC Docket No. 48569
13.248 Agreement Decertified a Portion of Denton County Fresh Water Supply District No. 10
in Denton County



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

Sewer CCN

-  20930 - Mustang SUD
-  20888 - City of Prosper
-  20931 - Town of Little Elm
-  20591 - City of Frisco

 Area Decertified

0 1,000 2,000
Feet



Map by: Komal Patel
 Date created: November 16, 2018
 Project Path: n:\finalmapping\
 48569DentonFWSD10Sewer.mxd