



Control Number: 48660



Item Number: 5

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RECEIVED

APPLICATION OF THE CITY OF
LUCAS TO AMEND A WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN COLLIN
COUNTY

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PUBLIC UTILITY COMMISSION

OF TEXAS

2018 SEP 27 PM 2:28

PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS OF THE APPLICATION, NOTICE AND
OTHER PROCEDURAL MATTERS**

COMES NOW the staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness, Notice and Other Procedural Matters. 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 September 4, 2018, the City of Lucas (Lucas) filed an application to amend water certificate of convenience and necessity (CCN) No. 10193 in Collin County. The requested area would add approximately 4,593 acres to CCN No. 10193.

Order No. 1, issued on September 11, 2018, required Staff to file a recommendation on administrative completeness by September 28, 2018. Therefore, this pleading is 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 incomplete at this time. Specifically, Staff has identified deficiencies in the mapping information submitted. Staff recommends that Lucas submit additional mapping information, as further detailed in the attached memorandum.

III. COMMENTS ON PROCEDURAL SCHEDULE

Staff recommends that a deadline of October 29, 2018, be established for Lucas to file supplemental mapping information. Staff further recommends that a deadline of November 29,

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2018, be established for Staff to review Lucas' supplemental mapping information and make a supplemental recommendation on the administrative completeness of the application.

IV. CONCLUSION

For the reasons discussed above, Staff recommends that the application be found administratively incomplete. Staff further recommends that the procedural schedule proposed above be adopted for further processing of this docket.

Dated: September 27, 2018

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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DOCKET NO. 48660

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 27, 2018, in accordance with 16 TAC § 22.74.



Patrick D. Todd

PUC Interoffice Memorandum

To: Patrick Todd, Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Manager
Water Utility Regulation Division

From: Debbie Reyes, Program Specialist
Water Utility Regulation Division

Date: September 27, 2018

Subject: **Docket 48660**, *Application of the City of Lucas to Amend a Water Certificate of Convenience and Necessity in Collin County*

On September 4, 2018, The City of Lucas filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10193 in Collin County, Texas pursuant to Texas Water Code Ann. (TWC), §§ 13.242 to 13.250 and the 16 Texas Administrative 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 Content:

The mapping documentation filed in the application is deficient. Staff has determined that the mapping data filed, results in overlaps between the requested area at Dilleyhay Drive and the surrounding existing CCNs. The Applicant may remove the overlaps between the requested area and existing CCNs, and/or they may obtain agreements to decertify portions, and/or obtain dual certification with the following CCNs:

- City of Parker, CCN No. 10207
- City of Allen, CCN No. 10163

If the Applicant chooses to remove the overlaps or to obtain agreements to decertify portions of the existing CCNs, the Applicant must submit the following revised maps to resolve the mapping deficiencies:

- A revised general location map identifying the requested areas in reference to the nearest county boundary, city, or town;
- A revised detailed map identifying the requested areas in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads; and
- 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.

In addition, the requested area overlaps the City of Wiley's city limits and will require consent from the City of Wiley.