



Control Number: 48700



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DOCKET NO. 48700

**PETITION OF DENTON SORRELLS,
LLC AND PUNKADILLY LTD. TO
AMEND AQUA TEXAS, INC.'S
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN DENTON
COUNTY BY EXPEDITED RELEASE**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

2018 OCT 19 AM 10:59

**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 September 19, 2018, Denton Sorrells, LLC (Denton Sorrells) and Punkadully, LTD (Punkadilly) (collectively, Applicants) filed a petition with the Commission for expedited release of approximately 386 acres of land located in the boundaries of Aqua Texas, Inc.'s (Aqua Texas) water Certificate of Convenience and Necessity (CCN) No. 13201 in Denton County, pursuant to Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(l). The total acreage of land subject to the request includes approximately 324 acres owned by Denton Sorrells and approximately 62 acres owned by Punkadilly.

On September 25, 2018, Order No. 1 was issued, establishing a deadline of October 19, 2018, for Staff to file a recommendation on the administrative completeness of the application and notice and propose a procedural schedule for further processing of the application. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Elizabeth English in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Specifically, Staff has identified deficiencies in the mapping

information, deeds demonstrating ownership of the tract of land, and proof of notice. Staff recommends that Applicants submit the additional documents identified in the attached memorandum.

III. PROCEDURAL SCHEDULE

In accordance with the recommendation that the application be found administratively incomplete, Staff recommends that a deadline of November 19, 2018, be established for the Applicants to supplement their application. Staff further recommends that a deadline of December 19, 2018, be established for Staff to review the Applicants' supplemental information and make a supplemental recommendation on the administrative completeness of the application.

IV. CONCLUSION

For the reasons discussed above, Staff respectfully 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.

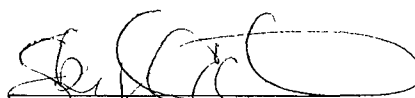
Dated: October 19, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 19, 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: Elisabeth English, Engineering Specialist
Water Utility Regulation Division

Date: October 17, 2018

Subject: **Docket No. 48700**, *Petition of Denton Sorrells, LLC and Punkadilly Ltd. to amend Aqua Texas, Inc.'s Certificate of Convenience and Necessity in Denton County by Expedited Release*

On September 19, 2018, Denton Sorrells, LLC (“Denton Sorrells”) and Punkadilly, LTD (“Punkadilly”) (collectively “Petitioners”) requested the expedited release of approximately 386 acres of land located within the boundaries of Aqua Texas, Inc.'s (Aqua) water Certificate of Convenience and Necessity (CCN) No. 13201 in Denton County. The petition is being reviewed under Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) TAC § 24.245(l)(formerly § 24.113(1)). The Petitioner asserts that the land is at least 25 acres, is not receiving water service, and is located in Denton County, which is a qualifying county.

Staff recommends that the petition be deemed insufficient and not accepted for filing. The petition does not meet the criteria set forth in TWC § 13.254(a-5) and 16 TAC § 24.245(l). Specifically, the petition did not include:

1. Adequate mapping information as required by 16 TAC § 24.245(l)(4)(B) and 16 TAC § 24.245(m).
2. Demonstration of the Petitioner’s ownership of the tract of land via deed as required by 16 TAC § 24.245(l)(4)(A)(v).
3. Proof that notice of the petition was provided to Aqua as required by 16 TAC § 24.245(l)(4)(A)(vi).

Due to the limited information that the Petitioners have provided Staff cannot establish the location of the tract of land to be released in relation to Aqua’s certificated service area. Staff recommends that the Petitioners provide the following supplemental documents:

1. Required mapping information:
 - a. 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,
 - b. A metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.
2. Copies of all deeds demonstrating ownership of the tract of land by the Petitioners;
3. Proof that a copy of the petition was been mailed to Aqua via certified mail on the day that the Petitioners filed the petition with the Commission.