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DOCKET NO. 48714

APPLICATION OF THE CITY OF	§	PUBLIC UTILITY COMMISSION
EDINBURG TO AMEND A	§	
CERTIFICATE OF CONVENIENCE	§	OF TEXAS
AND NECESSITY UNDER TEXAS	§	
WATER CODE § 13.255 AND	§	
DECERTIFY A PORTION OF NORTH	§	
ALAMO WATER SUPPLY	§	
CORPORATION'S SERVICE AREA IN	§	
HIDALGO COUNTY	§	

2019 JAN 15 PM 12:15
PUBLIC UTILITY COMMISSION
FILING CLERK

ORDER NO. 4

**FINDING APPLICATION INCOMPLETE AND DEFICIENT; ESTABLISHING AN
OPPORTUNITY TO CURE; AND WARNING THAT A FUTURE FAILURE TO CURE
MAY LEAD TO DISMISSAL FOR WANT OF PROSECUTION**

This Order addresses Commission Staff's January 11, 2019 recommendation regarding the administrative completeness of the City of Edinburg's application. In Order No. 2, issued on November 6, 2018, the administrative law judge (ALJ) found Edinburg's application to be deficient and directed Edinburg to cure the deficiencies by December 13, 2018. Commission Staff indicates that Edinburg has not filed supplemental information to cure the deficiencies. Commission Staff recommends that the ALJ continue to find the application deficient and provide Edinburg a second opportunity to cure the deficiencies.

The ALJ finds the application incomplete and deficient. Under 16 Texas Administrative Code (TAC) § 24.8(d), the Commission does not consider an application filed until it makes a determination that the application is administratively complete. Thus, at this time the application is not considered filed with the Commission.


On or before February 11, 2019, Edinburg must supplement the application to cure the deficiencies described by Commission Staff in its recommendation. Until the Commission receives and reviews the supplemental information, the application cannot proceed. The City of Edinburg must not issue notice until the application is administratively complete.

On or before March 13, 2019, Commission Staff must file a supplemental recommendation regarding administrative completeness, along with a proposed procedural schedule, if appropriate.

Edinburg is hereby notified that if it does not cure the deficiencies in its application by February 11, 2019, the ALJ will be receptive to a motion to dismiss for want of prosecution filed by Commission Staff.

Signed at Austin, Texas the 15th day of January 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
ADMINISTRATIVE LAW JUDGE