



Control Number: 48714



Item Number: 16

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

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PUBLIC UTILITY COMMISSION
OF TEXAS
PUBLIC UTILITY COMMISSION
OF TEXAS

COMMISSION STAFF'S THIRD RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS OF APPLICATION AND PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 6, files this Third Recommendation on Administrative Completeness of Application and proposed Procedural Schedule. 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 27, 2018, City of Edinburg (Edinburg), filed an application to amend water Certificate of Convenience and Necessity (CCN) No. 12106 to incorporate areas it currently serves and decertify a portion of North Alamo Water Supply Corporation's water service area in Hidalgo County. The requested service area consists of 218.71 acres. Supplemental information was filed on March 26, 2019.

On March 18, 2019, Order No. 6 was issued establishing a deadline of March 27, 2019 for Edinburg to cure deficiencies and a deadline for Staff to file a supplemental recommendation on April 26, 2019. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS AND PROCEDURAL SCHEDULE

Staff recommends that Edinburg's application continue to be found to be administratively incomplete, as supported by the attached memorandum of Elisabeth English of the Water Utility Regulation Division. Staff recommends that Edinburg be given a deadline of May 28, 2019, to cure the deficiencies and that Staff be given a deadline of June 27, 2019, to file a supplemental

recommendation on the administrative completeness of the application. Staff notes that Edinburg should not issue notice until the application is found administratively complete.

III. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Edinburg be ordered to file a supplement addressing the identified deficiencies in the application by May 28, 2019.

Dated: April 26, 2019

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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DOCKET NO. 48714

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 26, 2019, in accordance with 16 Texas Administrative Code § 22.74.



Alexander Petak

PUC Interoffice Memorandum

To: Alex Petak
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Elisabeth English, Engineering Specialist
Water Utility Regulation Division

Date: April 26, 2018

Subject: **Docket No. 48714**, *Application of City of Edinburg to Amend Certificate of Convenience and Necessity under Texas Water Code § 13.255 and Decertify a Portion of North Alamo Water Supply Corporations Service Area in Hidalgo County*

On September 26, 2018, the City of Edinburg (Edinburg) filed an application to amend Certificates of Convenience and Necessity (CCN) in Hidalgo County, Texas, pursuant to Texas Water Code Ann. (TWC) § 13.255 and the 16 Tex. Admin Code (TAC) § 24.259. Specifically, Edinburg seeks approval to decertify a portion of North Alamo Water Supply Corporation's (North Alamo) water CCN No. 10553 and amend the Edinburg's CCN No. 12106.

As previously requested by Staff, Edinburg provided a written agreement for the buyout and transfer of requested areas.

Based on Staff's review of the above referenced application, Staff recommends that the application be found deficient and not accepted for filing at this time. Specifically, Edinburg did not file revised digital data corresponding to the requested areas shown on the general location and detailed maps filed on March 26, 2019. In order to resolve the deficiencies, Edinburg must file the following items:

- Digital data for the requested areas, each provided as a single polygon record, in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet). Label each tract in the digital data.
- Digital data for the current boundaries for city limits and extraterritorial jurisdiction for Edinburg, provided as a single polygon record, in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).
- Clarification of the total acreage for the revised requested areas as provided in the revised digital data.

Staff recommends Edinburg obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes at (512)936-7187 or tracy.montes@puc.texas.gov, for assistance in resolving the mapping deficiencies.