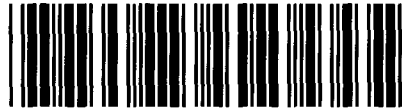




Control Number: 48714



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Addendum StartPage: 0

**DOCKET NO. 48714**

**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 §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 9, files this Fifth 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), 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 September 3, 2019.

On September 12, 2019, Order No. 9 was issued establishing a deadline of October 3, 2019 for Staff to file a supplemental recommendation on sufficiency of the application. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed Edinburg's application pursuant to Texas Water Code Ann. (TWC) § 13.255 and the 16 Tex. Admin Code (TAC) § 24.259, and, as explained in the attached memorandum of Elizabeth English of the Infrastructure Division, the application continues to be administratively incomplete. Staff recommends that Edinburg be ordered to cure the deficiencies identified in Ms. English's attached memorandum by November 7, 2019, and that Staff be given

a deadline of December 9, 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. COMMENTS ON PROCEDURAL SCHEDULE**

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of this docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation for application sufficiency.

### **IV. 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 November 7, 2019.

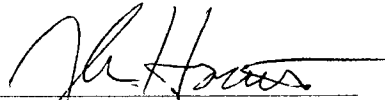
**Dated: October 3, 2018**

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Rachelle Nicolette Robles  
Managing Attorney

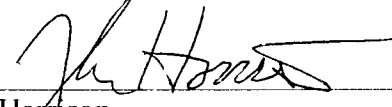


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**DOCKET NO. 48714**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 3, 2019, in accordance with 16 Texas Administrative Code § 22.74.

  
\_\_\_\_\_  
John Harrison

## PUC Interoffice Memorandum

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**To:** John Harrison  
Legal Division

**Thru:** Heidi Graham, Manager  
Infrastructure Division

**From:** Elisabeth English, Engineering Specialist  
Infrastructure Division

**Date:** October 3, 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) (collectively "Applicants") water CCN No. 10553 and amend the Edinburg's CCN No. 12106.

Based upon a review of the Applicant's September 3, 2019 supplemental filing Staff recommends that the application continue to be found deficient. The requested area includes area that is not located within either Edinburg's or North Alamo's CCN service area. Furthermore, a portion of the requested area to be transferred to Edinburg includes area that is currently within Edinburg's CCN service area.

Specifically, there are portions of tract 7 in requested area B, to be transferred to Edinburg, that are not within North Alamo's CCN and currently uncertificated. Applications filed under TWC § 13.255 may only transfer existing CCN service areas. Additionally, a portion of tract 7 in requested area B is already certificated to the Edinburg and therefore does not need to be transferred from North Alamo. The maps and digital data must be revised removing the portions of tract 7 in requested area B that is not within North Alamo's CCN and removing the portion within Edinburg's CCN. The requested areas shown on the general location and detailed maps should correspond to the revised digital data.

The following items must be filed in order to resolve the mapping deficiencies detailed above:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital data for the requested areas provided as a single polygon record, in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters).

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](mailto:tracy.montes@puc.texas.gov), for assistance in resolving the mapping deficiencies.