



Control Number: 48714



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**DOCKET NO. 48714**

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

**COMMISSION STAFF'S SIXTH 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. 10, files this Sixth 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 October 25, 2019.

On October 7, 2019, Order No. 10 was issued establishing a deadline of December 9, 2019 for Staff to file a supplemental recommendation on sufficiency of the application. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

Edinburg's application continues to be administratively incomplete. Staff recommends that Edinburg be ordered to cure the deficiencies identified in Ms. Garcia's attached memorandum by January 9, 2020, and that Staff be given a deadline of February 10, 2020, 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.

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### **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 January 9, 2020.

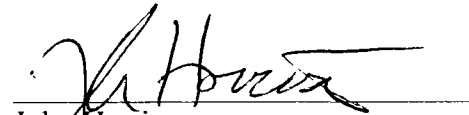
Dated: December 9, 2019

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 December 9, 2019 in accordance with 16 Texas Administrative Code § 22.74.

  
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John Harrison

## PUC Interoffice Memorandum

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**To:** John Harrison  
Legal Division

**From:** Patricia Garcia, Engineering Specialist  
Infrastructure Division

**Date:** December 9, 2019

**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.

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.

The original application included mapping documentation showing a requested area including approximately 195 acres. Edinburg filed an agreement and detailed maps on March 26, 2019 in response to Order No. 4. Staff reviewed the documentation and determined that additional documentation was needed and recommended the application be deemed deficient. Edinburg filed maps and digital data on October 25, 2019 showing a requested area including approximately 258 acres, larger than the area requested on the original application. The agreement and map filed on March 26, 2019 do not show the same requested area as filed on October 25, 2019.

Staff recommends that Edinburg file a signed agreement between both parties stating the revised approximate acreage of the requested area to be transferred from North Alamo WSC's CCN No. 10553 to the City of Edinburg's CCN No. 12106, as indicated on the revised mapping documentation filed on October 25, 2019.