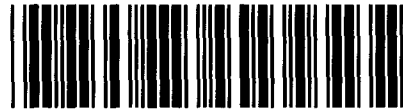




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DOCKET NO. 48746

**APPLICATION OF THE CITY OF
MARSHALL TO AMEND ITS WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN HARRISON
COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

2018 AUG 20 PM 4:44
FILED
CLERK

**ORDER NO. 6
REQUIRING ADDITIONAL INFORMATION REGARDING THE NEED FOR
SERVICE; ADDRESSING OTHER PROCEDURAL MATTERS**

This Order addresses the October 9, 2018 application of the City of Marshall to amend its water certificate of convenience and necessity (CCN) number 11064 in Harrison County. The City of Marshall proposes to amend its CCN to include its current customer base and extend its services outside its city limits. The requested service area addition consists of approximately 15,127 acres and 1,124 current customers.

In light of the relatively large area sought to be added to the CCN, the relatively small number of customers in the requested area, the increasing scrutiny applications of this type have received in recent months from the Commission,¹ and consistent with a recent directive from Commission D'Andrea,² the ALJ requires the following:

- By October 1, 2019, the City of Marshall must provide sufficient evidence to enable the Commission to determine if the City of Marshall has demonstrated a need to provide service for the entire service area proposed in the application. Among any other helpful evidence on this topic, the City of Marshall must file a new map depicting the following items:
 - proposed service area;
 - boundaries of the City of Marshall's city limits;
 - boundaries of the City of Marshall's extraterritorial jurisdiction;

¹ See, e.g., *Application of City of Lavon for a Sewer Certificate of Convenience and Necessity in Collin County*, Docket No. 46993, Order (August 7, 2018).

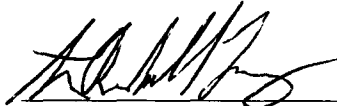
² *Application of City of Gregory to Obtain Certificates of Convenience and Necessity in San Patricio County*, Docket No. 45489, Commissioner D'Andrea memo (March 12, 2019).

17

- city, county, state, and federal roads, highways, and other similar routes; and
- locations of prospective customers requesting new service who are located outside the City of Marshall's city limits.
- By October 15, 2019, Commission Staff must either file a revised final recommendation or a status report advising that it sees no need to revise the final recommendation that it filed on April 11, 2019.
- By October 29, 2019, the parties must file a Proposed Order that is formatted like, and contains a level of detail similar to, the Proposed Order filed in Docket No. 45489 on February 22, 2019.³ For each proposed finding of fact, the parties should include a footnote reference to the specific document(s) in the evidentiary record that supports the finding.

Signed at Austin, Texas the 29th day of August 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



STEVEN LEARY
ADMINISTRATIVE LAW JUDGE

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³ *Application of City of Gregory to Obtain Certificates of Convenience and Necessity in San Patricio County, Docket No. 45489, Proposed Order (February 22, 2019).*