



Control Number: 48786



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DOCKET NO. 48786

**APPLICATION OF NEW BRAUNFELS §
UTILITIES AND GREEN VALLEY §
SPECIAL UTILITY DISTRICT FOR §
APPROVAL OF A SERVICE AREA §
CONTRACT UNDER TEXAS WATER §
CODE § 13.248 AND TO AMEND §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY IN GUADALUPE §
COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

2019 MAR -7 PM 2:27

FILED CLERK PROBATION

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON
ADMINISTRATIVE COMPLETENESS**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 3, files this Supplemental Recommendation on Administrative Completeness. In support thereof, Staff shows the following:

I. BACKGROUND

On October 15, 2018, New Braunfels Utilities, the municipally owned utility for the City of New Braunfels¹ (the City), and Green Valley Special Utility District (Green Valley SUD) (collectively, Applicants) filed an application for approval of a service area contract under Tex. Water Code § 13.248 (TWC) amending water Certificates of Convenience and Necessity (CCNs) Nos. 10677 and 10646 in Guadalupe County. Applicants seek to transfer a portion of the service area held by Green Valley SUD under CCN No. 10646 to New Braunfels Utilities to be incorporated under CCN 10677. The transfer was requested by a single landowner who owns the proposed transfer area, which has no existing customers or service connections. Applicants supplemented their application on December 14, 2018 and February 12, 2019.

On January 25, 2019, the Administrative Law Judge (ALJ) issued Order No. 3, requiring Staff to file by March 8, 2019, a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate. Therefore, this pleading is timely filed.

¹ Application Supplement at 1 (Dec. 14, 2018).

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Andrew Novak in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively complete. The Commission published notice of the application in the *Texas Register* on November 2, 2018. Staff recommends that no additional notice is required because there are no customers currently located in the area proposed for transfer.

III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice completed	November 2, 2018
Deadline for intervention	December 3, 2018
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	April 4, 2019
Deadline for Applicant to file signed consent forms with the Commission	April 18, 2019
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	April 25, 2019
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	May 2, 2019

IV. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that the application be found administratively complete and requests that the procedural schedule proposed above be adopted.

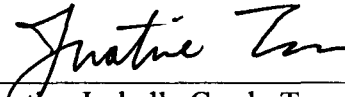
Dated: March 7, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Stephen Mack
Managing Attorney

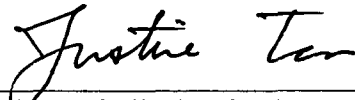


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 7, 2019, in accordance with 16 TAC § 22.74.



Justine Isabelle Caedo Tan

PUC Interoffice Memorandum

To: Justine Tan, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utilities Regulation Division

From: Andrew Novak, Financial Analyst
Water Utilities Regulation Division

Date: March 7, 2019

Subject: **Docket No. 48786**, *Application of New Braunfels Utilities and Green Valley Special Utility District for Approval of Service Area Contract under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Guadalupe and Comal Counties*

On October 15, 2018, City of New Braunfels (City) and Green Valley Special Utility District (Green Valley SUD) (collectively, Applicants) filed an application with the Public Utility Commission of Texas (Commission) for approval of a service area contract under Tex. Water Code §13.248 (TWC), to amend Certificates of Convenience and Necessity (CCN) Nos. 10677 (City) and 10646 (Green Valley SUD) in Guadalupe and Comal Counties.

The total area being requested includes approximately 1.5 acres and has zero customers. Based on Staff's review of the above referenced application and supplemental mapping documentation filed by the Applicants on December 14, 2018, and February 12, 2019, Staff recommends that the application be deemed administratively complete and sufficient for filing.

Furthermore, Staff recommends that the Applicant not be ordered to provide notice, for the reason that there are no affected customers in the area subject to the transfer.