

Control Number: 49074



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2019 JUL 14 PM 2:20

**APPLICATION OF GONZALES §
WATER SUPPLY CORPORATION TO §
AMEND ITS WATER CERTIFICATE §
OF CONVENIENCE AND NECESSITY §
AND DECERTIFY RIVERWOOD §
WATER SUPPLY CORPORATION'S §
WATER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
GONZALES COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

FILED CLERK

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Sufficiency of Notice and in support thereof shows the following:

I. BACKGROUND

On January 4, 2019, Gonzales County Water Supply Corporation (Gonzales) filed an application to amend water Certificate of Convenience and Necessity (CCN) No. 10704 and to decertify Riverwood Water Supply Corporation's CCN number 10711 in Gonzales County, Texas pursuant to Texas Water Code Ann. (TWC) §§ 13.242 to 13.250 and the 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237. Gonzales filed supplemental information on March 7, 2019 and April 2, 2019.

Order No. 3, issued April 12, 2019 required Staff to file a recommendation on the sufficiency of notice within 10 days of Gonzales filing proof of completed notice. Gonzales filed its proof of notice on May 8, 2019. Therefore, this pleading is timely filed.

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II. RECOMMENDATION ON NOTICE

Staff has reviewed the affidavits of notice filed by Gonzales on May 8, 2019 and recommends that they be found insufficient. Notice was mailed to neighboring utilities and other affected entities and landowners on April 9, 2019 and published in the *Gonzales Inquirer* on April 18, 2019. Pursuant to 16 Texas Administrative Code (TAC) § 24.235(c), an applicant "shall publish the notice in a newspaper having general circulation in the county where the CCN is being requested, once each week for two consecutive weeks beginning with the week after the proposed notice is approved by the commission." Applicant did publish notice in a newspaper of general circulation on one occasion, but failed to do so for two consecutive weeks. Therefore, in order to satisfy the aforementioned Commission rule, Staff recommends that Applicant be required to publish notice twice more, on consecutive weeks, in a newspaper of general circulation in Gonzales County.

III. PROCEDURAL SCHEDULE

Staff recommends that Applicant's notice be found deficient. Consequently, Staff recommends that a deadline of June 18, 2019, be established for Applicant to supplement its notice. Additionally, Staff recommends that a deadline of June 28, 2019, be established for Staff to review Applicant's supplemental information and make a supplemental recommendation on the sufficiency of notice.

IV. CONCLUSION

Staff respectfully recommends that Gonzales' notice be found insufficient and that the procedural schedule proposed above be adopted.

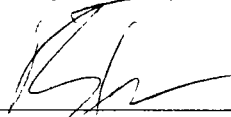
Dated: May 14, 2019

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Katherine Lengieza Gross
Managing Attorney

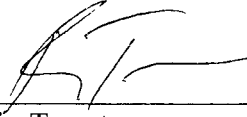


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 14, 2019, in accordance with 16 Texas Administrative Code § 22.74.



Rustin Tawater