



Control Number: 49190



Item Number: 8

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RECEIVED

APPLICATION OF VALLEY RANCH §  
MUNICIPAL UTILITY DISTRICT NO. §  
1 FOR A SEWER CERTIFICATE OF §  
CONVENIENCE AND NECESSITY §  
AND TO DECERTIFY A PORTION OF §  
PORTER MUNICIPAL UTILITY §  
DISTRICT §

PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION  
OF TEXAS

**COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE 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. 2, files this Recommendation on Sufficiency of Notice and Proposed Procedural Schedule. In support thereof, Staff shows the following:

**I. BACKGROUND**

On February 7, 2019, Valley Ranch Municipal Utility District No. 1 (Valley Ranch MUD 1), filed an application with the Public Utility Commission of Texas (Commission) for a new sewer Certificate of Convenience and Necessity (CCN) and to decertify a portion of Porter Municipal Utility District's CCN number 20573 in Montgomery County pursuant to Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(l).

Valley Ranch MUD 1 is already providing retail sewer service to the requested area within its boundaries, which is currently certificated to Porter MUD. Valley Ranch MUD 1 has received two requests for service from the Signorelli Company for property outside the district owned by Signorelli Company.

On March 20, 2019, Order No. 2 was issued, requiring Valley Ranch MUD 1 to provide notice of application as described in Staff's Recommendation on Completeness and Proposed Notice filing submitted on March 7, 2019.

On April 16, 2019, Valley Ranch MUD 1 provided its proof of notice documentation including publisher's affidavits.

Order No. 2 also established a deadline for Staff to file a recommendation on the sufficiency of Valley Ranch MUD 1's notice within ten (10) days of Valley Ranch MUD 1 filing proof of completed notice with the Commission. Therefore, this pleading is timely filed.

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## II. SUFFICIENCY OF NOTICE

Staff has reviewed the notice documentation filed by Valley Ranch MUD 1 on April 16, 2019. Staff recommends that the notice documentation be found sufficient. The *Affidavit of Notice to Current Customers, Neighboring Utilities and Affected Parties* indicates that, on March 21, 2019, notice of application was mailed to the entities identified in Staff's Recommendation with the exception of Montgomery County MUD 1. Staff has determined that Montgomery County MUD 1 is inactive. Therefore, Valley Ranch MUD 1 was unable to notice Montgomery County MUD 1 as instructed.

Valley Ranch MUD 1 also filed a Publisher's Affidavit as part of its proof of notice. The Publisher's affidavit affirmed that notice was published in the *Houston Chronicle*, a newspaper of general circulation in Harris, Trinity, Walker, Grimes, Polk, San Jacinto, Washington, Montgomery, Liberty, Austin, Waller, Chambers, Colorado, Brazoria, Fort Bend, Galveston, Wharton, Jackson, and Matagorda Counties, on March 25, 2019 and April 1, 2019. Therefore, notice was completed on April 1, 2019.

## III. PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Notice Completed	April 1, 2019
Deadline for Intervention	May 1, 2019
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Valley Ranch MUD 1 for review and consent	July 1, 2019
Deadline for Valley Ranch MUD 1 to file signed consent forms with the Commission	July 15, 2019
If no hearing is requested, deadline for Staff to file a final recommendation on the application	July 22, 2019
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	July 29, 2019

## IV. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that Valley Ranch MUD 1's notice be found sufficient and that the procedural schedule above be adopted.

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

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**DOCKET NO. 49190**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the  
April 26, 2019 in accordance with 16 TAC § 22.74.



Rashmin J. Asher