



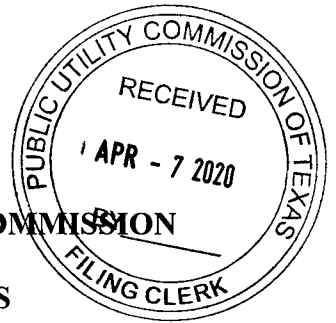
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DOCKET NO. 49262



APPLICATION OF THE CITY OF
FLORESVILLE TO AMEND A SEWER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN WILSON
COUNTY

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PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S THIRD SUPPLEMENTAL RECOMMENDATION ON
NOTICE SUFFICIENCY**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Staff's Third Supplemental Recommendation on Notice Sufficiency. In support thereof, Staff shows the following:

I. BACKGROUND

On February 26, 2019, the City of Floresville (Floresville) filed an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20279, in Wilson County, Texas. The requested area includes approximately 4,201 acres and 171 connections.

On May 31, 2019, the Commission administrative law judge (ALJ) issued Order No. 3, finding the application administratively complete and requiring notice. The ALJ found Floresville's notice deficient in Order No. 5, issued on September 6, 2019, in Order No. 8, issued on December 4, 2019, and in Order No. 11, issued on February 26, 2020.

Order No. 11 directed Floresville to cure the deficiencies on or before March 17, 2020 and directed Staff to file its supplemental recommendation on notice sufficiency on or before April 7, 2020. Therefore, this pleading is timely filed.

II. NOTICE SUFFICIENCY

Staff recommends that the ALJ find Floresville's notice sufficient. Staff recommended Floresville's public notice be found sufficient in its February 25, 2020 supplemental recommendation, and now recommends that Floresville's notice to current customers, landowners, neighboring utilities and affected parties be found sufficient. Specifically, Floresville used the correct affidavit, the *Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities and Affected Parties*, and attached the correct notice, *Notice to Neighboring Systems, Landowners,*

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Customers and Cities, to the affidavit. Both the affidavit and the attached notices now reference this docket rather than Docket 49263. The notice was sent to all required entities.

III. PROCEDURAL SCHEDULE

Staff recommends the notice be found sufficient. Therefore, Staff proposes the following procedural schedule:

Event	Date
Notice completed	February 3, 2020
Deadline for intervention	March 4, 2020 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	May 4, 2020
Deadline for Applicant to file signed consent forms with the Commission	May 18, 2020
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	May 26, 2020
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	June 1, 2020

IV. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that Floresville's notice be found sufficient and that the procedural schedule proposed above be adopted for further processing of this docket.

¹ Pursuant to 16 TAC § 24.235(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was published on October 2 and October 9, 2019 and mailed on February 3, 2020. Therefore, 30 days after February 3, 2020 (latest date) is March 4, 2020.

Dated: April 7, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on April 7, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Taylor P. Denison
Taylor P. Denison