



Control Number: 49263



Item Number: 3

Addendum StartPage: 0

DOCKET NO. 49263

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PUBLIC UTILITY COMMISSION
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**APPLICATION OF THE CITY OF §
FLORESVILLE TO AMEND A WATER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN WILSON §
COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND PROPOSED NOTICE**

COMES NOW the Commission Staff of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 1 files this Commission Staff’s Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the application be deemed insufficient for further review and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

I. BACKGROUND

On February 26, 2019, the City of Floresville (Floresville) filed an application to amend its water Certificate of Convenience and Necessity No. 10688, in Wilson County, Texas. The requested area includes approximately 4,201 acres and 171 connections.

On February 28, 2019, the Administrative Law Judge issued Order No. 1, setting a deadline of March 28, 2019, for Staff to file comments on the administrative completeness of the application, the sufficiency of the proposed notice, and to propose a procedural schedule. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Spencer English in the Commission’s Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Staff recommends that Floresville be ordered to cure the deficiencies identified in Mr. English’s memorandum by April 29, 2019, and that Staff be given a deadline of May 29, 2019 to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Floresville should not issue notice until the application is found administratively complete.

III. COMMENTS ON PROCEDURAL SCHEDULE

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation for application sufficiency.

IV. CONCLUSION

For the reasons stated above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Floresville be ordered to file a supplement addressing the identified deficiencies in the application by April 29, 2019.

Dated: March 28, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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DOCKET NO. 49263

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on March 28, 2019, in accordance with 16 TAC § 22.74.



Sarah D. McDaniel

PUC Interoffice Memorandum

To: Sarah McDaniel, Attorney
Legal Division

Thru: Lisa Fuentes, Manager
Water Utility Regulation Division

From: Spencer English, Financial Analyst
Water Utility Regulation Division

Date: March 28, 2019

Subject: **Docket 49263**, *Application of the City of Floresville to Amend a Water Certificate of Convenience and Necessity in Wilson County*

On February 26, 2019, City of Floresville filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10688 in Wilson 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.

Staff has reviewed the information provided by the Applicant and recommends the application be deemed administratively incomplete and not accepted for filing due to the mapping deficiencies detailed below.

Mapping Content

The Applicant must submit the following items to resolve the mapping deficiencies:

1. A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
2. A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
3. Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet); **OR** metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.

Note: Applicant filed its application using an outdated form. Please refile the application with the most updated form.
