



Control Number: 49269



Item Number: 4

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DOCKET NO. 49269

RECEIVED

APPLICATION OF JACKSON §  
WATER SUPPLY CORPORATION TO §  
AMEND A WATER CERTIFICATE OF §  
CONVENIENCE AND NECESSITY IN §  
SMITH COUNTY §

PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
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 27, 2019, the Jackson Water Supply Corporation (Jackson WSC) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10763, in Smith County, Texas. The requested area includes approximately 4,000 acres and 110 connections.

On February 28, 2019, the Administrative Law Judge issued Order No. 1, setting a deadline of March 29, 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 Emily Sears in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Staff recommends that the Jackson WSC be ordered to cure the deficiencies identified in Ms. Sears'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

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completeness of the application. Staff notes that Jackson WSC 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 this 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 the Jackson WSC be ordered to file a supplement addressing the identified deficiencies in the application by April 29, 2019.

Dated: March 26, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



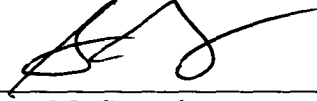
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**CERTIFICATE OF SERVICE**

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

A handwritten signature in black ink, appearing to read 'S. Gonzalez', is written above a horizontal line.

Steven M. Gonzalez

## PUC Interoffice Memorandum

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**To:** Steven Gonzalez, Attorney  
Legal Division

**Thru:** Lisa Fuentes, Manager  
Water Utility Regulation Division

**From:** Emily Sears, Financial Analyst  
Water Utility Regulation Division

**Date:** March 26, 2019

**Subject:** **Docket 49269**, *Application of Jackson Water Supply Corporation to Amend a Water Certificate of Convenience and Necessity (CCN) in Smith County*

On February 27, 2019, Jackson Water Supply Corporation (Jackson WSC or Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 10763 in Smith 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 deficiencies detailed below:

**Mapping Content:**

The boundaries of the requested areas named A1 and A2 shown on the hard copy maps and digital data must be revised to follow along property lines and/or verifiable man-made and natural landmarks, such as roads, streets, and rivers. Also, the boundaries of the requested areas should be adjusted to incorporate Jackson WSC's existing CCN facility lines plus two hundred feet located to the north of requested area (A1). The digital data must be revised to include an unintended gap between the requested area (A1) and Jackson WSC's existing CCN. In addition, the hard copy maps should be revised to remove surrounding CCNs and only show the revised requested areas.

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

- A general location map identifying only the requested areas, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested areas, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested areas, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters).
- State the approximate total acreage for the revised requested areas for both A1 & A2.

Jackson WSC may obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes at (512) 936-7187 or [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov) to resolve the mapping deficiencies.

**Application Content:**

Jackson WSC answered questions 11C of the application as follows: “The construction of this line is expected to take place in 2019 and 2020. The WSC is also in the design process for drilling a new well. This well would allow for additional capacity to grow within the system both east and west.” If construction is necessary to serve the requested area, plans and specifications for construction approval must be submitted to the Texas Commission on Environmental Quality. Once construction is approved by TCEQ, the approval letter(s) must be filed in this docket.

**Area of Concern:**

Jackson WSC has indicated in the application there are no requests for service and no current customers. Jackson WSC must prove there is a need for service in accordance with 16 TAC § 24.233.