



Control Number: 49269



Item Number: 8

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RECEIVED

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

PUBLIC UTILITY COMMISSION  
2019 MAY 24 PM 1:46  
OF TEXAS  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S SUPPLEMENTAL 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. 2 files this, Commission Staff's Supplemental 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. Jackson WSC filed supplemental information on April 26, 2019 and May 17, 2019.

On March 27, 2019, the Administrative Law Judge issued Order No. 2, setting a deadline of May 29, 2019, for Staff to file supplemental 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. Specifically, Staff has identified deficiencies in the mapping and application information. Staff recommends that Jackson WSC submit additional mapping and application information, as further detailed in the attached memorandum.

### **III. COMMENTS ON PROCEDURAL SCHEDULE**

Staff recommends that the Jackson WSC be ordered to cure the deficiencies identified in Ms. Sears's memorandum by July 1, 2019, and that Staff be given a deadline of July 31, 2019, to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Jackson WSC should not issue notice until the application is found administratively complete.

### **IV. CONCLUSION**

For the reasons stated above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Jackson WSC be ordered to file a supplement addressing the identified deficiencies by July 1, 2019.

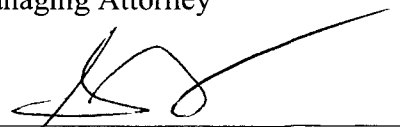
Dated: May 24, 2019

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



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**DOCKET NO. 49269**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 24, 2019, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to read 'S. Gonzalez', is written over 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:** May 23, 2019

**Subject:** **Docket 49269**, *Application of Jackson Water Supply Corporation to Amend a Water Certificate of Convenience and Necessity 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 additional information provided by the Applicant on April 26, 2019, and recommends the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

### **Mapping Content:**

For the digital data filed by the Applicant on May 17, 2019, Staff calculated the requested area (A1) to include approximately 2,382 total acres, whereas the Applicant states A1 includes approximately 2,400 acres. Staff calculated the requested area (A2) to include approximately 1,802 total acres, whereas the Applicant states A2 includes approximately 2,100 acres. Staff calculates areas A1 and A2 to include approximately 4,184 total acres, whereas the Applicant states the total approximate acreage includes 4,500 acres.

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

- Clarification of the difference in calculations for the approximate total acres for requested area A1, requested area A2 and for both requested areas.
- Provide the number of existing customers in requested area A1 and requested area A2.
- Provide the description of the location for requested area A2 as required on #33, page 11 of the application.

The Applicant 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 question 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

(TCEQ) in order for Staff to recommend acceptance of this docket for filing. Once construction is approved by TCEQ, the approval letter(s) must be filed in this docket before Staff can recommend approval of the application.

**Area of Concern:**

Jackson WSC indicated in the application there are no requests for service and no current customers in area A1, but has provided requests for service in area A2. Jackson WSC must prove there is a need for service for each requested area in accordance with 16 TAC § 24.233.