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DOCKET NO. 49272

**APPLICATION OF YANCEY WATER
SUPPLY CORPORATION TO AMEND
A WATER CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
MEDINA AND FRIO COUNTIES**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

**ORDER NO. 17
REQUIRING CLARIFICATION AND ADDITIONAL EVIDENCE**

Commission Staff filed a corrected amended final recommendation on August 7, 2020. In that document, Commission Staff stated, “the corresponding map and certificate consented to by Yancy WSC are included with this pleading.” Also on August 7, 2020, the parties moved for admission of “Staff’s Corrected Amended Final Recommendation including the attached memorandum that the Application to be [sic] approved and corresponding map and certificate, filed on August 7, 2020.” In Order No. 16 filed on August 12, 2020, the administrative law judge (ALJ) granted the motion and admitted, among other things, “Commission Staff’s corrected amended final recommendation and attached map and certificate, filed on August 7, 2020.”

In working on this matter, the ALJ has now discovered that, in fact, no map and certificate are attached to Commission Staff’s August 7, 2020 filing.¹ By September 24, 2020, the parties must file, and move for admission of, the map and certificate.

Additionally, the ALJ would benefit from clarification of the circumstances of the application. As the ALJ understands it, Yancey WSC’s CCN number 11463 is currently a “facility line CCN,” presumably meaning that the boundaries of the CCN are drawn narrowly to encompass only Yancey WSC’s water lines and other infrastructure. The primary objective of the application is to incorporate Yancey WSC’s 289 miles of certificated lines and convert the CCN from a facility line CCN to a CCN with a bounded area. The parties assert that the requested area totals approximately 209,526 acres, but that only 896 acres of that total represent areas previously uncertificated to Yancey WSC.

¹ This is a problem that occurs too frequently with Commission Staff filings, creating unnecessary confusion, delay, and frustration.

If the current facility line CCN only encompasses Yancey WSC's lines and infrastructure, the ALJ does not understand how, out of a total of 209,526 acres, only 896 acres of previously uncertificated area are being added to the CCN. Does there exist a map depicting Yancey WSC's current CCN boundaries? Is the acreage of Yancey WSC's current CCN known? Does a map exist that compares the boundaries of Yancey WSC's current CCN with the boundaries of the proposed CCN? What, specifically, is a facility line CCN? By September 24, 2020, the parties must provide explanation or clarification on these issues.

Signed at Austin, Texas the 10th day of September 2020.

PUBLIC UTILITY COMMISSION OF TEXAS



HUNTER BURKHALTER
CHIEF ADMINISTRATIVE LAW JUDGE