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PUBLIC UTILITY COMMISSION
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OF TEXAS

APPLICATION OF THE CITY OF §
FORT WORTH FOR A SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN TARRANT, §
DENTON, WISE AND PARKER §
COUNTIES §

COMMISSION STAFF’S COMMENTS ON SUPPLEMENTAL FILING

COMES NOW the Commission Staff of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Commission Staff’s Comments on Supplemental Filing. Staff recommends a new procedural schedule be adopted in this proceeding. In support thereof, Staff shows the following:

I. BACKGROUND

On March 1, 2019, the City of Fort Worth (Fort Worth) filed an application for a sewer certificate of convenience and necessity in Tarrant, Denton, Wise and Parker Counties (Application). The requested service area consisted of 261,819 acres and had 600,851 customers.

On April 2, 2019 and May 30, 2019, the Administrative Law Judge (ALJ) issued Orders No. 2 and No. 3, respectively, finding the application insufficient and establishing deadlines and opportunity to cure. On July 29, 2019, the ALJ issues Order No. 4 finding the application administratively complete, requiring notice and establishing a procedural schedule.

On August 23, 2019, Undine Texas Environmental, LLC (Undine) filed a motion to intervene in the docket and requested a public hearing. On September 4, 2019, Fort Worth filed a status report, requested an extension of time to file proof of notice, and made an unopposed motion for reservation of ruling on Undine’s intervention.

On October 16, 2019, Fort Worth again filed a status report, requested an extension of time to file proof of notice, and made an unopposed motion for reservation of ruling on Undine’s intervention.

On October 17, 2019, the ALJ issued Order No. 6, granting Fort Worth’s extension request to file and established a deadline of November 15, 2019 for Fort Worth to file proof of notice.

Earlier, on October 16, 2019, Fort Worth filed supplemental information constituting a substantial amendment to their original application (Amended Application). The requested service area consists of 26,812 acres and has 0 customers.

II. COMMENTS ON SUPPLEMENTAL FILING

As Fort Worth's supplemental filing constitutes a significant amendment to its Application, Staff needs to evaluate the administrative completeness of the Amended Application and propose new notice requirements as set out in the proposed procedural schedule below.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes a deadline of November 18, 2019 for Staff to file comments on the administrative completeness of the Amended Application and proposed notice. Once the Amended Application is deemed administratively complete, Staff will propose a procedural schedule for further processing of this docket.

IV. CONCLUSION

For the reasons stated above, Staff respectfully recommends a finding consistent with the above requests.

Dated: October 28, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

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



Rustin Tawater