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DOCKET NO. 49277

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

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**ORDER NO. 9
FINDING APPLICATION INSUFFICIENT,
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

This Order addresses the administrative completeness of the amended application filed on October 16, 2019, by the City of Fort Worth for a sewer certificate of convenience and necessity in Tarrant, Denton, Wise, and Parker counties. The City originally filed its application on March 1, 2019. In Order No. 4 filed on July 29, 2019, the administrative law judge (ALJ) deemed that application to be administratively complete. The October 16, 2019, amendment to the application, however, substantively and substantially revised the application such that the administratively complete finding in Order No. 4 was rendered moot. As such, a new administrative completeness finding must be made on the amended application.

The administrative law judge finds the amended application is administratively incomplete and insufficient for further review in accordance with 16 Texas Administrative Code (TAC) § 24.8(b).

Under 16 TAC § 24.8(d), the Commission does not consider an application filed until it finds the application administratively complete. Thus, at this time the application is not considered filed with the Commission.

On or before January 20, 2020, the City must supplement the application to cure the deficiencies described in Nabaraj Pokharel's December 18, 2019 memorandum. Until the Commission receives and reviews the supplemental information, the application cannot proceed. The City must not issue notice until the application is deemed administratively complete.



On or before February 20, 2020, Commission Staff must file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate.

Signed at Austin, Texas the 20th day of December 2019.

PUBLIC UTILITY COMMISSION OF TEXAS


HUNTER BURKHALTER
ADMINISTRATIVE LAW JUDGE

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