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DOCKET NO. 49369

APPLICATION OF LIGHTHOUSE § PUBLIC UTILITY COMMISSION
ELECTRIC COOPERATIVE, INC. TO §
AMEND A CERTIFICATE OF § OF TEXAS
CONVENIENCE AND NECESSITY FOR §
A SERVICE AREA EXCEPTION IN §
HALE COUNTY §

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PUBLIC UTILITY COMMISSION
FILING CLERK

NOTICE OF APPROVAL

This Notice of Approval addresses the application of Lighthouse Electric Cooperative, Inc. for a service area exception enabling Lighthouse to provide service to an irrigation well located within the singly-certificated area of Southwestern Public Service Company (SPS) in Hale County. The Commission approves the service-area exception to the certificates of convenience and necessity (CCNs) of Lighthouse and SPS.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant and Other Interested Parties

1. Lighthouse is a non-profit electricity provider that provides service under CCN number 30104 in Hale County.
2. SPS provides electric generation, transmission, and distribution services in Texas under certificate of convenience and necessity number 30153.

Application

3. On March 7, 2019, Hoyt Stephens requested that Lighthouse provide electric service for an irrigation well located on his property in Hale County.
4. The Stephens property currently lies within SPS's singly-certificated service area.
5. On March 22, 2019, Lighthouse filed the application for a service-area exception to provide electric service to the irrigation well located on the Stephens property.
6. Lighthouse and SPS are the only utilities affected by the proposed service-area exception.
7. Lighthouse and SPS provided affidavits agreeing to the proposed service-area exception, and SPS has agreed to relinquish its right to provide service to the Stephens property.

8. All of the requested area is within Hale County.
9. Lighthouse and SPS both have adequate facilities to provide adequate service in the area of the proposed service-area exception. However, Lighthouse's existing facilities are closer and better-positioned than SPS's to provide service to the irrigation well.
10. The granting of the service-area exception will not have any negative effect on community values, recreational and park areas, historical and aesthetic values, or environmental integrity.
11. The granting of the service-area exception will not result in any cost or service changes to customers other than Mr. Stephens, who requested the service.
12. The proposed service-area exception will not impact the renewable energy goal established by PURA¹ § 39.904(a).
13. The total estimated cost for Lighthouse to provide electric service to the irrigation well is \$62,948.60. Mr. Stephens will provide a financial contribution of \$30,503.80.
14. In Order No. 2 issued on April 9, 2019, the administrative law judge (ALJ) found the application sufficient.

Notice

15. In Order No. 2 issued on April 9, 2019, the ALJ found the notice sufficient.

Informal Disposition

16. More than 15 days have passed since the completion of notice provided in this docket.
17. No person filed a protest or motion to intervene.
18. Lighthouse and Commission Staff are the only parties to this proceeding.
19. No party requested a hearing and no hearing is needed.
20. On April 30, 2019, Commission Staff recommended approval of the application.
21. This decision is not adverse to any party.

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has jurisdiction over the application under PURA §§ 37.051 and 37.056.
2. Lighthouse and SPS are electric utilities as defined in PURA § 37.001(2).
3. The proposed service-area boundary changes are necessary for the service, accommodation, convenience, or safety of the public within the meaning of PURA § 37.056(a).
4. This proceeding does not constitute a major rate proceeding as defined by 16 TAC § 22.2(27).
5. Published notice is not required under 16 TAC § 22.52(a) because this proceeding constitutes a minor boundary change under 16 TAC § 25.101(b)(1)(B).
6. The requirements for administrative approval in 16 TAC § 25.101(b)(1)(B) have been met in this proceeding.
7. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.


III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission approves the requested service area exception.
2. The Commission's official service-area boundary maps for Lighthouse and SPS will be revised in Central Records in accordance with the map attached to the application to reflect these changes.
3. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

Signed at Austin, Texas the 6th day of May 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



CHRISTOPHER OAKLEY
ADMINISTRATIVE LAW JUDGE

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