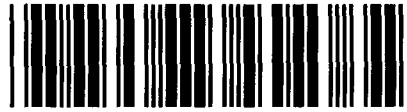




Control Number: 49433



Item Number: 3

Addendum StartPage: 0

RECEIVED

PETITION OF LGI HOMES – TEXAS, §  
LLC, BIG SKY LLC, AND MINDY L. §  
KOEHNE (TRUSTEE) TO AMEND §  
BOLIVER WATER SUPPLY §  
CORPORATION’S WATER §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY IN DENTON §  
COUNTY BY EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION

2019 MAY 9 10 05 AM  
PUBLIC UTILITY COMMISSION  
OFFICE CLERK

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS AND PROPOSED NOTICE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the application be deemed deficient and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

**I. BACKGROUND**

On April 10, 2019, LGI Homes-Texas LLC, Big Sky LLC, and Mindy L. Keohne (Petitioners) filed a petition for expedited release of a 440-acre tract of land within Bolivar Water Supply Corporation’s water certificate of convenience and necessity No. 11257 in Denton County, under Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(D).

On April 12, 2019, Order No. 1 was issued, establishing a deadline of May 10, 2019, for Staff to file a recommendation on administrative completeness of the application and notice. Therefore, this pleading is timely filed.

## **II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Nabaraj Pokharel in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Staff recommends that Petitioners be ordered to cure the deficiencies identified in Mr. Pokharel's memorandum by June 10, 2019, and that Staff be given a deadline of July 9, 2019, to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Petitioners should not issue notice until the application is found administratively complete, and also notes that a subsequent filing by Staff may recommend severance of the docket into more than one docket.

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

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of this docket at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation for application sufficiency.

## **IV. CONCLUSION**

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Petitioners be ordered to file a supplement addressing the identified deficiencies in the application by June 10, 2019.

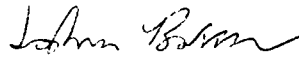
Dated: May 9, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney



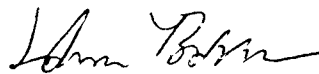
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Joshua Adam Barron  
State Bar No. 24087146  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7235  
(512) 936-7268 (facsimile)  
Joshua.Barron@puc.texas.gov

**DOCKET NO. 49433**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 9, 2019,  
in accordance with 16 TAC § 22.74.



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Joshua Adam Barron

## PUC Interoffice Memorandum

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**To:** Joshua Barron, Attorney  
Legal Division

**Thru:** Lisa Fuentes, Manager  
Water Utility Regulation Division

**From:** Nabaraj Pokharel, Engineering Specialist  
Water Utility Regulation Division

**Date:** May 8, 2019

**Subject:** *Docket No. 49433: Petition of LGI Homes - Texas, LLC, Big Sky LLC, and Mindy L. Koehne (Trustee) to amend Bolivar Water Supply Corporation's Water Certificate of Convenience and Necessity in Denton County by Expedited Release*

On April 10, 2019, LGI Homes - Texas, LLC, Big Sky LLC, and Mindy L. Koehne (Trustee) (collectively Petitioners) filed an application for expedited release from Bolivar Water Supply Corporation's water Certificate of Convenience and Necessity (CCN) No. 11257 in Denton County, under Texas Water Code (TWC) Chapter § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(l). The Petitioner asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Denton County which is a qualifying county.

Staff has reviewed the petition and recommends that it be deemed insufficient for filing and administratively incomplete due to the deficiencies detailed below.

- The petition appears to be filed by multiple landowners, owning different tracts of land. Please identify the tracts of land (include acreage) and their corresponding owner.