



Control Number: 49560



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**DOCKET NO. 49560**

**APPLICATION OF ECHO HILLS POA  
WATER SYSTEM FOR AN EXEMPT  
UTILITY REGISTRATION**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMENTS ON ADMINISTRATIVE COMPLETENESS AND PROCESSING**

COMES NOW the staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files these Comments on Administrative Completeness and Processing. In support thereof, Staff shows the following:

**I. BACKGROUND**

On May 21, 2019, Echo Hills P.O.A. (Echo Hill) filed an application for exempt utility registration of the 8976 Ruby Lane Frankston water system pursuant to Texas Water Code § 13.242(c) and 16 Texas Administrative Code § 24.229(e) (TAC). Order No. 1, issued on May 23, 2019, established a deadline of June 20, 2019, for Staff to file comments regarding the administrative completeness of the application, how the application should be processed, and propose a procedural schedule if necessary. Therefore, this pleading is timely filed.

**II. JURISDICTION AND LEGAL AUTHORITY**

The Texas Water Code § 13.242(c) (TWC) permits the Commission to allow a utility to operate without a Certificate of Convenience and Necessity (CCN) in certain situations:

The utility commission may by rule allow a municipality or utility or water supply corporation to render retail water service without a certificate of public convenience and necessity if the municipality has given notice under Section 13.255 of this code that it intends to provide retail water service to an area or if the utility or water supply corporation has less than 15 potential connections and is not within the certificated area of another retail public utility.

The Commission has promulgated the following requirements under 16 TAC § 24.229(e)(1):

A water utility or water supply corporation is exempt from the requirement to possess a CCN to provide retail water service if it:

- (A) has less than 15 potential service connections;
- (B) is not owned by or affiliated with a retail public water utility, or any other entity, that provides potable water service;
- (C) is not located within the certificated service area of another retail public water utility; and

(D) is not within the corporate boundaries of a district or municipality unless it receives written authorization from the district or municipality.

### **III. ADMINISTRATIVE COMPLETENESS**

As supported by the attached memorandum of Maxine Gilford in the Commission's Water Utility Regulation Division, Staff has reviewed the application and recommends that it be found administratively complete. The information contained in the application is sufficient for Staff to continue its review and make a recommendation on whether the application satisfies the requirements of TWC § 13.242(c) and 16 TAC § 24.229(e)(1).

### **IV. ADMINISTRATIVE COMPLETENESS**

Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Staff provides final map, tariffs and consent form to the applicant	July 22, 2019
Deadline for applicant to consent to final map, tariffs and consent form	August 5, 2019
Deadline for Commission Staff to file a final recommendation on final disposition, or to request a hearing	August 14, 2019
Deadline for applicant to respond to Commission Staff's recommendation or request a hearing	August 21, 2019
If no disputed issues, deadline for parties to file a joint proposed fact statements, legal conclusions, and ordering paragraphs, and a request to admit evidence	August 28, 2019

### **V. CONCLUSION**

For the reasons discussed above, Staff recommends that the application be found administratively complete. Staff further recommends that the procedural schedule proposed above be adopted for further processing of this docket.

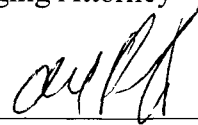
Dated: June 20, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

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**PUC DOCKET NO. 49560  
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record June 20, 2019,  
in accordance with 16 Texas Admin. Code § 22.74.



Alexander Petak

## PUC Interoffice Memorandum

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**To:** Alexander Petak, Attorney  
Legal Division

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

**From:** Maxine Gilford, Financial Analyst  
Water Utility Regulation Division

**Date:** June 17, 2019

**Subject:** **Docket 49560**, *Application of Echo Hills POA Water System for Exempt Utility Registration in Anderson County*

On May 21, 2019, Echo Hills POA Water System (Applicant), filed an application for exempt utility registration pursuant to 16 Tex. Admin Code § 24.103(e) (TAC) for a utility with less than 15 potential connections.

Staff has reviewed the information filed by the Applicant, and recommends that the application be deemed sufficient for filing and administratively complete. The application states that the system has 8 active connections and 2 potential connections. The application also states that a copy of the required customer notice and service rules will be provided to each current customer and will be provided to each future customer at the time they connect to the system. Staff does not recommend any additional notice.