



Control Number: 49566



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APPLICATION OF THE CITY OF §  
 ELMENDORF FOR A SEWER §  
 CERTIFICATE OF CONVENIENCE §  
 AND NECESSITY IN BEXAR COUNTY §

PUBLIC UTILITY COMMISSION  
 OF TEXAS

2020 MAR -6 AM 9:52  
 PUBLIC UTILITY COMMISSION  
 FILING CLERK

### COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS AND PROPOSED NOTICE

**COMES NOW** the Commission Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 5 files this Commission Staff's Recommendation on Administrative Completeness and Proposed Notice. Staff continues to recommend that the application be deemed insufficient for further review and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

#### I. BACKGROUND

On May 23, 2019, the City of Elmendorf (Elmendorf) filed an application for a sewer certificate of convenience and necessity in Bexar County. The requested service area consists of 978 acres and currently has no customers. Elmendorf filed supplemental information on January 23, 2020.

The Administrative Law Judge (ALJ) issued Order No. 5 on January 10, 2020, setting a deadline of February 7, 2020 for Elmendorf to cure the deficiencies in the application and a deadline of March 6, 2020 for Staff to file a supplemental recommendation on the administrative completeness of the application and a proposed procedural schedule. Therefore, this pleading is timely filed.

#### II. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information filed and continues to recommend that it be found administratively incomplete. The supplemental information does not address all the deficiencies identified in the memorandum of Elisabeth English and Debbie Reyes filed on August 29, 2019. Staff recommends that Elmendorf be ordered to cure the deficiencies identified in the memorandum of Elisabeth English and Debbie Reyes filed on August 29, 2019. Therefore, Staff recommends that a deadline of April 3, 2020 be established for Elmendorf to

further supplement its application. Staff further recommends that a deadline of May 4, 2020 be established for Staff to review Elmendorf's supplemental information and make a supplemental recommendation on the administrative completeness of the application. Staff further notes that Elmendorf should not issue notice until the application is found administratively complete.

### **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**

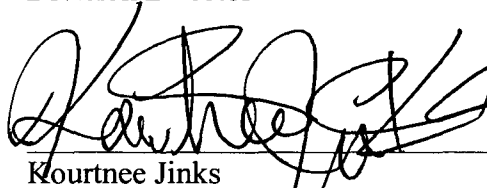
For the reasons stated above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Elmendorf be ordered to file a supplement addressing the identified deficiencies in the application by April 3, 2020.

Dated: March 6, 2020

Respectfully submitted,

### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

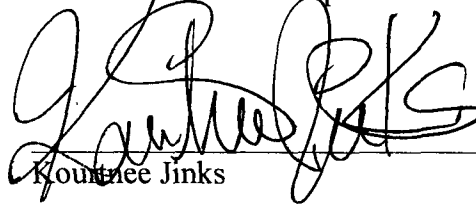
A handwritten signature in black ink, appearing to read 'Kourtnee Jinks', is written over a horizontal line.

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**DOCKET NO. 49566**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on March 6, 2020, in accordance with 16 TAC § 22.74.



Rountree Jinks