



Control Number: 49566



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DOCKET NO. 49566

APPLICATION OF THE CITY OF	§	PUBLIC UTILITY COMMISSION	12:23
ELMENDORF FOR A SEWER	§		
CERTIFICATE OF CONVENIENCE	§	OF TEXAS	
AND NECESSITY IN BEXAR COUNTY	§		

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

COMES NOW the Commission Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 3 files this Commission Staff's Recommendation on Administrative Completeness and Proposed Notice. Staff recommends 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 979 acres and currently has no customers.

On September 4, 2019, the Administrative Law Judge issued Order No. 3, setting a deadline of October 8, 2019 for Elmendorf to cure the deficiencies in the application and a deadline of November 8, 2019 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

Elmendorf's application continues to be administratively incomplete because Elmendorf has not made a supplemental filing in response to Order No. 3. 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 December 9, 2019 be established for Elmendorf to supplement its application. Staff further recommends that a deadline of January 9, 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 December 9, 2019.

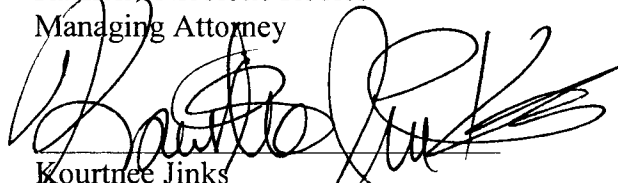
Dated: November 8, 2019

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

Rachelle Nicolette Robles
Managing Attorney

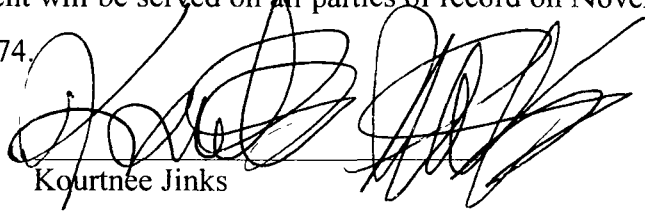
A handwritten signature in black ink, appearing to read 'Kourtnee Jinks', is written over a horizontal line.

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on November 8, 2019, in accordance with 16 TAC § 22.74.



Kourtnee Jinks