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RECEIVED

APPLICATION OF BROWNSVILLE §
PUBLIC UTILITIES BOARD TO §
AMEND A CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
FOR A SERVICE AREA BOUNDARY §
CHANGE IN CAMERON COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

COMMISSION STAFF’S RECOMMENDATION ON FINAL DISPOSITION

COMES NOW the Commission Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this response to Order No. 1, Staff’s Recommendation on Final Disposition. Staff recommends that the application be approved. In support thereof, Staff shows the following:

I. BACKGROUND

On July 22, 2019, Brownsville Public Utilities Board (BPUB) filed an application for a minor service area boundary change to its Electric Certificate of Convenience (CCN) No. 30021, located in Cameron County. Specifically, BPUB seeks to include 30.223-acre tract of land within both the corporate limits of the City of Brownsville and in the singly certificated area of AEP Texas Inc. Pursuant to Public Utility Regulatory Act §§ 37.053-37.056 (PURA) and 16 Texas Administrative Code (TAC) § 25.101, this would result in BPUB being dually certified with AEP in the requested service area.

Order No. 1, issued July 23, 2019, gave Staff a deadline of August 19, 2019 to file a recommendation on the final disposition of the application. Therefore, this pleading is timely filed.

II. FINAL RECOMMENDATION

Staff recommends approval of the application, as supported by the attached memorandum of Reginald Tuvilla of the Commission’s Infrastructure and Reliability Division. The application is complete and meets all applicable statutory criteria and filing requirements, as required by 16 TAC § 25.101(b)(1)(B). Therefore, Staff recommends that approving this application would serve the public interest and is necessary for the service, accommodation, convenience, and safety of the public, pursuant to PURA § 37.056.

III. CONCLUSION

For the reasons stated above, Staff respectfully recommends that the application be approved.

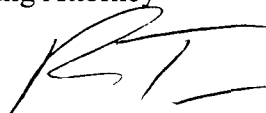
Dated: August 12, 2019

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
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DOCKET NO. 49782

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 12, 2019, in accordance with 16 TAC § 22.74.



Rustin Tawater

Public Utility Commission of Texas

Memorandum

TO: Rustin Tawater
Legal Division

FROM: Reginald Tuvilla
Infrastructure and Reliability Division

DATE: August 19, 2019

SUBJECT: Docket No. 49782, *Application of Brownsville Public Utilities Board to Amend a Certificate of Convenience and Necessity for a Service Area Boundary Change in Cameron County*

BACKGROUND

On July 22, 2019, the Brownsville Public Utilities Board (BPUB) filed an application to amend its certificated service area boundary in Cameron County, Texas (Application). The proposed certificate amendment will affect the existing certificated boundary of BPUB and AEP Texas Inc. (AEP Texas), formerly known as Central Power and Light Company (CP&L). On February 23, 1982, CP&L and BPUB executed an agreement where CP&L agreed not to contest or oppose any application by BPUB to be dually or multiply certificated to serve areas within the city limits of the City of Brownsville, Texas.

Order No. 2, issued August 8, 2019, allowed the Application to be treated as a minor boundary change. Thus, the notice requirements of 16 Texas Administrative Code (TAC) § 22.52(a) are not applicable. Reasonable notice as provided in 16 TAC § 22.55 was afforded. No party has requested intervention in this proceeding.

PROJECT DESCRIPTION

BPUB is requesting authorization to provide electric service to a proposed development in Brownsville located on a 30.223 acre tract of land out of a 568.836 acre tract of land. This is located off FM 1732 and along Summerhill Boulevard in Brownsville, Texas; the property is not developed at this time. Electric service is not currently provided at this undeveloped property. The tract is singly certificated to AEP Texas and are within the corporate limits of the City of Brownsville, Cameron County, Texas. If the request is granted, the area would be dually certificated to AEP Texas and BPUB. The proposed boundary change will not have any negative effect on community values, recreational and park areas, environmental integrity and historical values. AEP Texas and BPUB have existing overhead electric distribution lines south of this property. AEP Texas, by agreement, will not oppose BPUB's application for certification of this area.

NEED AND COST FOR THE PROPOSED CONSTRUCTION

There is currently no existing electric utility service for the proposed development in Brownsville, Texas. BPUB has electric distribution facilities close to the property and it is estimated to cost BPUB \$161,957.50 to provide service to the proposed project.

CONCLUSIONS AND RECOMMENDATIONS

Commission staff concludes that the application of BPUB satisfies the provisions of PURA § 37.056. Therefore, Commission staff recommends approval of this application.