



Control Number: 49842



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**DOCKET NO. 49842**

**APPLICATION OF THE CITY OF  
SCHERTZ TO AMEND ITS WATER  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY IN GUADALUPE  
COUNTY**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

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**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 files this Recommendation on Administrative Completeness and Proposed Notice in response to Order No. 1. Staff recommends that the application be deemed insufficient for further review. In support thereof, Staff shows the following:

**I. BACKGROUND**

On August 12, 2019, the City of Schertz (Schertz) filed an application to amend its water certificate of convenience and necessity (CCN) No. 10645 in Guadalupe County. The requested area consists of approximately 118 acres and no current customers.

Order No. 1 issued on August 19, 2019, required Staff to file a recommendation on administrative completeness by September 12, 2019. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As supported by the attached memorandum of Patricia Garcia in the Commission's Infrastructure Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Staff recommends that Schertz be ordered to cure the deficiencies identified in Ms. Garcia's memorandum by October 14, 2019, and that Staff be given a deadline of November 13, 2019 to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Schertz 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 the 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 Schertz be ordered to file supplement information addressing the identified deficiencies in the application by October 14, 2019.

Dated: September 11, 2019

Respectfully submitted,

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

Margaret Uhlig Pemberton  
Division Director

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Managing Attorney



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**DOCKET NO. 49842**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on September 11, 2019, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to read 'AP', is written above a horizontal line.

Alexander Petak

## **PUC Interoffice Memorandum**

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

**Thru:** Heidi Graham, Manager  
Infrastructure Division

**From:** Patricia Garcia, Engineering Specialist  
Infrastructure Division

**Date:** September 9, 2019

**Subject:** **Docket 49842**, *Application of the City of Schertz to Amend its Certificate of Convenience and Necessity in Guadalupe County*

On August 12, 2019, the City of Schertz (Applicant) filed with the Public Utility Commission of Texas an application to amend its water Certificate of Convenience and Necessity No. 10645 in Guadalupe County, Texas pursuant to Texas Water Code §§ 13.242 to 13.250 and the 16 Texas Administrative Code §§ 24.225 to 24.237.

Staff has reviewed the information provided by the Applicant and recommends the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

### **Application Content**

The application did not include proof that plans and specifications the water line and associated facilities necessary to serve the newly proposed development have been submitted to the Texas Commission on Environmental Quality (TCEQ) for construction approval.

Also note that the TCEQ construction approval letter(s) for the water line(s) and associated facilities must be filed in the docket prior to Staff making a final recommendation on the application.

### **Mapping Content**

The Applicant did not use existing CCN digital mapping data to help them create the requested area. In order to prevent overlaps and gaps with existing CCNs, the Applicant needs to file digital mapping data, rather than filing a metes and bound survey for the requested area.

Applicant must submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested area, as a single polygon record, provided in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).
- State the approximate total acreage for the revised requested area. The acreage should be the same as provided in the digital mapping data.

Staff recommends the Applicant obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes at (512)936-7187 or [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov) to resolve the mapping deficiencies.