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DOCKET NO. 49879



**APPLICATION OF SWIFT WATER §
SUPPLY CORPORATION TO AMEND §
ITS WATER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
NACOGDOCHES COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Sufficiency of Notice. In support thereof, Staff shows the following:

I. BACKGROUND

On August 21, 2019, Swift Water Supply Corporation (Swift) filed an application to amend its water certificate of convenience and necessity (CCN) No. 11420 in Nacogdoches County. The requested area consists of approximately 3,136 acres and 62 current customers. Swift filed supplemental information on October 14, 2019, December 16, 2019, January 7, 2020, and February 10, 2020.

Order No. 7 issued on May 13, 2020, required Staff to file a recommendation on the sufficiency of notice by June 22, 2020. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON NOTICE

Swift filed proof of notice on May 27, 2020. Staff has reviewed the signed affidavits attesting that a copy of the notice provided by Staff, along with maps of the requested area, were sent to landowners, neighboring utilities, and other affected parties consistent with Staff's recommendation on administrative completeness and that the notice was published in a newspaper of general circulation in Nacogdoches County for two consecutive weeks on May 10, 2020, and May 17, 2020. Swift did not provide proof that notice was mailed to the 62 current customers in the requested area. Therefore, Staff recommends that notice be found deficient and that Swift be ordered to file an affidavit regarding customer notice along with a list of the customers noticed, and copies of the notice and maps provided to the current customers.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Event	Date
Deadline for Swift to file supplemental proof of notice	July 13, 2020
Deadline for Staff to file a recommendation on the sufficiency of notice	July 23, 2020
Deadline for Staff to file a recommendation on the sufficiency of Swift's mapping revisions to reflect opt outs	July 23, 2020

The proposed schedule includes a deadline for Staff to review the revised mapping filed by Swift on May 27, 2020 to reflect the request of William and Andrew Hunt to opt out of the requested service area. The Hunt's request was filed on May 22, 2020. Staff will propose a procedural schedule for continued processing of this docket along with its recommendation on the sufficiency of the mapping revisions.

IV. CONCLUSION

Staff respectfully requests the issuance of an order finding Swift's notice sufficient and adopting the proposed procedural schedule.

Dated: June 22, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that, unless ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on June 22, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ John Harrison
John Harrison