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DOCKET NO. 49879

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

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PUBLIC UTILITY COMMISSION

OF TEXAS

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

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Supplemental Recommendation on Administrative Completeness and Proposed Notice in response to Order No. 2. Staff recommends that the application continues to be deemed insufficient for further review. 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.

Order No. 2 issued on September 24, 2019, required Staff to file a recommendation on administrative completeness by November 21, 2019. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Nabaraj Pokharel in the Commission's Infrastructure Division, Staff has reviewed the application and supplemental information and continues to recommend that it be found administratively incomplete. Staff recommends that Swift be ordered to cure the deficiencies identified in Mr. Pokharel's memorandum by December 30, 2019, and that Staff be given a deadline of January 30, 2020 to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Swift 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 continue to be found administratively incomplete at this time, that Swift be ordered to file a supplement addressing the identified deficiencies in the application by December 30, 2019.

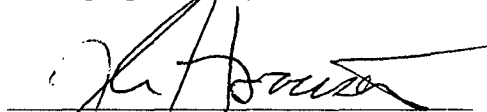
Dated: November 21, 2019

Respectfully submitted,

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

Margaret Uhlig Pemberton  
Division Director

Rachelle Nicolette Robles  
Managing Attorney

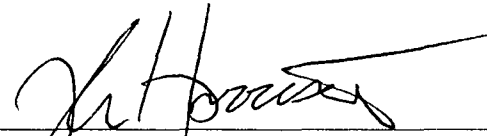


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on November 21, 2019, in accordance with 16 TAC § 22.74.

  
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John Harrison

## PUC Interoffice Memorandum

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**To:** John Harrison, Attorney  
Legal Division

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

**From:** Nabaraj Pokharel, Engineering Specialist  
Infrastructure Division

Fred Bednarski, Financial Analyst  
Rate Regulation Division

**Date:** November 21, 2019

**Subject:** **Docket 49879**, Application of Swift Water Supply Corporation to Amend its Water Certificate of Convenience and Necessity in Nacogdoches County

On August 21, 2019, Swift Water Supply Corporation (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 11420 in Nacogdoches County, Texas pursuant to Texas Water Code Ann., §§ 13.242 to 13.250 and the 16 Texas Administrative Code §§ 24.225 to 24.237. The total service area being requested includes approximately 3,123 acres and 62 current customers.

Staff also reviewed the response to order number 2 filed on October 10, 2019. Based on Staff's review, the application is still deficient; therefore, Staff recommends that the application be deemed insufficient for filing and administratively incomplete. Staff further recommends the Applicant provide the following:

- Provide detailed maps showing existing customers and any potential customers who have requested service within the requested area.
- Provide detailed maps showing existing and proposed water transmission and distribution lines within the requested areas.
- Provide a copy of construction approval letters from TCEQ for the necessary facilities, such as distribution systems, that will serve the requested area that has no existing customers.
- Provide supplemental information for the public water system capacity to support the ability of the Applicant to provide water service within the requested area that has no existing customers.
- Provide a copy of any developer agreements or requests for service within the requested area that has no existing customers.
- Provide a capital improvement plan, including a budget, estimated timeline and the sources of funding for the construction of all facilities necessary to provide service to the requested area.