

Control Number: 49891



Item Number: 3

Addendum StartPage: 0

DOCKET NO. 49891

**APPLICATION OF MUSTANG
SPECIAL UTILITY DISTRICT TO
AMEND ITS CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
DENTON COUNTY** §
§
§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

**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 in response to Order No. 1, files this 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 August 23, 2019, Mustang Special Utility District (Mustang SUD) filed a petition to amend its water Certificate of Convenience and Necessity (CCN) No. 11856 and sewer CCN No. 20930 in Denton County. The requested service area consists of approximately 1,103 acres and currently has 376 customers.

On September 5, 2019, the Administrative Law Judge issued Order No. 1, was issued, setting a deadline of September 23, 2019, for Staff to file comments on the administrative completeness of the application and proposed notice. Therefore, this pleading is timely filed.

II. DEFICIENCY RECOMMENDATION

As detailed in the attached memorandum from Nabaraj Pokharel in the Commission's Infrastructure Division, Staff has reviewed the application and recommends that it be found administratively incomplete at this time. Staff recommends that Mustang SUD be ordered to cure the deficiencies identified in Mr. Pokharel's memorandum by October 23, 2019, and that Staff be given a deadline of November 25, 2019, to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Mustang SUD should not issue notice until the application is found administratively complete.

III. 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

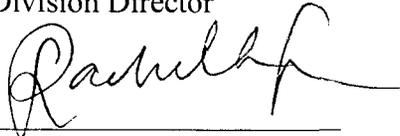
For the reasons stated above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Mustang SUD be ordered to file a supplement addressing the identified deficiencies in the application by October 23, 2019.

Dated: September 23, 2019

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director



Rachelle Nicolette Robles
State Bar No. 24060508
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7255
(512) 936-7268 (facsimile)
rachelle.robles@puc.texas.gov

DOCKET NO. 49891

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 23, 2019, in accordance with 16 Texas Administrative Code § 22.74.



Rachelle Nicolette Robles

PUC Interoffice Memorandum

To: Rachelle Nicolette Robles, Managing Attorney
Legal Division

Thru: Heidi Graham, Manager
Infrastructure Division

From: Nabaraj Pokharel, Engineering Specialist
Infrastructure Division

Date: September 18, 2019

Subject: **Docket 49891**, Application of Mustang Special Utility District to Amend its Certificates of Convenience and Necessity in Denton County

On August 23, 2019, Mustang Special Utility District (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend its water and sewer Certificate of Convenience and Necessity (CCN) No. 11856 and 20930, respectively in Denton County, Texas pursuant to Texas Water Code Ann. (TWC) §§ 13.242 - 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237.

A Staff review of the above referenced application found deficiencies in the required application; therefore, Staff recommends that the application be deemed insufficient for filing and administratively incomplete.

Application Content:

The requested areas overlap the following cities, which requires written consent from the cities allowing Mustang SUD to provide retail water service within their municipal boundaries. The relevant content provided in the application is deficient.

- City of Celina
- Town of Little Elm

Mapping Content:

There are gaps and overlaps between Mustang SUD's CCN No. 11856 and the requested area 2 (water). The Applicant will need to remove the overlaps from the requested area 2 (water). If the gaps are not intended, the Applicant must add area to the requested area 2 (water) in order to remove the gaps with Mustang SUD's existing CCN.

Staff recommends the Applicant provide the following item to resolve the mapping deficiencies:

Digital data for the requested areas for water, as polygon records, provided in a shapefile (SHP) format, georeferenced in NAD83 Texas Statewide Mapping System (Meters).

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 to resolve the mapping deficiencies.