



Control Number: 50083



Item Number: 5

Addendum StartPage: 0

APPLICATION OF SOLAR VILLAGE	§	PUBLIC UTILITY COMMISSION
HOMEOWNERS ASSOCIATION TO	§	
OBTAIN A WATER CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
KERR COUNTY	§	

**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 response to Order No. 1, Commission Staff’s 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 October 9, 2019, Solar Village Homeowners Association (Applicant) filed an application to obtain a water Certificate of Convenience and Necessity (CCN) in Kerr County and to decertify a portion of the City of Kerrville’s water CCN No. 12928. The requested service area consists of 16.7 acres, has 15 existing connections, and is located within the City of Kerrville’s certificated area.

On October 22, 2019, the Administrative Law Judge issued Order No. 1, setting a deadline of November 19, 2019, for Staff to file comments on the administrative completeness of the application, the sufficiency of the proposed notice, and to propose a procedural schedule. This pleading is therefore timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Roshan Pokhrel in the Commission’s Infrastructure Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Staff recommends that Applicant be ordered to cure the deficiencies identified in Mr. Pokhrel’s memorandum by December 19, 2019, and that Staff be given a deadline of January 20, 2020 to file a supplemental recommendation on the administrative completeness of

the application. Staff notes that the Applicant 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 the Applicant be ordered to file a supplement addressing the identified deficiencies in the application by December 19, 2019.

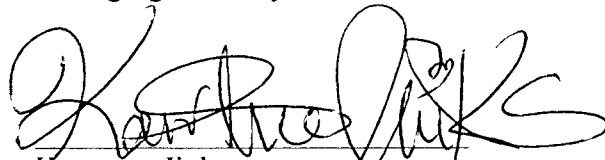
Dated: November 19, 2019

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

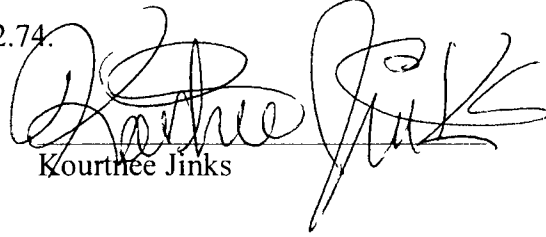


Kourtnee Jinks
State Bar No. 24097146
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7265
(512) 936-7268 (facsimile)
kourtnee.jinks@puc.texas.gov

DOCKET NO. 50083

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on November 19, 2019, in accordance with 16 TAC § 22.74.


Kourthee Jinks

PUC Interoffice Memorandum

To: Kourtnee Jinks, Attorney
Legal Division

Thru: Heidi Graham, Manager
Infrastructure Division

From: Roshan Pokhrel, Engineering Specialist
Infrastructure Division

Date: November 19, 2019

Subject: **Docket No. 50083**, *Application of Solar Village Homeowners Association to Obtain a Certificate of Convenience and Necessity in Kerr County*

On October 9, 2019, Solar Village Homeowners Association (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to obtain a water Certificate of Convenience and Necessity (CCN) in Kerr County, Texas pursuant to Texas Water Code (TWC) §§ 13.242 to 13.250 and the 16 Texas Administrative Code (TAC) §§ 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 in the application. The Applicant filed the maps and digital data confidentially. The maps and digital data must be filed and made available to the public. The Applicant filed two different sets of digital data for the requested area. The Applicant must file the same digital data in a polygon shapefile format on all data disks filed. Since the requested area overlaps a portion of the City of Kerrville's CCN No. 12928 and the Applicant is seeking to obtain this portion into their own certificated water service area, the Applicant must file an agreement allowing for decertification of a portion of CCN No. 12928. Further, Applicant did not file a proposed tariff as a part of the application.

Staff has identified the following deficient or missing information:

1. A general location map identifying only the requested area in reference to the nearest county boundary, city, or town.
2. A detailed map identifying only the requested area in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
3. Digital data for the requested area, as a single polygon record, in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).
4. An agreement allowing for the decertification of a portion of City of Kerrville's CCN No. 12928. (The application states that a letter from the City of Kerrville is attached, but Staff could not find the letter.)
5. A proposed tariff as required by question number 28 of the application. Provide a rate study supporting the proposed rates along with all calculations and assumptions made. Provide any workpapers in native form, for example Microsoft Excel format; Or provide any clarification how the customers will be charged.

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.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).