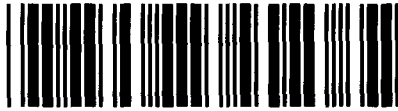




Control Number: 50129



Item Number: 3

Addendum StartPage: 0

**DOCKET NO. 50129**

**APPLICATION OF SHIELD  
ENGINEERING GROUP, PLLC, ON  
BEHALF OF KIMBERLY KAY  
MCINTOSH, TO AMEND CITY OF  
KRUM'S CERTIFICATES OF  
CONVENIENCE AND NECESSITY IN  
DENTON COUNTY**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF'S 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 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 October 24, 2019, Shield Engineering Group, PLLC, on behalf of Kimberly Kay McIntosh (Ms. McIntosh) filed a petition for streamlined expedited release from the City of Krum (Krum) water and sewer certificate of convenience and necessity (CCN) in Denton County. Ms. McIntosh seeks the expedited release of approximately 70.07 acres of land within the boundaries of Krum's water CCN number 13106 and sewer CCN number 21028. Ms. McIntosh asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Denton County, which is a qualifying county.

On October 29, 2019, Order No. 1 was issued establishing a deadline of November 25, 2019, for Staff to file a recommendation on the administrative completeness of the application and notice and propose a procedural schedule for further processing of the application. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Roshan Pokharel in the Commission's Infrastructure Division, Staff has reviewed the application and recommends that it be found administratively incomplete. Specifically, Staff has identified deficiencies in the application and

mapping information. Staff recommends that Ms. McIntosh submit additional application and mapping information, as further detailed in the attached memorandum.

### **III. COMMENTS ON PROCEDURAL SCHEDULE**

Staff recommends that Petitioner 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 29, 2020, to file a supplemental recommendation on the administrative completeness of the application. Staff notes that Petitioner should not issue notice until the application is found administratively complete.

### **IV. CONCLUSION**

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Ms. McIntosh be ordered to file a supplement addressing the identified deficiencies in the application by December 30, 2019.

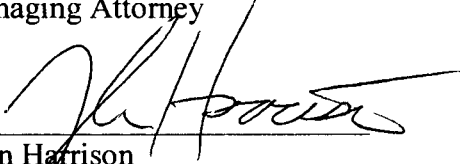
**Dated: November 25, 2019**

Respectfully submitted,

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

Margaret Uhlig Pemberton  
Division Director

Rachelle Nicolette Robles  
Managing Attorney

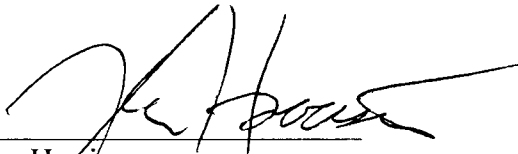


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**DOCKET NO. 50129**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on November 25, 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:** Roshan Pokhrel, Engineering Specialist  
Infrastructure Division

**Date:** November 25, 2019

**Subject:** **Docket No. 50129:** *Application of Shield Engineering Group, PLLC, on Behalf of Kimberly Kay McIntosh, to Amend City of Krum's Certificates of Convenience and Necessity in Denton County*

On Oct 24, 2019, Shield Engineering Group, PLLC, on behalf of Kimberly Kay McIntosh (Applicant) filed an application for expedited release from the City of Krum's water Certificate of Convenience and Necessity (CCN) No. 13106 and sewer CCN No. 21018 in Denton County, under Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(l). The Petitioner asserts that the land is at least 25 contiguous acres and is located in Denton County which is a qualifying county.

Commission staff (Staff) notes that the Applicant seeks to amend the CCN No. 10195 and 20072 of the City of Denton and CCN No. 11257 of the Bolivar Water Supply Corporation (WSC) rather than CCN Nos. 13106 and 21018 of the City of Krum. The Applicant also mentioned that a copy of the petition has been mailed to Bolivar WSC and the City of Denton. Therefore, Staff recommends changing the style of the docket to “*Application of Shield Engineering Group, PLLC, on Behalf of Kimberley Kay McIntosh, to Amend the City of Denton's Certificate of Convenience and Necessity and Bolivar WSC's Certificate of Convenience and Necessity in Denton County by Expedited Release.*”

Staff has reviewed the petition and recommends that it be deemed insufficient for filing and administratively incomplete due to the deficiencies in the application. Applicant must submit the following items to resolve the deficiencies.

- 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 mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet); **OR** metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.
- 4) A copy of notarized affidavit attesting that the property is not receiving water and sewer services from CCN holders pursuant to 16 TAC § 24.245 (l) (4) (A) (iv).
- 5) Proof of notice mailed to CCN holders pursuant to 16 TAC § 24.245 (l) (4) (A) (vi).

In addition, PUC mapping staff Gary Horton requests the Applicant that, please contact him at (512) 936-7146 for guidance in creating and filing the required mapping materials.