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**APPLICATION OF THE CITY OF
MIDLAND TO AMEND ITS
CERTIFICATES OF CONVENIENCE
AND NECESSITY IN MARTIN AND
MIDLAND COUNTIES**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

JOINT RESPONSE TO REQUEST FOR CLARIFICATION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, files this response to Order No. 7. In support thereof, Staff shows the following:

I. BACKGROUND

On November 21, 2019, the City of Midland (Midland) filed an application to amend its certificates of convenience and necessity (CCN) in Martin and Midland Counties. Midland holds water CCN number 10221 and sewer CCN number 20083. The requested service area consists of approximately 24,376 acres.

On October 23, 2020, the administrative law judge (ALJ) filed Order No. 7 requesting that the parties file comments regarding the discrepancy in acreage by October 30, 2020. Staff filed a request for extension on October 30, 2020 and the ALJ granted staff's request in Order No. 9. Order No. 9 also requires Staff to file a response to Order No. 7 by November 6, 2020. This pleading, therefore, is timely filed.

II. JOINT RESPONSE TO REQUEST FOR CLARIFICATION

The discrepancy regarding the acreages shown on the maps included in the application and the acreages stated in the Commission Staff's final recommendation is due to different GIS projections being used by the applicant and by mapping Staff during the area calculation. No changes have been made to the boundaries of the requested area from the boundaries requested in the application. The acreages for water service area and sewer service area stated in the notice documents are those calculated by mapping Staff and are, therefore, consistent with those found in the final recommendation.

Dated: November 6, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on November 6, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks
Kourtnee Jinks