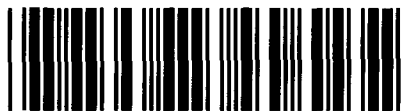




Control Number: 50324



Item Number: 4

Addendum StartPage: 0

DOCKET NO. 50324

APPLICATION OF COUNTY LINE	§	PUBLIC UTILITY COMMISSION
SPECIAL UTILITY DISTRICT TO	§	
OBTAIN A SEWER CERTIFICATE	§	OF TEXAS
OF CONVENIENCE AND NECESSITY	§	
IN HAYS AND COMAL COUNTY	§	

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this recommendation. Staff recommends that the application be found administratively incomplete at this time and that the applicant be given an opportunity to cure. In support thereof, Staff would show the following:

I. BACKGROUND

On December 6, 2019, County Line Special Utility District (County Line) filed an application for a sewer certificate of convenience and necessity in Hays and Caldwell counties pursuant to Texas Water Code (TWC) §§ 13.242-.250 and 16 Texas Administrative Code (TAC) §§ 24.225-.237. The requested area consists of approximately 17,942 acres, 52 existing connections, and 24,100 future connections.

On December 10, 2019, Order No. 1 was issued, requiring Staff to file comments on the administrative completeness of the application and proposed notice by January 6, 2020. This pleading, therefore, is timely filed.

II. ADMINISTRATIVE COMPLETENESS

After review, and consistent with the attached memorandum of Roshan Pokhrel of the Infrastructure Division, Staff recommends that the application be found administratively incomplete at this time. Staff recommends that County Line be ordered to cure the deficiencies in the application by February 6, 2020, and that Staff be given a deadline of March 6, 2020 to file a supplemental recommendation on the administrative completeness of the application. Staff notes that County Line should not issue notice until the application is found to be 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 this docket at this time. Staff will propose one alongside a subsequent recommendation for application sufficiency.

IV. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation.

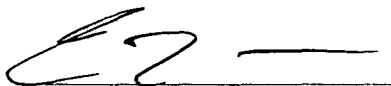
Dated: January 6, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Thomas S. Hunter
Division Director

Heath D. Armstrong
Managing Attorney

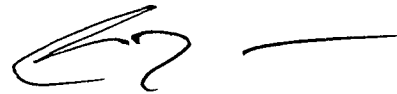


Creighton R. McMurray
State Bar No. 24109536
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7275
(512) 936-7268 (facsimile)
creighton.mcmurray@puc.texas.gov

DOCKET NO. 50324

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 6th of January 2020 in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, consisting of a stylized 'C' followed by a horizontal line.

Creighton R. McMurray

PUC Interoffice Memorandum

To: Creighton McMurray, Attorney
Legal Division

From: Roshan Pokhrel, Engineering Specialist
Infrastructure Division

Date: January 6, 2020

Subject: **Docket No. 50324**, *Application of County Line Special Utility District to Obtain Sewer Certificate of Convenience and Necessity in Hays and Caldwell County*

On December 6, 2019, County Line Special Utility District (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to obtain a sewer Certificate of Convenience and Necessity in Hays and Caldwell County, under Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237. The requested area includes approximately 17,942 acres, 52 existing connections, and 24,100 future connections.

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.

Applicant must submit the following items to resolve the deficiencies:

- Description of the sources of funding for all facilities and infrastructure that will be constructed to serve the requested area.
- Capital improvement plan, including a budget and an estimated timeline for construction of all facilities and infrastructure necessary to provide full service to the entire proposed area, keyed to maps showing where such facilities will be located to provide service.
- Written consent from the City of Niederwald as the requested area overlaps this city's boundary.
- Clarification of the total number of current connections. The Applicant included 52 existing connections in Part D of the application but only 2 connections in Part G for the notice information.
- Breakdown of acreage for land with requests for service and undeveloped land.
- Clarification for the need for service for the areas that do not include a developer's request.
- Clarification for the capacity of the existing water quality discharge permit. Does the existing water quality discharge permit have enough capacity for the effluent from the four proposed wastewater treatment plants? If not, has the Applicant submitted an application(s) for a new discharge permit with Texas Commission on Environmental Quality?
- Clarification of who will construct the proposed wastewater treatment plants to serve the future customers; the Plume Creek Utility Company, LLC or the County Line Special Utility District.

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>).