



Control Number: 50324



Item Number: 51

DOCKET NO. 50324

**APPLICATION OF COUNTY LINE §
SPECIAL UTILITY DISTRICT TO §
OBTAIN A SEWER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
HAYS AND CALDWELL COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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ORDER REMANDING PROCEEDING TO DOCKET MANAGEMENT

This Order addresses the application of County Line Special Utility District to obtain a sewer certificate of convenience and necessity in Hays and Caldwell County. The Commission remands this proceeding to Docket Management for further processing as addressed in this Order.

For the proposed sewer-service area for this proceeding, County Line SUD identified an approximately 360-acre area within the City of Uhland that contains 300 existing homes and businesses that currently utilize septic systems for wastewater treatment and disposal.¹ In maps, County Line SUD identified the area as “Existing City of Uhland Residents.”² County Line SUD stated that there are no written requests for sewer service from homeowners or business owners within Uhland’s municipal boundaries;³ however, County Line SUD stated that it secured seven wastewater utility easements from landowners of 12 tracts of land within this City of Uhland area, and depicted in map attachment C.⁴

For the approximately 360-acre area within the City of Uhland, the Commission determines that County Line SUD must amend its application and revise its proposed sewer service area to include only the 12 tracts for which it has secured wastewater utility easements. In addition, if County Line SUD receives, or has already received, requests for service from landowners, prospective landowners, tenants, or residents⁵ in this specific 360-acre area, County Line SUD must file documentation to demonstrate the requests for service. County Line SUD may also include those tracts in its amended application to revise its proposed sewer service area.

¹ County Line Special Utility District’s Supplemental Information of the Proposed Sewer CCN Boundary at 1 (Aug. 19, 2020).

² County Line Special Utility District’s Supplemental Information of the Proposed Sewer CCN Boundary at 5 (Aug. 19, 2020); and County Line Special Utility District’s Response to the October 18, 2021 Commission Counsel Memorandum and Motion to Admit Evidence at 8 (Oct. 21, 2022).

³ *Id.* at 3.

⁴ *Id.* at 4 and 13 (Oct. 21, 2022).

⁵ Texas Water Code § 13.246(c)(2).

To facilitate this remand, for mapping purposes, and for a revised proposed order, the Commission requires that County Line SUD amend its application to identify the number of acres that comprise the 12 tracts with wastewater utility easements, the number of acres for any additional requests for service within the 360-acre area described above, the total number of acres that would be approved for the entire revised requested service area, and County Line SUD must also include mapping information required by Commission rules and needed by Commission Staff to revise the sewer CCN service area map.

To facilitate a revised proposed order, County Line SUD should file an amended application with the information described above and move for the admission of additional evidence into the record. Commission Staff should file a revised final recommendation with a revised sewer CCN map and Docket Management should file a second revised proposed order. The Commission remands this proceeding to Docket Management for further processing consistent this Order.

Signed at Austin, Texas the 25th day of January 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



PETER M. LAKE, CHAIRMAN



WILL MCADAMS, COMMISSIONER



LORI COBOS, COMMISSIONER



JIMMY GLOTFELTY, COMMISSIONER