



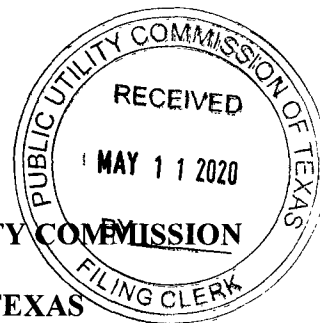
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DOCKET NO. 50325



APPLICATION OF GRISTMILL
UTILITY COMPANY, LLC TO
OBTAIN A SEWER CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
HAYS COUNTY

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PUBLIC UTILITY COMMISSION
OF TEXAS

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

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 3 files this Commission Staff's Second Supplemental Recommendation on Administrative Completeness. Staff recommends that the application continue to be deemed administratively incomplete for further review and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

I. BACKGROUND

On December 6, 2019, Gristmill Utility Company, LLC (Gristmill) filed an application for a sewer certificate of convenience and necessity in Hays County. The requested service area consists of 239 acres, 52 existing customer connections, and 838 additional projected customer connections. Gristmill filed supplemental information on January 31, 2020 and April 3, 2020.

On March 12, 2020, the Administrative Law Judge issued Order No. 3, setting a deadline of May 11, 2020, for Staff to file a supplemental recommendation regarding the administrative completeness of the application along with a proposed procedural schedule, if appropriate. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and, as detailed in the attached memorandum from Greg Charles, Infrastructure Division, recommends that the application be found administratively incomplete. Specifically, Staff has identified deficiencies in the mapping content. Staff recommends that Gristmill submit additional mapping content, as further detailed in the attached memorandum. Staff notes that Gristmill should not issue notice until the application is found administratively complete.

III. COMMENTS ON PROCEDURAL SCHEDULE

Staff recommends that Gristmill be ordered to cure the deficiencies identified in Mr. Charles's memorandum by June 10, 2020, and that Staff be given a deadline of July 10, 2020, to file a supplemental recommendation on the administrative completeness of the application.

IV. CONCLUSION

For the reasons stated above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Gristmill be ordered to file supplement addressing the identified deficiencies in the application by June 10, 2020.

Dated: May 11, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Robert Dakota Parish
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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 May 11, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish

PUCT Interoffice Memorandum

To: Robert Dakota Parish, Attorney
Legal Division

From: Greg Charles, Engineer
Infrastructure Division

Date: May 11, 2020

Subject: **Docket No. 50325**, *Application of Gristmill Utility Company, LLC to Obtain a Sewer Certificate of Convenience and Necessity in Hays County*

On December 6, 2019, Gristmill Utility Company, LLC (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to obtain a sewer Certificate of Convenience and Necessity in Hays County, Texas under Texas Water Code §§ 13.242 to 13.250 and the 16 Texas Administrative Code §§ 24.225 to 24.237.

Staff has reviewed the supplemental information provided by the Applicant on January 31, 2020, and on April 3, 2020, and recommends the application remains administratively incomplete, and therefore not accepted for filing due to mapping deficiencies.

The supplemental digital mapping data provided on April 3, 2020 for the requested area includes an overlap with the City of Uhland (City). The Applicant must remove the overlap with the City from the requested area or obtain consent via an agreement with the City. The agreement shall allow the Applicant to provide retail sewer service within the requested area that is within the City's municipal boundaries. In addition, the Applicant must submit the following items to resolve the mapping deficiencies:

- Revised digital mapping data for the requested area, provided 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); and
- State the approximate total acres for the requested area that reflects the revised digital mapping data.

Staff recommends the Applicant obtain additional mapping guidance from the Commission'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 Commission. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).