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APPLICATION OF COUNTY LINE §
SPECIAL UTILITY DISTRICT TO §
AMEND ITS CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
AND TO DECERTIFY A PORTION OF §
POLONIA WATER SUPPLY §
CORPORATION'S CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
HAYS AND CALDWELL COUNTIES §

PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 4, files this recommendation on sufficiency of notice. In support thereof, Staff shows the following:

I. BACKGROUND

On February 14, 2020, County Line Special Utility District (County Line SUD) filed an application to amend its water certificate of convenience and necessity (CCN) No. 10292 and to decertify a portion of Polonia Water Supply Corporation's water CCN No. 10420 in Hays and Caldwell Counties under Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237. The requested service area consists of 425 acres and no existing customer connections. County Line SUD filed supplemental information on April 17, 2020 and June 16, 2020.

On July 16, 2020, the administrative law judge (ALJ) issued Order No. 4 finding the application, as supplemented, administratively complete. Order No. 4 also directed Staff to file a recommendation on sufficiency of notice by September 14, 2020. Therefore, this pleading is timely filed.

II. NOTICE

Staff has reviewed County Line SUD's proof of notice and recommends that it be found sufficient. County Line SUD filed proof of completed notice on August 31, 2020. County Line SUD's filing included signed affidavits attesting that a copy of the notice provided by Staff, along with a map, was sent to the neighboring utilities and other affected parties described in Staff's recommendation on administrative completeness, and that notice that was published in a newspaper of general circulation in Hays and Caldwell Counties for two consecutive weeks. Therefore, County Line SUD has substantially met the notice requirements of 16 Texas Administrative Code § 24.235(b). Pursuant to this review, Staff recommends that the notice be found sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

| Event | Date |
|--|--------------------------------|
| Notice completed | August 5, 2020 |
| Deadline for intervention | September 4, 2020 ¹ |
| Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent | October 9, 2020 |
| Deadline for Applicant and Polonia Water Supply Corporation to file signed consent forms with the Commission | October 16, 2020 |
| If no hearing is requested, deadline for Staff to file a final recommendation on the Application | October 30, 2020 |
| If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law | November 13, 2020 |

IV. CONCLUSION

For the reasons detailed above, Staff respectfully recommends that County Line SUD's notice be found sufficient and that the proposed procedural schedule be adopted.

¹ Pursuant to 16 TAC § 24.235(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on July 28, 2020 and published on July 29, 2020 and August 5, 2020. Therefore, 30 days after August 5, 2020 is September 4, 2020.

Dated: September 14, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Kourtnee Jinks _____
Kourtnee Jinks
State Bar No. 24097146
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7265
(512) 936-7268 (facsimile)
kourtnee.jinks@puc.texas.gov

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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 September 14, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks _____
Kourtnee Jinks