



Control Number: 50563



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**DOCKET NO. 50563**

**APPLICATION OF THE CITY OF  
ALTON TO AMEND ITS SEWER  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY IN HIDALGO  
COUNTY**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**



**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON  
ADMINISTRATIVE COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Supplemental Recommendation on Administrative Completeness and Proposed Procedural Schedule, in response to Order No. 3. Staff recommends that the application be deemed sufficient for further review. In support thereof, Staff shows the following:

**I. BACKGROUND**

On February 18, 2020, the City of Alton filed an application to amend its sewer certificate of convenience and necessity (CCN) No. 20809 in Hidalgo County. The requested area consists of 1,434 total acres and 76 customer connections.

On March 20, 2020, the Administrative Law Judge (ALJ) issued Order No. 2, finding the application administratively deficient and incomplete, and requiring the City of Alton to file supplemental information to cure the deficiencies identified by Staff in its March 18, 2020 filing. On April 17, 2020, the City of Alton filed a request for extension. Order No. 3, issued on April 20, 2020 granted the extension and also directed Staff to file a supplemental recommendation on the completeness of the application and a proposed procedural schedule by June 22, 2020. The City of Alton supplemented the application on April 28, 2020, June 8, 2020, and June 16, 2020. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Patricia Garcia in the Commission's Infrastructure Division, Staff has reviewed the application and supplemental information filed by the City of Alton and recommends that it be found administratively complete and accepted for filing.

### **III. NOTICE**

At this time, Staff recommends that the City of Alton proceed with providing notice to all persons, political subdivisions, and other entities listed in the attached memorandum using the notices provided by Ms. Garcia. Along with each individual notice, Staff recommends that the City of Alton provide an accurate map delineating the requested service area. Staff also recommends that the City of Alton publish notice once each week for two consecutive weeks in a newspaper of general circulation in Hidalgo County. Within 30 days of the provision of notice, Staff recommends that the City of Alton file proof of notice as described in the attached memorandum and proof of newspaper publication. Finally, it is recommended that the City of Alton use the attached affidavits to meet these requirements.

### **IV. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for the City of Alton to file with the Commission signed affidavits that the notice was given along with a copy of the notice sent to the affected parties and published in a newspaper of general circulation	August 6, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	August 20, 2020
Deadline to intervene	30 days after notice is issued

### **V. CONCLUSION**

For the reasons detailed above, Staff respectfully recommends that the application be found administratively complete, that the City of Alton be directed to provide notice as detailed above and in the attached memorandum, and that the proposed procedural schedule be adopted.

Dated: June 22, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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s/ Kourtnee Jinks  
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**DOCKET NO. 50563**

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 June 22, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

s/ Kourtnee Jinks  
Kourtnee Jinks

## PUCT Interoffice Memorandum

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**To:** Kourtnee Jinks, Attorney  
Legal Division

**From:** Patricia Garcia, Senior Engineering Specialist  
Infrastructure Division

**Date:** June 22, 2020

**Subject:** **Docket No. 50563**, *Application of the City of Alton to Amend its Sewer Certificate of Convenience and Necessity in Hidalgo County*

On February 18, 2020, the City of Alton (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20809 in Hidalgo County, Texas under Texas Water Code §§ 13.242 to 13.250 and 16 Texas Administrative Code §§ 24.225 to 24.237.

Staff from the Rate Regulation Division and Infrastructure Division have reviewed the additional information filed by the Applicant on April 28, 2020, June 8, 2020, and June 16, 2020, and recommend that the application be deemed administratively complete. Staff further recommends the Applicant be ordered to do the following:

- 1) Provide notice of the application by first-class mail to the following:
  - a. Cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area:
    - Agua SUD (CCN No. 20785)
    - City of McAllen (CCN No. 20524)
    - City of Mission (CCN No. 20768)
    - Hidalgo County Drainage District 1
    - Hidalgo County Irrigation District 6
    - Rio Grande Regional Water Authority
    - United Irrigation District
  - b. The county judge of each county that is wholly or partially included in the requested area:
    - Hidalgo County Judge
  - c. Each landowner of a tract of land that is at least 25 acres and is wholly or partly located in the requested area. Notice must be mailed to the owner of the tract of land according to the most current tax appraisal rolls of the applicable central appraisal district at the time the application was filed.
  - d. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained by the Applicant from the Water Utility Database at <http://www.puc.texas.gov/watersearch/>. Information related to districts including addresses can be obtained from the Texas Commission on Environmental Quality's (TCEQ) web site located at <http://www.tceq.texas.gov/rwd/>.

- 2) Publish notice in a newspaper having general circulation in the county where the requested area is located, once each week for two consecutive weeks. Proof in the form of a publisher's affidavit must be filed within 30 days of the publication date. The affidavit must state with specificity each county in which the newspaper is of general circulation. Within 30 days of the date the notice was mailed, Applicant must file an affidavit specifying the notice that was provided to every person and entity to whom notice was provided and the date the notice was mailed.
- 3) Provide notice using the attached notice forms.
- 4) Provide a copy of map delineating the requested area with each individual notice to neighboring utilities, other affected parties, landowners and customers.
- 5) File in the docket a map and copy of notice along with the signed affidavit specifying every person and entity to whom notice was provided, the date that the notice was provided, and the publisher's affidavit for proof of newspaper publication.

Staff may determine that additional information is needed to make a final recommendation in this docket. If additional information is needed, Staff may send requests for information (RFI) to the Applicant. The Applicant will have 20 days from the receipt of the RFI.