



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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2021 FEB 22 11 1:24  
**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF'S FIFTH SUPPLEMENTAL RECOMMENDATION ON  
SUFFICIENCY OF NOTICE**

On February 18, 2020, the City of Alton (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.<sup>1</sup>

On January 12, 2021, the administrative law judge (ALJ) filed Order No. 9, finding Alton's notice deficient and requiring Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on sufficiency of notice and propose a procedural schedule by February 22, 2021. Therefore, this pleading is timely filed.

**I. SUFFICIENCY OF NOTICE**

Staff has reviewed Alton's proof of notice, as supplemented, and recommends that it be found sufficient. Alton filed proof of completed notice on October 5, 2020, October 9, 2020, December 1, 2020, and February 3, 2021. Alton also filed signed affidavits attesting that a copy of the notice provided by Staff 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 Hidalgo County for two consecutive weeks. In addition, Alton filed a response to Order No. 9 on February 3, 2021, stating that notice was provided to 1) Agua SUD (CCN No. 20785), 2) The City of McAllen (CCN No. 20524), 3) City of Mission (CCN No. 20768), 4) Hidalgo County Irrigation District 6, and 5) Rio Grande Regional Water Authority. Therefore, Alton has substantially met the notice requirements of 16 Texas Administrative Code (TAC) § 24.235(b). Pursuant to this review, Staff recommends that the notice be found sufficient.

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<sup>1</sup> Revised Page from CCN Application, at 1 (June 16, 2020).

## II. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for the continued processing of this docket:

Event	Date
Notice completed	February 3, 2021
Deadline for intervention	March 5, 2021 <sup>2</sup>
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Applicant for review and consent	April 9, 2021
Deadline for Applicant to file signed consent forms with the Commission	April 23, 2021
If no hearing is requested, deadline for Staff to file a final recommendation on the Application	May 7, 2021
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	May 21, 2021

## IV. CONCLUSION

For the reasons stated above, Staff respectfully requests that Alton's notice be found sufficient.

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<sup>2</sup> Pursuant to 16 TAC § 24.235(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Alton did not include the date that the five parties listed in Staff's January 11, 2021 supplemental recommendation on sufficiency of notice received notice. Therefore, Staff treats the date of Alton's February 3, 2021 filing as the date on which notice was completed. Therefore, 30 days after February 3, 2021 is March 5, 2021.

Dated: February 22, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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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 February 22, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

s/ Kourtnee Jinks  
Kourtnee Jinks