



## Filing Receipt

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<b>APPLICATION OF THE CITY OF</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>ALTON TO AMEND ITS SEWER</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>AND NECESSITY IN HIDALGO</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

**ORDER NO. 21**  
**FINDING MAPPING DEFICIENT, AND ADDRESSING REQUESTED AREA**

This Order reevaluates Commission Staff's recommendations as to the sufficiency of the amended mapping information filed by the City of Alton on January 20, 2022. On February 16, 2022, Commission Staff filed a number of recommendations as to the sufficiency of the amended mapping filed by Alton.

First, Commission Staff recommended that Alton further reduce the requested area or explain why the areas off of Moorefield Rd. and Trosper Rd. that are without a color code label and not within the city limits were included in the revised requested area.

Second, Commission Staff contended that, in an area off of Los Ebanos Rd., there is an existing neighborhood, with a mixture of mobile homes and traditional homes, that is not labeled as containing current Alton customers, requests for service, or existing facilities. Staff recommended that Alton provide an explanation why this area is included in the revised requested area or remove it from the requested area.

Third, Commission Staff contended that the submitted digital mapping data is not in the correct format.

In Order No. 18 filed on February 18, 2022, the administrative law judge (ALJ) fully adopted Commission Staff's recommendations and ordered Alton to make the mapping changes recommended by Commission Staff by March 18, 2022.

Alton did not respond to Order No. 18. Therefore, in Order No. 19 filed on March 28, 2022, the ALJ again ordered Alton to make the mapping changes recommended by Commission Staff, this time by April 11, 2022. Alton did not respond to Order No. 19, and has filed nothing in this case since January 20, 2022.

The ALJ continues to believe there are deficiencies in the mapping data that must be cured by Alton. However, as to the sufficiency of the maps, the ALJ hereby refines its rulings from Order Nos. 18 and 19, as follows:

- As to Commission Staff's first and second points, Alton is not required to remove from its application the requested areas off of Moorefield Rd. and Trosper Rd. or the area off of Los Ebanos Rd. or provide explanations why those areas are included in the application. As the applicant, it is Alton's prerogative to request whatever CCN amendment it deems appropriate. Commission Staff is free to have a different opinion. It appears that Alton is asking for more acreage than Commission Staff believes it is entitled to. It is not uncommon for parties to a contested case to have different opinions about the case. It is too early in the case for the ALJ to reach a conclusion as to which side should prevail. However, if the ALJ were to order Alton to modify its maps, such an order would, in effect, decide the issue in favor of Commission Staff. Therefore, Alton may, if it wishes to do so, file reduced maps as requested by Commission Staff, but it is not ordered to do so. Alternatively, it may explain why it chooses not to file reduced maps but, again, it is not required to do so. If Alton wishes to remove from its application the requested areas or to provide explanations why those areas are included in the application, it may do so by August 8, 2022.
- As to Commission Staff's third point, ALJ finds the digital mapping provided by Alton to be deficient in the form submitted, and orders Alton to resubmit the digital mapping data, by August 8, 2022, in the format described in the February 16, 2022 memo of Patricia Garcia.

**Signed at Austin, Texas the 12th day of July 2022.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**GREGORY R. SIEMANKOWSKI**  
**ADMINISTRATIVE LAW JUDGE**