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DOCKET NO. 50587

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APPLICATION OF THE CITY OF  
WILLOW PARK TO AMEND ITS  
WATER CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
PARKER COUNTY

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PUBLIC UTILITY COMMISSION  
OF TEXAS

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

On February 24, 2020, the City of Willow Park (Willow Park) filed an application to amend its water certificate of convenience and necessity (CCN) No. 11814 in Parker County, Texas. The requested service area consists of 449 acres with 306 current customers. Willow Park filed supplemental information on April 23, 2020, May 5, 2020, May 13, 2020, May 29, 2020, December 8, 2020, December 21, 2020, and December 28, 2020.

On January 20, 2021, the administrative law judge (ALJ) filed Order No. 10, establishing a deadline of March 19, 2021 for the Staff of the Public Utility Commission of Texas (Staff) to file a supplemental recommendation on sufficiency of notice. Therefore, this pleading is timely filed.

**I. RECOMMENDATION ON SUFFICIENCY OF NOTICE**

Notice requirements for CCN applications are governed by Texas Water Code § 13.246 and 16 Texas Administrative Code (TAC) § 24.235. On December 8, 2020, Willow Park filed affidavits attesting to notice having been provided and published as prescribed in Staff's recommendation filed on July 28, 2020. On December 28, 2020, Willow Park filed a letter clarifying the map that was included in its notice to customers, which was the map that was determined sufficient. On February 10, 2021, Willow Park filed a letter stating that the discrepancy between the number of connections provided in the application and the number of notices issued was the result of a number of customers that are responsible for multiple connections. For example, Lu Properties, which is a single customer responsible for an apartment complex with 247 units, received a single notice. These clarifications address the notice deficiencies previously identified by Staff, and Staff therefore recommends that Willow Park's notice be deemed sufficient under 16 TAC § 24.235.

## II. RECOMMENDATION ON REVISED MAPPING DATA

As detailed in the attached memorandum of Patricia Garcia of the Commission's Infrastructure Division, Staff recommends that the revised mapping data submitted by Willow Park on December 21, 2020 be found sufficient. The revised mapping data removes an area of approximately 440 acres, which falls within the City of Weatherford's extraterritorial jurisdiction, from Willow Park's requested area. Because this change reduces the size of the requested area, Staff does not recommend that Willow Park provide new notice.

## III. PROCEDURAL SCHEDULE

Based on its recommendation that Willow Park's notice be found sufficient, Staff proposes the following procedural schedule for further processing of this docket:

Event	Date
Notice completed	October 23, 2020
Deadline for intervention	November 22, 2020 <sup>1</sup>
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to Willow Park for review and consent	April 23, 2021
Deadline for Willow Park to file signed consent forms with the Commission	May 7, 2021
If no hearing is requested, deadline for Staff to file a final recommendation on the application	May 14, 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 detailed above, Staff respectfully requests that Willow Park's notice be deemed sufficient and that the procedural schedule above be adopted for further processing of this docket.

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<sup>1</sup> Under 16 TAC § 24.235(a)(3), the intervention deadline 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on September 15, 2020 and published on October 16 and October 23, 2020. Therefore, 30 days after October 23, 2020 is November 22, 2020.

Dated: March 18, 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 on March 18, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Merritt Lander  
Merritt Lander

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Merritt Lander, Attorney  
Legal Division

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

**DATE:** March 18, 2021

**RE:** Docket No. 50587 – *Application of City of Willow Park to Amend its Certificate of Convenience and Necessity in Parker County*

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The City of Willow Park (Willow Park) filed with the Public Utility Commission of Texas (Commission) an application to amend its water certificate of convenience and necessity (CCN) No. 11814 in Parker County, Texas under Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237.

Based on a review by Tracy Montes of the Commission's Infrastructure Division, and my review of the proof of notice provided on December 8, 2020, December 28, 2020, and February 10, 2021, the notice documents are sufficient.

On December 21, 2020, Willow Park filed revised mapping and digital data to resolve an overlap with the City of Weatherford's extraterritorial jurisdiction. The requested area was reduced in size to approximately 440 acres. Based on the mapping review of the revised mapping filed by Willow Park by Ms. Montes, I recommend that the revised mapping and digital data is sufficient.