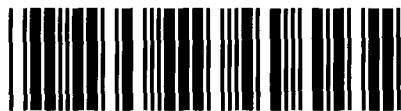


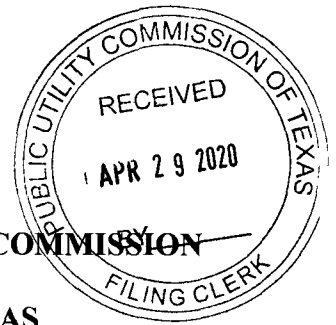


Control Number: 50711



Item Number: 4

Addendum StartPage: 0



DOCKET NO. 50711

**PETITION OF VAL VERDE UTILITY
COMPANY, LLC TO DISCONTINUE
SEWER SERVICE IN VAL VERDE
COUNTY AND CANCEL
CERTIFICATE OF CONVENIENCE
AND NECESSITY NUMBER 21047**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND PROPOSED NOTICE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness and Proposed Notice. Staff recommends that the petition be deemed administratively complete. In support thereof, Staff shows the following:

I. BACKGROUND

On March 30, 2020, Val Verde Utility Company, LLC (Val Verde), filed a petition to discontinue its sewer service and cancel its certificate of convenience and necessity (CCN) number 21047 in Val Verde County. Val Verde explains in its petition that it obtained its sewer CCN but has never provided sewer services and has no customers.

On April 2, 2020, the Commission administrative law judge (ALJ) issued Order No. 1, requiring Staff to file comments on the administrative completeness of the petition and proposed notice and to propose a procedural schedule for further processing of the petition by April 29, 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 petition filed by Val Verde and recommends that it be found administratively complete and accepted for filing. Staff's recommendation on administrative completeness is not a comment on the merits of the petition, but only that the petition content is complete for further processing.

III. NOTICE

As detailed in the attached memorandum, Staff recommends that Val Verde proceed with providing public notice. Specifically, Staff recommends that Val Verde be directed to use the attached *Notice for Publication* form to publish notice once each week for two consecutive weeks in a newspaper of general circulation in Val Verde County. Staff further recommends that Val Verde be directed to use the attached *Notice to Neighboring Systems, Landowners, Customers and Cities* form to complete the following actions:

- 1) Provide notice of the petition 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; and
 - b) the county judge of each county that is wholly or partially included in the requested area, including the Val Verde County Judge.
- 2) Provide correct notice of the petition to the following:
 - City of Del Rio
 - Del Rio Utilities Commission
 - Val Verde County Judge

Along with each individual notice, Staff recommends that Val Verde be directed to provide an accurate map delineating the certificated service area. Additionally, Staff recommends that Val Verde be directed to file the following information in the docket within 30 days of the date of notice: (1) a map and copy of notice; (2) an affidavit specifying every person and entity to whom notice was provided and the date that the notice was provided; and (3) the publisher's affidavit for proof of newspaper publication. Staff recommends that Val Verde use the attached notices and affidavits to meet these requirements.

IV. PROCEDURAL SCHEDULE

Staff recommends the petition be found administratively complete. Therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline for Val Verde 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	June 1, 2020

Deadline for Staff to file a recommendation on sufficiency of notice and propose a supplemental procedural schedule	June 16, 2020
Deadline to intervene	30 days after notice is issued

V. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively complete, that Val Verde be ordered to provide notice as detailed above and in the attached memorandum, and that the proposed procedural schedule be adopted.

Dated: April 29, 2020

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

/s/ Richard Nemer

Richard Nemer
State Bar No. 24042829
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7348
(512) 936-7268 (facsimile)
richard.nemer@puc.texas.gov

DOCKET NO. 50711

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 April 29, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Richard Nemer

Richard Nemer

PUC Interoffice Memorandum

To: Richard Nemer, Attorney
Legal Division

From: Patricia Garcia, Engineering Specialist
Infrastructure Division

Date: April 29, 2020

Subject: **Docket No. 50711**, *Petition of Val Verde Utility Company, LLC to Discontinue Sewer Service in Val Verde County and Cancel Certificate of Convenience and Necessity Number 21047*

On March 30, 2020, Val Verde Utility Company, LLC (Petitioner), filed a petition to discontinue sewer service and cancel certificate of convenience and necessity No. 21047 in Val Verde County. The Petitioner asserts no utility services have ever been provided in the sewer service area, which includes approximately 3,103 acres and no customers.

Based on Staff's review of the above referenced petition, Staff recommends that the petition be deemed administratively complete. Staff further recommends the following actions be required of the Petitioner:

- 1) Provide notice of the petition 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, including:
 - City of Del Rio
 - Del Rio Utilities Commission
 - b. The county judge of each county that is wholly or partially included in the requested area, including:
 - Val Verde County Judge

Addresses can be obtained by the Petitioner 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's) web site located at <http://www.tceq.texas.gov/iwud/>.

- 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.
- 3) Provide notice using the attached notice forms.

- 4) Provide an accurate map delineating the requested area, with each individual notice, to neighboring utilities, other affected parties, and landowners.
- 5) File in the docket a 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. Also, file a representative copy of the actual notice and a copy of the map that was included with each individual notice. All documentation must be filed within 30 days of the date of notice. It is recommended that the Petitioner use the attached notice and affidavits to meet these requirements.

Notice for Publication

NOTICE OF INTENT TO DISCONTINUE SEWER UTILITY SERVICE AND CANCEL CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 21047 IN VAL VERDE COUNTY, TEXAS

Val Verde Utility Company, LLC, has filed a petition with the Public Utility Commission of Texas to cease operations, discontinue providing sewer service, and cancel its sewer Certificate of Convenience and Necessity (CCN) No. 21047 in Val Verde County, Texas. The proposed effective date of this action is July 30, 2020. There are no customers in the service area. Therefore, there will be no effect on any customers due to the cessation of operations.

The requested area is located approximately 3 miles west of downtown Del Rio, Texas, and is generally bounded on the north by US Highway 90; on the east by Laughlin Drive and Laughlin Air Force Base; on the south by US Highway 277; and on the west by US Highway 277.

The total requested area includes approximately 3,103 acres and 0 current customers.

A copy of the map showing the requested area is available at: 922 Isom Road, STE 105, San Antonio, Texas 78216

The utility will not sell any facilities as there are none located within the service area. The owner Val Verde Utility Company, LLC, may be contacted at: 922 Isom Road, STE 105, San Antonio, Texas 78216 or by telephoning: (210) 222-1500.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is 30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer. You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached, and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea información en español, puede llamar al 1-888-782-8477.

Notice to Neighboring Systems, Landowners, Customers and Cities

NOTICE OF INTENT TO DISCONTINUE SEWER UTILITY SERVICE AND CANCEL CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 21047 IN VAL VERDE COUNTY, TEXAS

To: _____
(Neighboring System, Landowner, Customer or City)

Date Notice Mailed: _____, 20__

(Address)

(City State Zip)

Val Verde Utility Company, LLC, has filed a petition with the Public Utility Commission of Texas to cease operations, discontinue providing sewer service, and cancel its sewer Certificate of Convenience and Necessity (CCN) No. 21047 in Val Verde County, Texas. The proposed effective date of this action is July 30, 2020. There are no customers in the service area. Therefore, there will be no effect on any customers due to the cessation of operations.

The requested area is located approximately 3 miles west of downtown Del Rio, Texas, and is generally bounded on the north by US Highway 90; on the east by Laughlin Drive and Laughlin Air Force Base; on the south by US Highway 277; and on the west by US Highway 277.

The total requested area includes approximately 3,103 acres and 0 current customers.

See enclosed map showing the requested area.

The utility will not sell any facilities as there are none located within the service area. The owner Val Verde Utility Company, LLC, may be contacted at: 922 Isom Road, STE 105, San Antonio, Texas 78216 or by telephoning: (210) 222-1500.

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Si desea información en español, puede llamar al 1-888-782-8477.

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, LANDOWNERS, NEIGHBORING
UTILITIES AND AFFECTED PARTIES
DOCKET NO. 50711

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities, landowners and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT
DOCKET NO. 50711

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____,
who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____