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DOCKET NO. 50814

**APPLICATION OF WEST HARRISON
WATER SUPPLY CORPORATION TO
AMEND ITS WATER CERTIFICATE
OF CONVENIENCE AND NECESSITY
IN HARRISON COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Recommendation on Sufficiency of Notice. Staff recommends that notice be deemed insufficient and offers the following in support:

I. BACKGROUND

On May 4, 2020, West Harrison Water Supply Corporation (West Harrison) filed an application to amend its water certificate of convenience and necessity (CCN) No. 12728 in Harrison County, Texas under Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237. On May 13, 2020, West Harrison filed supplemental information, and on July 1, 2020, West Harrison amended the application to increase the acreage of the requested area from approximately 437 acres to approximately 447 acres.

On August 4, 2020, the Administrative Law Judge (ALJ) issued Order No. 4, which set a deadline of August 26, 2020 for Staff to file a recommendation on sufficiency of notice. This pleading, therefore, is timely filed.

II. SUFFICIENCY OF NOTICE

Notice requirements for CCN applications are governed by TWC § 13.246 and 16 TAC § 24.235. Because West Harrison has yet to file proof of notice having been issued, Staff respectfully recommends that notice be deemed insufficient.

III. PROCEDURAL SCHEDULE

Based on the recommendation above, Staff proposes the following procedural schedule:

Event	Date
Deadline for West Harrison 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	September 21, 2020
Deadline for Staff to file a recommendation on the sufficiency of notice	October 1, 2020

IV. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued deeming West Harrison's notice insufficient, requiring West Harrison to provide notice of the application as described in the August 3, 2020 memorandum of Jolie Mathis, using the forms and affidavits attached to Staff's recommendation, and adopting the procedural schedule proposed above.

Dated: August 24, 2020

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 August 24, 2020 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Merritt Lander _____
Merritt Lander