

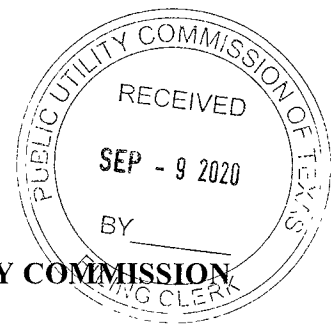


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DOCKET NO. 50814

**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 SUPPLEMENTAL 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 Supplemental Recommendation on Sufficiency of Notice. Staff recommends that notice be deemed sufficient 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 September 2, 2020, the administrative law judge (ALJ) issued Order No. 5, which set a deadline of September 11, 2020 for Staff to file a supplemental 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. On August 13, 2020, West Harrison submitted an affidavit attesting to provision of proper notice to the appropriate entities, landowners, and customers on August 5, 2020 and an affidavit attesting to publication of notice in a newspaper of general circulation in Harrison County on August 6, 2020 and August 13, 2020. Staff therefore respectfully recommends that notice be deemed sufficient.

III. PROCEDURAL SCHEDULE

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

Event	Date
Notice completed	August 13, 2020
Deadline for intervention	September 14, 2020 ¹
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable), to West Harrison for review and consent	November 13, 2020
Deadline for West Harrison to file signed consent forms with the Commission	November 30, 2020
If no hearing is requested, deadline for Staff to file a final recommendation on the application	December 4, 2020
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	December 11, 2020

IV. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued deeming West Harrison's notice sufficient and adopting the procedural schedule proposed above.

¹ Pursuant to 16 TAC § 24.235(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on August 5, 2020 and published on August 6 and August 13, 2020. Therefore, 30 days after August 13, 2020 is September 12, 2020. Because that date is a Saturday, the intervention deadline in September 14, 2020 under 16 TAC § 22.4(a).

Dated: September 9, 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 September 9, 2020 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Merritt Lander
Merritt Lander