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DOCKET NO. 50861

APPLICATION OF MANVILLE  
WATER SUPPLY CORPORATION TO  
AMEND ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
LEE COUNTY

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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 files this Recommendation on Administrative Completeness and Proposed Notice, in response to Order No. 1. Staff recommends that the application be deemed deficient and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

**I. BACKGROUND**

On May 18, 2020, Manville Water Supply Corporation (Manville WSC) filed an application to amend its water certificate of convenience and necessity (CCN) No. 11144 in Lee County. The requested service area consists of 9,322 acres and 54 customer connections.

On May 20, 2020, the Administrative Law Judge (ALJ) issued Order No. 1, establishing a deadline of June 8, 2020 for Staff to file a recommendation on the administrative completeness of the application and proposed notice. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed Manville WSC's application, and as detailed in the attached memorandum of Fred Bednarski of the Commission's Rate Regulation Division, recommends that it be found administratively complete from a financial perspective. However, as detailed in the attached memorandum from Jolie Mathis of the Commission's Infrastructure Division, Staff recommends that the application be found administratively incomplete from a technical perspective at this time. Staff further recommends that Manville WSC be ordered to cure the deficiencies identified in Ms. Mathis's memorandum by July 8, 2020, and that Staff be given a deadline of August 10, 2020 to file a supplemental recommendation on the administrative

completeness and proposed notice. Staff notes that Manville WSC should not issue notice until the application is found administratively complete.

### **III. COMMENTS ON PROCEDURAL SCHEDULE**

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of this docket at this time. Staff intends to propose a procedural schedule alongside a subsequent sufficiency recommendation.

### **IV. CONCLUSION**

For the reasons discussed above, Staff respectfully recommends that the application be found administratively incomplete at this time and that Manville WSC be ordered to file a supplement addressing the identified deficiencies in the application by July 8, 2020.

Dated: June 9, 2020

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles  
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/s/ Daniel Moore  
Daniel Moore  
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**DOCKET NO. 50861**

**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 June 9, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore  
Daniel Moore

# *Public Utility Commission of Texas*

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## **Memorandum**

**To:** Daniel Moore, Attorney  
Legal Division

**From:** Fred Bednarski III, Financial Analyst  
Rate Regulation Division

**Subject:** **Docket No. 50861**, *Application of Manville Water Supply Corporation to Amend its Certificate of Convenience and Necessity in Lee County*

**Date:** June 8, 2020

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On May 18, 2020, Manville Water Supply Corporation (Applicant) filed an application to amend its water Certificate of Convenience and Necessity in Lee County, Texas under the provisions of Texas Water Code §§ 13.241–13.250 and 16 Texas Administrative Code (TAC) §§ 24.225–24.237.

I reviewed the answers provided to questions 30 and 31 of the application and did not identify any deficiencies in those answers for purposes of determining whether the application is administratively complete. Therefore, I recommend that the application, as supplemented, be deemed administratively complete from a financial perspective.

## PUC Interoffice Memorandum

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**To:** Daniel Moore, Attorney  
Legal Division

**From:** Jolie Mathis, Utility Engineering Specialist  
Infrastructure Division

**Date:** June 8, 2020

**Subject:** **Docket No. 50861**, *Application of Manville Water Supply Corporation to Amend its Certificate of Convenience and Necessity in Lee County*

On May 18, 2020, Manville Water Supply Corporation (Applicant) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 11144 in Lee County, Texas pursuant to Texas Water Code (TWC) §§ 13.241 –13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 –24.237.

Staff has reviewed the information provided by the Applicant and recommends that the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

### **Mapping Content:**

The Applicant's digital mapping data filed on May 18, 2020, in a shapefile format did not include all the required files (.dbf, .shp, .shx, .sbx, .sbn, .prj) that make up a shapefile. The requested area provided in a shapefile format must be provided in the same location as shown on the general location and detailed maps filed with the application.

Staff recommends that Applicant submit the following item to resolve the mapping deficiencies:

- Digital mapping data for the requested area, as a single polygon record, in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

### **Application Content:**

The response to Part B – Question No. 9 indicates that the Applicant has received requests for service, but copies of the requests for service and a map showing the locations of the requests was not provided. Staff recommends that the Applicant submit copies of the requests for service and the accompanying map showing the locations of the requests.

The response to Part B – Question No. 10 indicates that there is existing or anticipated growth in the requested area, but copies or any market studies or reports supporting the growth were not included with the application. Staff recommends that the Application submit copies of any market studies or reports.