



Control Number: 50927



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DOCKET NO. 50927

2021 APR 23 AM 10:09

PETITION OF THE CITY OF § PUBLIC UTILITY COMMISSION  
MESQUITE AND TALTY SPECIAL §  
UTILITY DISTRICT FOR APPROVAL §  
OF A SERVICE AREA CONTRACT §  
UNDER TEXAS WATER CODE §  
§ 13.248 AND TO AMEND §  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY IN KAUFMAN §  
COUNTY §

OF TEXAS

### COMMISSION STAFF'S FINAL RECOMMENDATION

On June 15, 2020, the City of Mesquite (Mesquite) and Talty Special Utility District (Talty SUD) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend water certificates of convenience and necessity (CCN) in Kaufman County. The Petitioners seek to amend Mesquite's water CCN number 10060 to add approximately 131 acres in Kaufman County and contains 23 customer connections from Talty's CCN water CCN number 10850.

On February 17, 2021, the administrative law judge (ALJ) filed Order No. 5, establishing a deadline of April 23, 2021 for Staff to request a hearing, or file a final recommendation, if no hearing is requested. Therefore, this pleading is timely filed.

### I. RECOMMENDATION ON FINAL DISPOSITION

Staff has reviewed the petition and supplemental filings and, as detailed in the attached memorandum of Jolie Mathis of the Infrastructure Division, recommends that the petition be approved. Staff further recommends that the Petitioners file certified copies of the attached CCN map, along with a written description of the CCN service area in the Kaufman County Clerk's office, as required by TWC § 13.257(r) and (s). Staff has attached copies of the final map and certificates consented to by the Petitioners to this final recommendation.

### II. CONCLUSION

On the above basis, Staff respectfully recommends approval of the petition and requests that an order be filed consistent with this recommendation.

Dated: April 23, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Rashmin J. Asher  
Managing Attorney

/s/ Justin C. Adkins  
Justin C. Adkins  
State Bar No. 24101070  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7289  
(512) 936-7268 (facsimile)  
Justin.Adkins@puc.texas.gov

**DOCKET NO. 50927  
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 23, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Justin C. Adkins  
Justin C. Adkins

## PUC Interoffice Memorandum

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**To:** Justin Adkins, Attorney  
Legal Division

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

**Date:** April 23, 2021

**Subject:** **Docket No. 50927:** *Petition of City of Mesquite and Talty Special Utility District for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Kaufman County*

On June 15, 2020, the City of Mesquite (Mesquite) and Talty Special Utility District (Talty SUD) (collectively, Petitioners) filed a petition for approval of a contract designating Certificate Convenience and Necessity (CCN) service areas under Texas Water Code (TWC) § 13.248. Specifically, Petitioners seek to amend Mesquite's water CCN No. 10060 and Talty SUD's CCN No. 10850 in Kaufman County, Texas. The Petitioners' TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

The Petitioners filed an agreement requesting Talty SUD be permitted to transfer a portion of its water service area under CCN No. 10850 Mesquite's CCN No. 10060. Specifically, Mesquite and Talty SUD entered into a contractual agreement which permits Mesquite to provide water services within the agreed upon water service area. The Petitioners will transfer assets and facilities under the terms of the agreement. The water service area the Petitioners contracted to transfer consists of approximately 131 acres and 23 customers.

Notice was provided to the affected customers in the area subject to the transfer. The customers are currently provided service by Talty SUD. No assets or facilities are being transferred under the terms of the agreement. The Petitioners submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c).

The petition meets all applicable requirements of TWC, Chapter 13 and 16 TAC, Chapter 24. Therefore, I recommend approval of the petition.

The Petitioners consented to the attached map and certificates on March 30, 2021 and April 1, 2021.



# **Public Utility Commission of Texas**

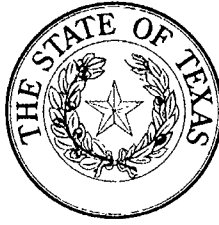
**By These Presents Be It Known To All That**

## **City of Mesquite**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, the City of Mesquite is entitled to this

### **Certificate of Convenience and Necessity No. 10060**

to provide continuous and adequate water utility service to that service area or those service areas in Dallas and Kaufman Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 50927 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Mesquite to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.



# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

## **Talty Special Utility District**

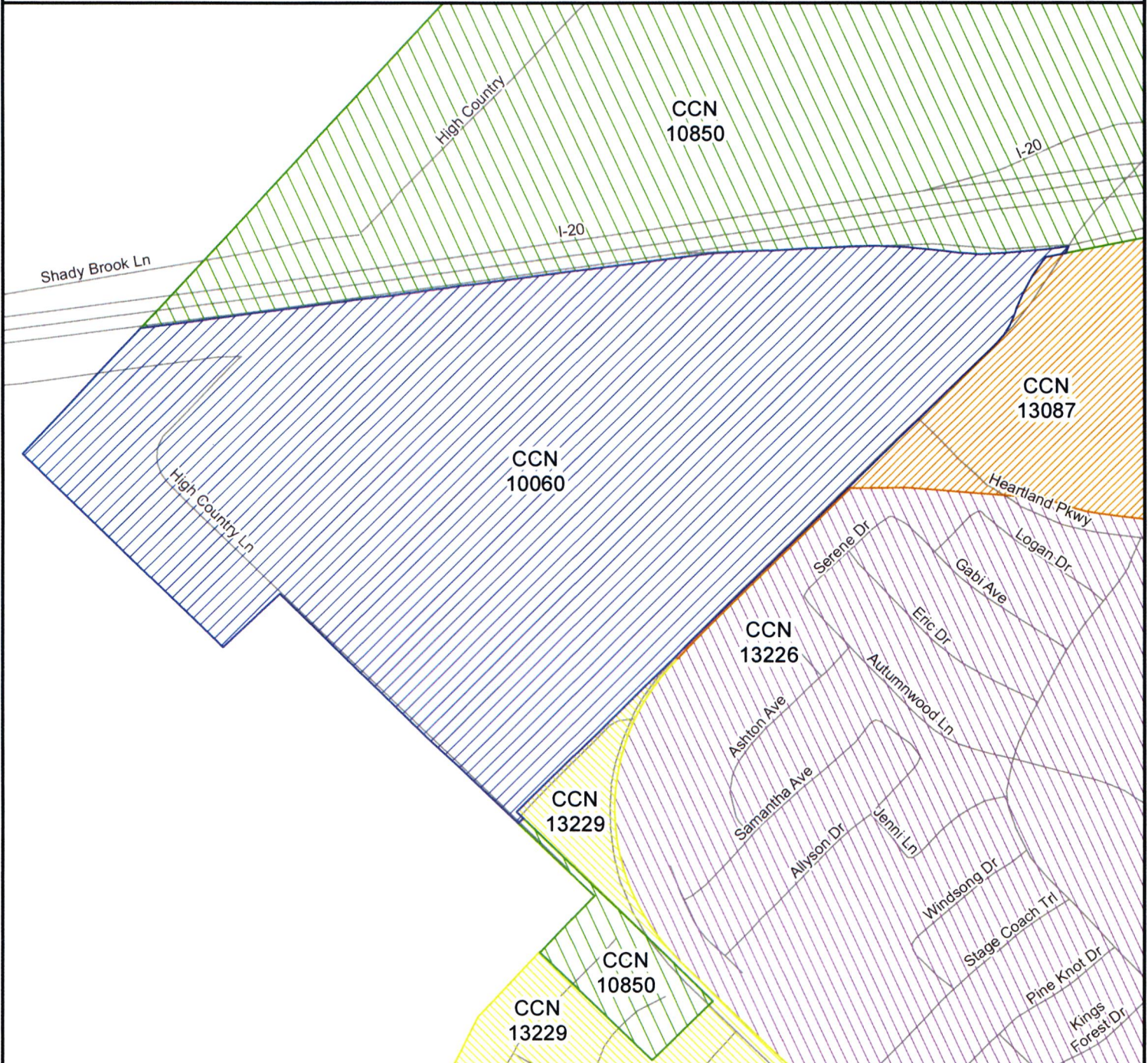
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Talty Special Utility District is entitled to this

### **Certificate of Convenience and Necessity No. 10850**

to provide continuous and adequate water utility service to that service area or those service areas in Kaufman County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Project No. 50927 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty Talty Special Utility District to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.







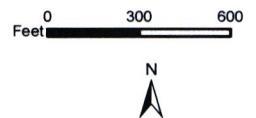
City of Mesquite  
Portion of Water CCN No. 10060  
PUC Docket No. 50927  
13.248 Agreement Amended CCN No. 10060 and  
Decertified a Portion of Talty SUD, CCN No. 10850 in Kaufman County



Public Utility Commission of Texas  
1701 N. Congress Ave  
Austin, TX 78701

**Water CCN**

-  10060 - City of Mesquite
-  10850 - Talty SUD
-  13087 - Kaufman Co MUD 12
-  13226 - Kaufman Co MUD 11
-  13229 - Kaufman Co MUD 14



Map by: Komal Patel  
Date created: March 22, 2021  
Project Name: 50927CityofMesquite.mxd