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**DOCKET NO. 50955**

**APPLICATION OF THE CITY OF §  
DRIPPING SPRINGS TO AMEND ITS §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY IN HAYS COUNTY §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON  
ADMINISTRATIVE COMPLETENESS OF THE APPLICATION AND  
PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and in response to Order No. 2, files this Supplemental Recommendation on Administrative Completeness and Proposed Procedure Schedule. Staff recommends that the application be deemed sufficient at this time. In support thereof, Staff shows the following:

**I. BACKGROUND**

On June 18, 2020, the City of Dripping Springs (City), filed an application to amend its water certificate of convenience and necessity (CCN) No. 13030 in Hays County. The requested service area consists of 1,000 acres and no current customers. The City filed supplemental information on June 24, 2020, June 25, 2020, and July 29, 2020.

On July 31, 2020, the Administrative Law Judge (ALJ) issued Order No. 2, establishing a deadline of October 2, 2020, for Staff to file a supplemental recommendation on the administrative completeness of the application and propose a procedural schedule. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the supplemented application and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, recommends that the application be found administratively complete as supplemented. Staff's recommendation does not address the merits of the application at this time.

**III. NOTICE**

In accordance with Staff's recommendation that the application be deemed administratively complete, Staff recommends that the City proceed with providing public notice

of its application. Specifically, Staff recommends that the City use the attached form titled *Notice to Neighboring Systems, Landowners, Customers and Cities* to provide notice to all required recipients, as detailed in Ms. Mathis' attached memorandum. Individual notice should also include a map of the requested area. Additionally, Staff recommends that the City use the attached *Notice for Publication* form to publish notice of the application in a newspaper of general circulation in Hays County once each week for two consecutive weeks beginning after the proposed notice is approved by the Commission. Further, upon completion of notice, Staff recommends that the City file proof of notice as detailed in Ms. Mathis' attached memorandum using the attached *Affidavit of Notice and Publisher's Affidavit* forms.

#### **IV. PROCEDURAL SCHEDULE**

In accordance with Staff's recommendation that the City's application be deemed administratively complete, Staff proposes the following procedural schedule:

<b>Event</b>	<b>Date</b>
Deadline for the City to file with the Commission signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties and published in a newspaper of general circulation	November 18, 2020
Deadline for Staff to file a recommendation on sufficiency of notice and propose a supplemental procedural schedule	December 2, 2020
Deadline to intervene	Thirty (30) days after notice is issued

#### **V. CONCLUSION**

For the reasons detailed above, Staff recommends that the application, as supplemented, be found administratively complete, that the City be directed to provide notice as detailed above and in the attached memorandum, and that the proposed procedural schedule be adopted.

Dated: October 2, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Heath D. Armstrong  
Managing Attorney

/s/ Megan Chalifoux

Megan Chalifoux  
State Bar No. 24073674  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512)-936-7377  
(512) 936-7268 (facsimile)  
megan.chalifoux@puc.texas.gov

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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 via electronic mail on October 2, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Megan Chalifoux

Megan Chalifoux

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Megan Chalifoux, Attorney  
Legal Division

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

**DATE:** October 2, 2020

**RE:** **Docket No. 50955**, *Application of City of Dripping Springs to Amend Its Water Certificate of Convenience and Necessity in Hays County*

On June 18, 2020, the City of Dripping Springs filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 13030 in Hays County, Texas pursuant to Texas Water Code (TWC) §§ 13.242 to 13.250 and the 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237.

Staff from the Rate Regulation Division and Infrastructure Division have reviewed the additional information filed by the Applicant on July 31, 2020 and recommend that the application be deemed administratively complete. Staff further recommends the Applicant be ordered to do the following:

- 1) Provide notice of the application 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:
    - *Driftwood Conservation District*
    - *Driftwood Economic Development Municipal Management District*
    - *Driftwood MUD 1*
    - *Goldenwood West WSC (CCN No. 12239)*
    - *Greenhawe WCID 2*
    - *Guadalupe-Blanco River Authority*
    - *Hays County MUD 5*
    - *Lower Colorado River Authority*
    - *Radiance WSC (CCN No. 12413)*
    - *Southwest Liquids Inc (CCN No. 12920)*
    - *Springhollow MUD*
    - *West Travis Public Utility Agency (CCN No. 13207)*
  - b. The county judge of each county that is wholly or partially included in the requested area:
    - *Hays County Judge*
  - c. Each groundwater conservation district that is wholly or partially included in the requested area:
    - *Hays Trinity GCD*

- d. Each landowner of a tract of land that is at least 25 acres and is wholly or partly located in the requested area. Notice must be mailed to the owner of the tract of land according to the most current tax appraisal rolls of the applicable central appraisal district at the time the application was filed.
- e. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained by the Applicant 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) web site located at <http://www14.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. Within 30 days of the date the notice was mailed, Applicant must file an affidavit specifying the notice that was provided to every person and entity to whom notice was provided and the date the notice was mailed.
- 3) Provide notice using the attached notice forms.
- 4) Provide a copy of a map delineating the requested area with each individual notice to neighboring utilities, other affected parties, landowners and customers.
- 5) File in the docket a map and copy of notice along with the signed affidavit specifying every person and entity to whom notice was provided, the date that the notice was provided, and the publisher's affidavit and tear sheets for proof of newspaper publication.

Staff may determine that additional information is needed to make a final recommendation in this docket. If additional information is needed, Staff may send requests for information (RFI) to the Applicant. The Applicant will have 20 days from the receipt of the RFI to respond.