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DOCKET NO. 50963

**APPLICATION OF THE CITY OF
MCGREGOR TO AMEND
CERTIFICATES OF CONVENIENCE
AND NECESSITY AND FOR DUAL
CERTIFICATION WITH THE CITY OF
WACO IN MCLENNAN COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**
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PUBLIC UTILITY COMMISSION

**ORDER NO. 1
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS AND
PROPOSED NOTICE AND ADDRESSING OTHER PROCEDURAL MATTERS**

I. Application

This Order addresses the June 22, 2020, application of the City of McGregor to amend its water and sewer certificates of convenience and necessity (CCN) numbers 10033 and 20009, respectively, and for dual certification with the City of Waco's water and sewer CCN numbers 10039 and 20010, respectively, in McLennan County. This amendment will extend the City of McGregor's water and sewer CCN boundaries to generally match the defined municipal boundary east of the city center on the south side of United States Highway 84. The requested service area consists of 23 acres and 47 proposed connections to a phase I development within the City of McGregor's corporate limits and within the water and sewer CCN boundaries of the City of Waco. Although the City of McGregor and the City of Waco already have an agreement in place to allow the City of McGregor to provide both water and sewer to the proposed development, the City of McGregor also seeks dual certification with the City of Waco for the requested area.

**II. Requiring Comments on the Administrative Completeness
of the Application and Proposed Notice**

On or before July 22, 2020, Commission Staff must file comments on the administrative completeness of the application and proposed notice. By July 22, 2020, the City of McGregor and Commission Staff must file a recommendation regarding how to proceed with the application and propose a procedural schedule.

III. Discovery

Discovery may proceed informally; however, objections to requests for information (RFIs) must be filed and served within 10 days of receiving the RFI. Objections must include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be filed and served within five

working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

IV. Filings

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission's filing clerk in accordance with 16 Texas Administration Code (TAC) § 22.71. **In light of the Commission's Order entered in Docket No. 50664 (Commission's Order), this requirement will be considered satisfied if pleadings are filed with the Commission through the Interchange on the Commission's website as long as the Commission's Order is in effect.¹**

Service of pleadings is typically governed by 16 TAC § 22.74. However, as long as the Commission's Order remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange at: <https://interchange.puc.texas.gov>.

All parties are required to provide their current addresses, **e-mail addresses**, telephone and fax numbers, if available, to all other parties and to the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. The **e-mail addresses**, telephone and fax numbers will be included on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

V. Ex Parte Communications

Ex parte communications with the administrative law judge (ALJ) are prohibited under 16 TAC § 22.3(b)(2). Parties must communicate with the ALJ only through written documents filed with the Commission's filing clerk and served on all parties. Questions concerning this Order

¹ See *Issues Related the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Order Suspending Rules (Mar. 16, 2020).

or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 23rd day of June 2020.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'G. R. Siemankowski', written in a cursive style.

**GREGORY R. SIEMANKOWSKI
ADMINISTRATIVE LAW JUDGE**