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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

COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS OF THE APPLICATION AND PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Order No. 1, files this Recommendation on Administrative Completeness and Proposed Procedure Schedule. 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 June 22, 2020, City of McGregor (City) filed an application to amend its water certificate of convenience and necessity (CCN) Nos. 10033 and 20009 and for dual certification with the City of Waco CCN Nos. 10039 and 20010 in McClennan County, Texas. 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. The City of McGregor also seeks dual certification with the City of Waco for the requested area. The City filed a supplement to the application on July 10, 2020.

On June 23, 2020, the Commission’s administrative law judge (ALJ) issued Order No. 1, establishing a deadline of July 22, 2020 for Staff to file a recommendation on the administrative completeness of the application and propose a procedural schedule. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Jolie Mathis in the Commission's Infrastructure Division, Staff has reviewed the application and supplemental information filed in this docket and recommends that it be found administratively incomplete at this time. Staff recommends that the City be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by September 4, 2020, and that Staff be given a deadline of October 5, 2020, to file a supplemental recommendation on the administrative completeness of the application. Staff notes that the City 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 recommendation for application sufficiency.

IV. CONCLUSION

For the reasons discussed above, Staff respectfully recommends that the application, as supplemented be found administratively incomplete at this time and that the City be ordered to file a supplement addressing the identified deficiencies in the application by September 4, 2020.

Dated: July 22, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

/s/ Rashmin J. Asher
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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 July 22, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Rashmin J. Asher
Rashmin J. Asher

PUC Interoffice Memorandum

To: Rashmin Asher, Attorney
Legal Division

From: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

Date: July 21, 2020

Subject: **Docket No. 50963**, *Application of the City of McGregor to Amend its Certificates of Convenience and Necessity and for the Dual Certification with the City of Waco in McClennan County*

On June 22, 2020, City of McGregor filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) Nos. 10033 and 20009 and Obtain Dual Certification with the City of Waco CCN Nos. 10039 and 20010 in McClennan 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 has reviewed the information provided by the Applicant and recommends the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

Mapping Content:

Maps and digital mapping data submitted with **Item 3** on **7/10/2020** are deficient.

According to the digital mapping data filed the requested water area includes approximately 18 acres, whereas the requested sewer area includes approximately 22 acres, not 23 acres for both their requested water and sewer areas. According to the application, it appears the City of McGregor does not intend on overlapping Central Bosque WSC's CCN No. 10032. However, the maps and digital mapping data provides evidence that the requested water area overlaps a portion of Central Bosque WSC's CCN. The digital mapping data, general location and detailed maps for the requested water area must be revised to remove the overlap with Central Bosque WSC's CCN. Please contact PUC's Mapping Staff, Tracy Montes, at tracy.montes@puc.texas.gov for further mapping guidance on how to resolve the mapping deficiencies.

Applicant must submit the following items to resolve the mapping deficiencies:

1. Revised general location maps identifying only the requested area, in reference to the nearest county boundary, city, or town.
2. Revised detailed maps identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
3. Revised digital mapping data for the requested areas, provided as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).
4. State the approximate total acreage for the revised requested water area as provided in the revised digital mapping data.
5. Confirm the approximate total acreage is 22 acres for the requested sewer area, in which

they are requesting dual certification with the City of Waco's CCN.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).