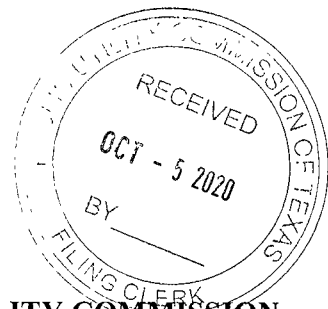


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DOCKET NO. 50963

**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 SUPPLEMENTAL 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. 2, files this Supplemental Recommendation on Administrative Completeness and Proposed Procedure Schedule. Staff recommends that the application continue to 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 (McGregor) 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 McGregor's corporate limits and within the water and sewer CCN boundaries of the City of Waco. The McGregor also seeks dual certification with the City of Waco for the requested area. The City filed supplements to the application on July 10, 2020; August 12, 2020; and August 25, 2020.

On July 23, 2020, the administrative law judge (ALJ) issued Order No. 2, establishing a deadline of October 5, 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.

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II. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the supplemented application filed by the McGregor and as detailed from Jolie Mathis, Infrastructure Division, recommends that it continues to be found administratively incomplete at this time. Staff recommends that the McGregor be ordered to cure the deficiencies identified in Ms. Mathis' attached memorandum by November 5, 2020, and that Staff be given a deadline of December 4, 2020, to file a second supplemental recommendation on the administrative completeness of the application. Staff notes that the McGregor 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 McGregor be ordered to file a supplement addressing the identified deficiencies in the application by November 4, 2020.

Dated: October 5, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

/s/ Rashmin J. Asher
Rashmin J. Asher
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DOCKET NO. 50963

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 5, 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: October 5, 2020

Subject: **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 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 under Texas Water Code §§ 13.242 to 13.250 and 16 Texas Administrative Code §§ 24.225 to 24.237.

Staff has reviewed the additional information provided on August 25, 2020 by the City of McGregor 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 8** on **8/25/2020** are deficient.

The requested water area includes an overlap with Central Bosque WSC's CCN No. 10032 that must be removed. There is a gap with Central Bosque WSC's CCN that should be added to the requested water area. The City of McGregor must file revised digital mapping data, general location and detailed maps for the requested water area. 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.

Staff recommends that the City of McGregor submit the following items to resolve the mapping deficiencies:

1. Revised general location map identifying the requested water area, in reference to the nearest county boundary, city, or town.
2. Revised detailed map identifying the requested water area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
3. Revised digital mapping data for the requested water area, provided 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).
4. State the approximate total acreage for the revised requested water area as provided in the revised digital mapping data in number 3.
5. Provide an agreement for dual certification for a portion of the City of Waco's water and sewer CCN Nos. 10039 and 20010 with a portion of the City of McGregor's water and sewer CCN Nos. 10033 and 20009.