



Control Number: 51124



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DOCKET NO. 51124

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**PETITION OF THE CITY OF PHARR
AND THE CITY OF SAN JUAN FOR
APPROVAL OF SERVICE AREA
CONTRACT UNDER THE TEXAS
WATER CODE § 13.248 AND TO AMEND
CERTIFICATES OF CONVENIENCE
AND NECESSITY IN HIDALGO
COUNTY**

**PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS**

COMMISSION STAFF'S FINAL RECOMMENDATION

On July 29, 2020, the City of Pharr (Pharr) and the City of San Juan (San Juan) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 to amend their sewer certificates of convenience and necessity (CCN) in Hidalgo County. Specifically, the Petitioners seek to dually certification of an portion of San Juan's sewer CCN number 20643 and Pharr's sewer CCN number 20791. The Petitioners' service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253. The requested area is approximately 4,620 acres. On January 22, 2021, Pharr and San Juan each filed a signed consent form.

On January 14, 2021, the administrative law judge filed Order No. 5, which established a deadline of January 29, 2021 for Staff to file a final recommendation on the petition. Therefore, this pleading is timely filed.

I. RECOMMENDATION ON FINAL DISPOSITION

Staff has reviewed the petition, and as detailed in the attached memorandum of Alicia Maloy of the Commission's Infrastructure Division, Staff recommends that the petition be approved. Staff further recommends that the Petitioners each file a certified copy of the attached CCN map, along with a written description of their respective CCN service areas in the Hidalgo County Clerk's Office, as required by TWC § 13.257(r) and (s). Copies of the final map and certificates consented to by the Petitioners are attached.

II. CONCLUSION

For the reasons detailed above, Staff respectfully requests that an order be issued approving the petition.

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Dated: January 29, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Daniel Moore

Daniel Moore
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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 January 29, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore
Daniel Moore

Public Utility Commission of Texas

Memorandum

TO: Daniel Moore, Attorney
Legal Division

FROM: Alicia Maloy, Senior Infrastructure Analyst
Infrastructure Division

DATE: January 29, 2021

RE: Docket No. 51124 – *Petition of the City of Pharr and the City of San Juan for Approval of Service Area Contract Under the Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Hidalgo County*

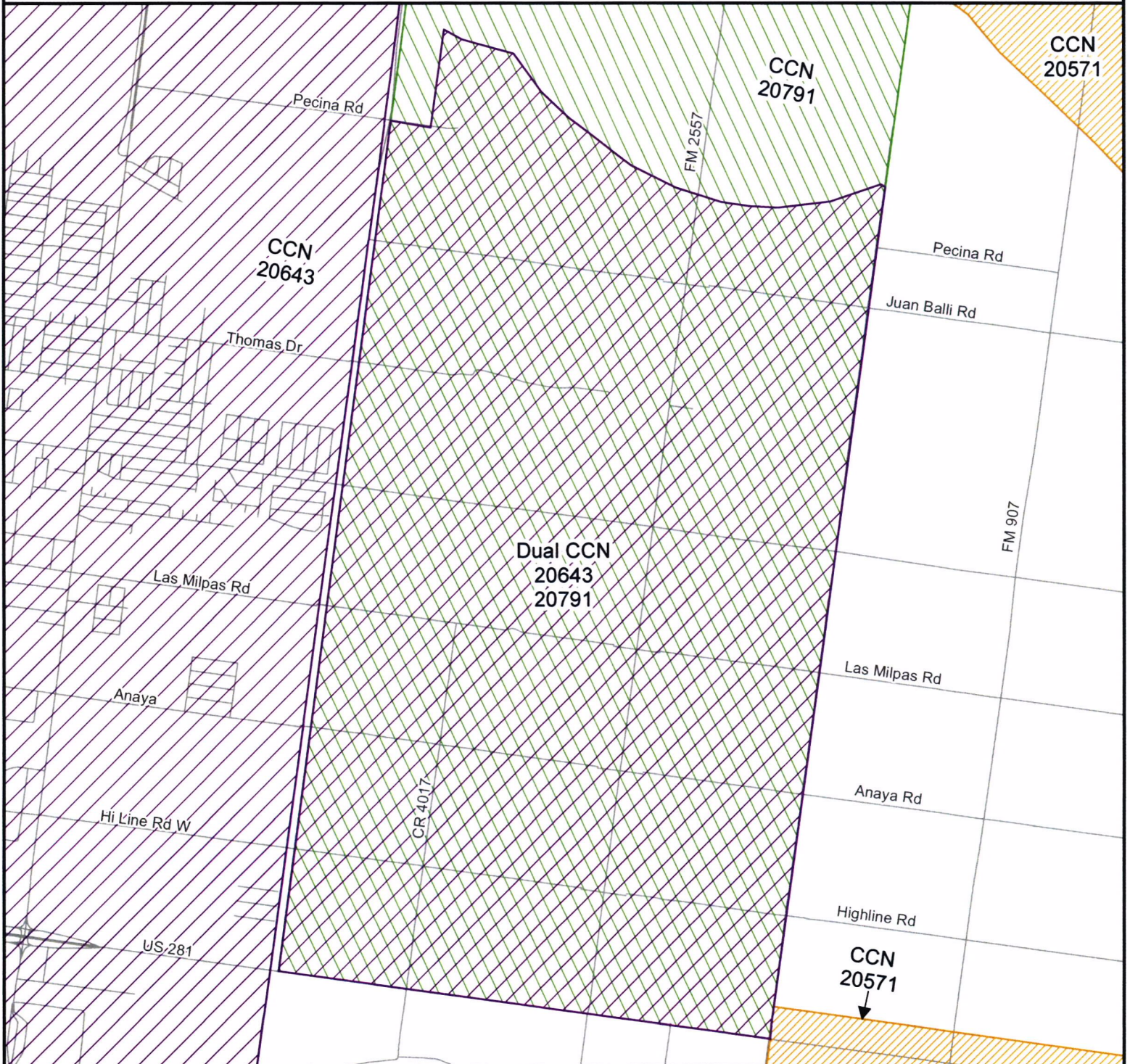
On July 29, 2020, the City of Pharr and the City of San Juan (collectively, Petitioners) filed a petition with the Public Utility Commission of Texas for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend the City of Pharr's sewer certificate of convenience and necessity (CCN) No. 20643 and the City of San Juan's sewer CCN No. 20791 in Hidalgo County, Texas. The Petitioners' TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253. The total area being requested includes approximately 4,620 acres and no current customers. The City of Pharr and the City of San Juan have agreed to dual certification to allow the City of Pharr to provide sewer service to new development in the area requested.

Individual notice was not required for this petition because there are no affected customers in the area subject to the agreement. The Petitioners submitted the meeting agenda and minutes of the Petitioners' respective city council meetings where the service area contract was approved to satisfy the notice requirements under 16 TAC § 24.253(c).

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

The Petitioners consented to the attached map and certificates on January 22, 2021.

City of Pharr
Portion of Sewer CCN No. 20643
PUC Docket No. 51124
13.248 Agreement Amended CCN No. 20643 and
Obtained Dual Certification with City of San Juan, CCN No. 20791 in Hidalgo County



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

Sewer CCN

- 20643 - City Pharr
- 20791 - City of San Juan
- 20571 - Military Highway WSC

0 1,500 3,000
Feet



Map by: Komal Patel
Date created: December 7, 2020
Project Path: n:\finalmapping\
51124CityofPharr.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of San Juan

having obtained certification to provide sewer 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, City of San Juan is entitled to this

Certificate of Convenience and Necessity No. 20791

to provide continuous and adequate sewer utility service to that service area or those service areas in Hidalgo County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51124 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 San Juan 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.

Issued at Austin, Texas, this _____ day of _____ 2020.



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of Pharr

having obtained certification to provide sewer 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, City of Pharr is entitled to this

Certificate of Convenience and Necessity No. 20643

to provide continuous and adequate sewer utility service to that service area or those service areas in Hidalgo County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51124 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 Pharr 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.

Issued at Austin, Texas, this _____ day of _____ 2020.