



Control Number: 51135



Item Number: 7

Addendum StartPage: 0

DOCKET NO. 51135

2020 NOV -5 AM 10:24

**PETITION OF SPRINGS HILL WATER
SUPPLY CORPORATION AND GREEN
VALLEY SPECIAL UTILITY DISTRICT
FOR APPROVAL OF SERVICE AREA
CONTRACT UNDER THE TEXAS
WATER CODE § 13.248 AND TO AMEND
CERTIFICATES OF CONVENIENCE
AND NECESSITY IN GUADALUPE
COUNTY**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF'S FINAL RECOMMENDATION

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 Final Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On July 31, 2020, Springs Hill Water Supply Corporation (Springs Hill WSC) and Green Valley Special Utility District (Green Valley SUD) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Certificates of Convenience and Necessity (CCN) in Guadalupe County. The Petitioners' service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253. The requested area is approximately 149 acres. On October 22, 2020, Green Valley SUD filed its signed consent forms, and on October 28, 2020, Springs Hill WSC filed its signed consent forms.

On September 1, 2020, the administrative law judge (ALJ) filed Order No. 2, finding the petition administratively complete, notice sufficient, and establishing a deadline of November 5, 2020 for Staff to file its final recommendation on the petition. This pleading is, therefore, timely filed.

II. RECOMMENDATION ON FINAL DISPOSITION

Staff has reviewed the petition, and as detailed in the attached memorandum of Jolie Mathis of the Commission's Infrastructure Division, Staff recommends that the petition be approved. Staff further recommends that Petitioners file certified copies of the attached CCN map along with a

written description of the CCN service areas in the Guadalupe County Clerk's Office, pursuant to TWC § 13.257(r) and (s). Copies of the final map and certificates consented to by Petitioners are attached.

III. CONCLUSION

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

Dated: November 5, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Daniel Moore
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DOCKET NO. 51135

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 November 5, 2020, 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: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

Date: November 5, 2020

Subject: **Docket No. 51135:** *Petition of Springs Hill Water Supply Corporation and Green Valley Special Utility District for Approval of Service Area Contract Under the Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Guadalupe County*

Springs Hill Water Supply Corporation (Springs Hill WSC) and Green Valley Special Utility District (Green Valley SUD) (collectively, Petitioners) filed a petition with the Public Utility Commission for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Springs Hill WSC's water certificate of convenience and necessity (CCN) No. 10666 and Green Valley SUD's water CCN No. 10646 in Guadalupe County, Texas. The total area being requested includes approximately 149 acres and no current customers.

Specifically, Springs Hill WSC and Green Valley SUD entered into a contractual agreement that permits Springs Hill WSC to provide water service within the agreed upon water service area that will be transferred from Green Valley SUD's CCN to Spring Hill WSC's CCN. Petitioners will not transfer assets or facilities under the terms of the agreement.

Individual notice was not required for this petition because there are no affected customers in the area subject to the transfer. The Petitioners submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c)(2) and (3).

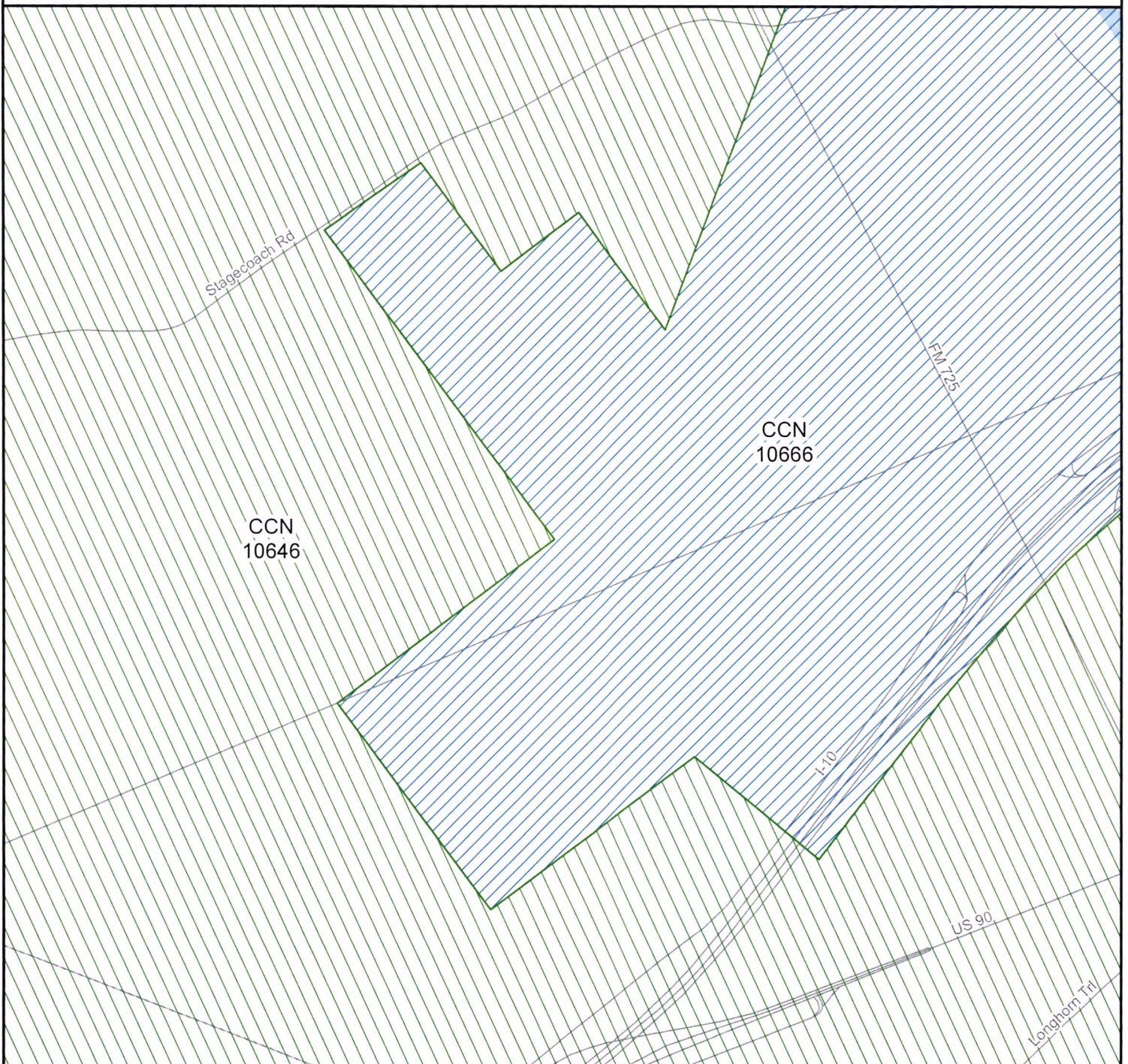
The petition meets all of the statutory requirements of TWC Chapter 13 and 16 Texas Administrative Code Chapter 24 rules and regulations. Therefore, I recommend approval of the petition.

The Petitioners consented to the attached map and certificates on October 22 and 28, 2020.

Based on the above information, I recommend that:



- The petition be approved and an order issued; and
- The attached map and certificates be provided to the Petitioners.

Springs Hill Water Supply Corporation
Portion of Water CCN No. 10666
PUC Docket No. 51135
13.248 Agreement Amended CCN No. 10666 and
Decertified a Portion of Green Valley SUD, CCN No. 10646 in Guadalupe County



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

Water CCN

-  10666 - Springs Hill WSC
-  10646 - Green Valley SUD

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Feet



Map by: Komal Patel
Date created: October 12, 2020
Project Path: n:\finalmapping\
51135SpringsHillWSC.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

Green Valley Special Utility District

having obtained certification to provide water 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, Green Valley Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 10646

to provide continuous and adequate water utility service to that service area or those service areas in Guadalupe, Bexar and Comal Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51135 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 Green Valley Special Utility District 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

Springs Hill Water Supply Corporation

having obtained certification to provide water 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, Springs Hill Water Supply Corporation is entitled to this

Certificate of Convenience and Necessity No. 10666

to provide continuous and adequate water utility service to that service area or those service areas in Guadalupe and Wilson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51135 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 Springs Hill Water Supply Corporation 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.