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DOCKET NO. 51161

**APPLICATION OF POSSUM
KINGDOM WATER SUPPLY
CORPORATION TO AMEND A
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN PALO PINTO
COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF NOTICE

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 Recommendation on Sufficiency of Notice. Staff recommends that notice be deemed sufficient. In support thereof, Staff shows the following:

I. BACKGROUND

On August 12, 2020, Possum Kingdom Water Supply Corporation (PKWSC) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12890 in Palo Pinto County. The requested service area consists of 1,096 acres and no current connections. PKWSC filed supplemental information on September 14, 2020.

On September 14, 2020, Order No. 2 was filed, establishing a deadline of November 5, 2020 for Staff to file a recommendation on the sufficiency of PKWSC's notice. Therefore, this pleading is timely filed.

II. SUFFICIENCY OF NOTICE

Staff has reviewed the proof of notice filed by PKWSC on October 12, 2020. PKWSC filed a publisher's affidavit showing that notice was published in the *Graham Leader*, a newspaper of general circulation in Young and Palo Pinto Counties, on September 19 and 26, 2020. PKWSC filed the publisher's affidavit in the docket within 30 days of the last publication date.¹

Further, PKWSC filed an affidavit attesting to the provision of notice to current customers, neighboring utilities, and affected parties. PKWSC also filed a copy of the notice and maps sent,

¹ 16 TAC § 24.235(c).

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and a list of persons and entities that received notice. PKWSC filed the affidavit in the docket within 30 days of the date of notice.²

Staff has reviewed PKWSC's proof of notice and recommends that PKWSC provided notice in accordance with Staff's Recommendation on Administrative Completeness and Proposed Notice filed on September 11, 2020. Therefore, Staff recommends that PKWSC's notice be deemed sufficient

III. PROCEDURAL SCHEDULE

Staff recommends that notice be found sufficient; therefore, Staff proposes the following procedural schedule:

Event	Date
Notice Completed	September 26, 2020
Deadline to Intervene	October 26, 2020 ³
Deadline for Commission Staff to provide final maps, certificates, and tariffs (if applicable), to the applicant for review and consent	December 31, 2020
Deadline for PKWSC to file signed consent forms with the Commission	January 14, 2021
If no hearing is requested, deadline for Commission Staff to file a final recommendation on the application	January 21, 2021
If no hearing is requested, deadline for the parties to file joint proposed findings of fact and conclusions of law	January 28, 2021

IV. CONCLUSION

For the reasons stated above, Staff respectfully recommends that PKWSC's notice be found sufficient and that the proposed procedural schedule be adopted.

² 16 TAC § 24.235(b)(4).

³ Under 16 TAC § 24.235(a)(3), the intervention deadline is 30 days after the mailing or publication of notice, whichever occurs later. Notice was mailed on September 21 and 23, 2020 and published on September 19 and 26, 2020. Therefore, 30 days after September 26, 2020 is October 26, 2020.

Dated: November 5, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 November 5, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore
Daniel Moore