



Control Number: 51163



Item Number: 5

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DOCKET NO. 51163

2020 SEP 14 AM 12:01

PETITION OF OLEX (UNITED  
STATES), INC. FKA OLEX  
CORPORATION NV TO AMEND  
AQUA TEXAS, INC.'S CERTIFICATE  
OF CONVENIENCE AND NECESSITY  
IN DENTON COUNTY BY EXPEDITED  
RELEASE

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PUBLIC UTILITY COMMISSION  
OF TEXAS

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS AND PROPOSED NOTICE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Recommendation on Administrative Completeness and Proposed Notice in response to Order No. 1. Staff recommends that the application be deemed administratively incomplete and that the applicant be ordered to address the identified deficiencies. In support thereof, Staff shows the following:

**I. BACKGROUND**

On August 13, 2020, Olex (United States), Inc. f/k/a Olex Corporation NV (Olex) filed a petition for expedited release of approximately 409.11-acre of land within the boundaries of the Aqua Texas, Inc.'s (Aqua) water certificate of convenience and necessity (CCN) No. 13201 in Denton County, under Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245. Olex asserts that the tract of land is at least 25 acres, is not receiving sewer service, and is located in Denton County, which is a qualifying county.

Order No. 1, issued on August 17, 2020, established a deadline of September 14, 2020, for Staff to file comments on the administrative completeness of the application, the sufficiency of the proposed notice, and to propose a procedural schedule. This pleading is therefore timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

As detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, Staff recommends that the application be found administratively incomplete. Specifically, Staff has noted deficiencies in mapping content.

### III. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule for the continued processing of this application:

Event	Date
Deadline for applicant to file information to cure deficiencies identified in Staff's memorandum	October 14, 2020
Deadline for Commission Staff to file a supplemental recommendation on sufficiency of the application and proposed procedural schedule	November 13, 2020

### IV. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation.

Dated: September 14, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

/s/ David Hoard  
David Hoard  
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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 September 14, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ David Hoard  
David Hoard

# *Public Utility Commission of Texas*

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## **Memorandum**

**To:** David Hoard, Attorney  
Legal Division

**From:** Jolie Mathis, Utility Engineering Specialist  
Infrastructure Division

**Date:** September 9, 2020

**Subject:** **Docket No. 51163:** *Petition of Olex (United States), Inc. F/K/A Olex Corporation to Amend Aqua Texas, Inc.'s Water Certificate of Convenience and Necessity in Denton County by Expedited Release*

On August 13, 2020, Olex (United States), Inc. F/K/A Olex Corporation (Olex or Petitioner) filed a petition for expedited release from Aqua Texas, Inc.'s (Aqua) water Certificate of Convenience and Necessity (CCN) No. 13201 in Denton County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). The Petitioner asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Denton County which is a qualifying county.

Based on a review of the information in the application, Staff recommends that the application be deemed insufficient for filing and found administratively incomplete due to the deficiencies detailed below.

### **Mapping Deficiencies**

Maps submitted with **Item 1** on **8/13/2020** are deficient.

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

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the requested area, 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); **OR** metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.

Staff recommends the Applicant obtain additional mapping guidance from the PUC's mapping staff, Mr. Gary Horton at (512)936-7146 or [gary.horton@puc.texas.gov](mailto:gary.horton@puc.texas.gov) to resolve the mapping deficiencies.