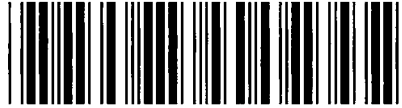




Control Number: 51166



Item Number: 21

Addendum StartPage: 0



PUC DOCKET NO. 51166

PETITION OF COLORADO RIVER PROJECT, LLC TO AMEND SWWC UTILITIES, INC. DBA HORNSBY BEND UTILITY'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN TRAVIS COUNTY BY EXPEDITED RELEASE § **PUBLIC UTILITY COMMISSION OF TEXAS**

SWWC UTILITIES, INC., D.B.A. HORNSBY BEND UTILITY'S COMMENTS ON ADMINISTRATIVE COMPLETENESS

SWWC Utilities, Inc. d/b/a Hornsby Bend Utility Company, Inc. (HBUC), the certificate of convenience and necessity (CCN) holder that is subject to Colorado River Project, LLC's (CRP) petition for streamlined expedited release, recommends that the petition be deemed insufficient for further review. In support thereof, HBUC shows the following:

I. BACKGROUND

CRP filed a petition to amend HBUC's water CCN No. 11978 and sewer CCN No. 20650 in Travis County by expedited release on August 13, 2020. CRP seeks the expedited release of approximately 2,122.27 acres of land within the boundaries of HBUC's water CCN and sewer CCN. CRP asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county.

On August 17, 2020, Order No. 1 was issued establishing a deadline of September 14, 2020, for Public Utility Commission (Commission) Staff to file a recommendation on the administrative completeness of the petition and notice and propose a procedural schedule for further processing of the petition. On September 14, 2020, Order No. 3 granted Staff's request for an extension and established September 28, 2020 as the deadline for Staff's recommendation.

II. ADMINISTRATIVE COMPLETENESS

HBUC as an interested party has reviewed the petition as supplemented on the Commission's interchange and recommends that it be found administratively incomplete.

Specifically, HBUC has identified deficiencies in the mapping information. HBUC recommends that CRP submit additional mapping information, as further detailed below, and that this petition not proceed until such time the Commission has determined the petition is administratively complete.

Pursuant to 16 Tex. Admin. Code (TAC) § 24.245(h)(3)(G), “A landowner seeking streamlined expedited release under this subsection must file with the commission...the mapping information described in subsection (k) of this section.” Section 24.245(k)(1)(A) requires the filing of “a general-location map identifying the tract of land in reference to the nearest county boundary, city, or town.” Based on HBUC’s review of the petition on the interchange, CRP has not filed a map meeting the requirements of 16 TAC § 24.245(k)(1)(A).

III. CONCLUSION

For the reasons discussed above, HBUC respectfully requests that the petition be found administratively incomplete at this time and that CRP be ordered to file a supplement addressing the identified deficiencies in the petition, and that the petition not proceed until such time it is deemed to be administratively complete.

Respectfully submitted,
LLOYD, GOSSELINK,
ROCHELLE & TOWNSEND, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5830
Facsimile: (512) 472-0532

/s/ Lambeth Townsend

LAMBETH TOWNSEND

State Bar No. 20167500
ltownsend@lglawfirm.com

WILLIAM A. FAULK, III
State Bar No. 24075674
cfaulk@lglawfirm.com

REID BARNES
State Bar No. 24101487
rbarnes@lglawfirm.com

**ATTORNEYS FOR SWWC UTILITIES,
INC. D.B.A. HORNSBY BEND UTILITY
COMPANY, INC.**

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 28, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Lambeth Townsend

LAMBETH TOWNSEND