



Control Number: 51683



Item Number: 22

Addendum StartPage: 0

DOCKET NO. 51683

2021 MAY 14 AM 10:06

APPLICATION OF INTEGRA WATER §
TEXAS, LLC FOR A SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN BASTROP §
COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

On January 5, 2021, Integra Water Texas, LLC (Integra) filed an application to obtain a sewer certificate of convenience and necessity (CCN) in Bastrop County. The requested area consists of approximately 196 acres of uncertificated area and no current customers. Integra filed supplemental information on January 7, 2021, March 4, 2021, April 16, 2021, April 26, 2021, April 27, 2021, May 5, 2021 and May 6, 2021.

On April 16, 2021, the administrative law judge filed Order No. 4, establishing a deadline of May 14, 2021 for the Staff of the Public Utility Commission of Texas (Staff) to file comments on the administrative completeness of the application and proposed notice and to propose a procedural schedule for the further processing of this docket. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information and, as detailed in the attached memoranda from Jolie Mathis, Infrastructure Division, and Fred Bednarski, Rate Regulation Division, recommends that the application be deemed administratively complete. Staff's recommendation on administrative completeness is not a comment on the merits of the application.

II. NOTICE

At this time, Staff recommends that Integra proceed with providing public notice to all landowners, neighboring utilities, political subdivisions, and other persons listed in the attached memorandum using the notice form provided by Ms. Mathis. Along with each individual notice, Staff recommends that Integra provide an accurate map delineating the requested service area.

Staff further recommends that Integra publish notice of the application for two consecutive weeks in a newspaper of general circulation in Bastrop County.

Once notice has been provided, Staff recommends that Integra file proof of notice as described in the attached memorandum, including an affidavit specifying the name and address of every person and entity to whom notice was provided, the date that the notice was provided, and a copy of the map provided with the notice. Integra should also provide a completed publisher's affidavit and a copy of the newspaper tear sheets demonstrating publication. Finally, Staff recommends that Integra use the attached notices and affidavits to meet these requirements.

III. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

Event	Date
Deadline for Integra to file with the Commission signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties and published in a newspaper of general circulation	June 28, 2021
Deadline for Staff to file a recommendation on sufficiency of notice	July 8, 2021
Deadline to intervene	30 days after notice is issued

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively complete, that Integra be directed to provide notice as described in Ms. Mathis' attached memorandum, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: May 14, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Eleanor D'Ambrosio
Managing Attorney

/s/ Robert Dakota Parish
Robert Dakota Parish
State Bar No. 24116875
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7442
(512) 936-7268 (facsimile)
Robert.Parish@puc.texas.gov

DOCKET NO. 51683

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 May 14, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish

Public Utility Commission of Texas

Memorandum

TO: Robert Parish, Attorney
Legal Division

FROM: Fred Bednarski III, Financial Analyst
Rate Regulation Division

DATE: May 14, 2021

RE: Docket No. 51683 - *Application of Integra Water Texas, LLC for a Sewer Certificate of Convenience and Necessity in Bastrop County*

On January 5, 2021, Integra Water Texas, LLC filed an application to obtain a sewer certificate of convenience and necessity in Bastrop County under Subchapter G of Texas Water Code Chapter 13.

I have reviewed the answers provided to questions 30 and 31 of the application. I did not identify any deficiencies in those answers for purposes of determining whether the application is administratively complete. Therefore, I recommend that the Commission deem the application administratively complete from a financial perspective.

Public Utility Commission of Texas

Memorandum

TO: Robert Parish, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: May 14, 2021

RE: Docket No. 51683 – *Application of Integra Water Texas, LLC for a Sewer Certificate of Convenience and Necessity in Bastrop County*

On January 5, 2021, Integra Water Texas, LLC (Integra) filed an application to obtain a sewer certificate of convenience and necessity (CCN) in Bastrop County under the provisions of Texas Water Code §§ 13.242 to 13.250 and 16 Texas Administrative Code §§ 24.225 to 24.237.

The requested area includes 0 current customers and approximately 196 acres of uncertificated area.

The result of the application will be the approval of Integra Water Texas, LLC's new sewer CCN that will include 196 acres of currently uncertificated area.

Based on the mapping review by Tracy Montes, Infrastructure Division, the maps and digital data submitted with Interchange Item 15 on 4/16/2021 are sufficient. Based on my technical and managerial review of the additional information filed by Integra on May 6, 2021, I recommend that the application be deemed administratively complete. I further recommend that Integra be ordered to do the following:

- 1) Provide notice of the application by first-class mail to the following:
 - a. Cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area:
 - *L Aqua WSC (CCN No. 20962)*
 - *City of Austin (CCN No. 20636)*
 - *City of Mustang Ridge*
 - *Guadalupe-Blanco River Authority*
 - *Lower Colorado River Authority*

- b. The county judge of each county that is wholly or partially included in the requested area:
 - *Bastrop County Judge*
- c. Each groundwater conservation district that is wholly or partially included in the requested area:
 - *Lost Pines Groundwater Conservation District*
- d. Each landowner of a tract of land that is at least 25 acres and is wholly or partly located in the requested area. Notice must be mailed to the owner of the tract of land according to the most current tax appraisal rolls of the applicable central appraisal district at the time the application was filed.
- e. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained by the Integra from the Water Utility Database at <http://www.puc.texas.gov/watersearch>. District information and addresses can be obtained from the Texas Commission on Environmental Quality's (TCEQ) web site located at <http://www14.tceq.texas.gov/iwud/>.

- 2) Publish notice once each week for two consecutive weeks in a newspaper having general circulation in the county where the requested area is located. Proof in the form of a publisher's affidavit must be filed within 30 days of the publication date. The affidavit must state with specificity each county in which the newspaper is of general circulation. Within 30 days of the date the notice was mailed, Integra must file an affidavit specifying the notice that was provided to every person and entity to whom notice was provided and the date the notice was mailed.
- 3) Provide notice using the attached notice forms.
- 4) Provide a copy of the map(s) deemed sufficient during administrative review delineating the requested area with each individual notice to neighboring utilities, other affected parties, landowners and customers.
- 5) File in the docket a copy of notice and the map(s) deemed sufficient during administrative review along with the signed affidavit specifying every person and entity to whom notice was provided, the date that the notice was provided, and the publisher's affidavit and tear sheets for proof of newspaper publication.

Staff may determine that additional information is needed to make a final recommendation in this docket. If additional information is needed, Staff may send requests for information (RFI) to Integra. Integra will have 20 days from the receipt of the RFI to respond.

Notice for Publication

NOTICE OF APPLICATION FOR INTEGRA WATER TEXAS, LLC TO OBTAIN A
CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER UTILITY
SERVICE IN BASTROP COUNTY TEXAS

Integra Water Texas, LLC has filed an application with the Public Utility Commission of Texas to obtain a Certificate of Convenience and Necessity (CCN) for the provision of retail sewer utility service in Bastrop County, Texas.

The requested area overlaps the district boundaries of the Lower Colorado River Authority. If Lower Colorado River Authority does not request a public hearing, the Commission shall determine that the district is consenting to the Integra's request to provide retail sewer utility service in the requested area.

The requested area includes 0 current customers, is located approximately 4 miles east of downtown Mustang Ridge, Texas, and is generally bounded on the north by County Road 92; on the east by intersection of Laredo Drive and State Highway 21; on the south by State Highway 21 West; and on the west by intersection of Doyle Overton Road and Longhollow Road.

The requested area includes approximately 196 acres of uncertificated area.

The result of the application will be the addition of approximately 196 acres to Integra Water Texas, LLC's new sewer CCN.

A copy of the map showing the requested area is available at: https://integrawater.com/wp-content/uploads/2020/12/LosMilagros_BastropCounty.pdf

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:
Public Utility Commission of Texas
Central Records

1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

Notice to Neighboring Systems, Landowners, Customers, and Cities
NOTICE OF APPLICATION FOR INTEGRA WATER TEXAS, LLC TO OBTAIN A
CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER UTILITY
SERVICE IN BASTROP COUNTY TEXAS

To: _____ Date Notice Mailed: _____, 20 ____
(Neighboring System, Landowner, Customer or City)

(Address)

(City State Zip)

Integra Water Texas, LLC has filed an application with the Public Utility Commission of Texas to obtain a Certificate of Convenience and Necessity (CCN) for the provision of retail sewer utility service in Bastrop County, Texas.

The requested area overlaps the district boundaries of the Lower Colorado River Authority. If Lower Colorado River Authority does not request a public hearing, the Commission shall determine that the district is consenting to the Integra’s request to provide retail sewer utility service in the requested area.

The requested area includes 0 current customers, is located approximately 4 miles east of downtown Mustang Ridge, Texas, and is generally bounded on the north by County Road 92; on the east by intersection of Laredo Drive and State Highway 21; on the south by State Highway 21 West; and on the west by intersection of Doyle Overton Road and Longhollow Road.

The requested area includes approximately 196 acres of uncertificated area.

The result of the application will be the addition of approximately 196 acres to Integra Water Texas, LLC’s new sewer CCN.

See enclosed map showing the requested area.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person’s name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area (“opt out”) within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner’s tract of land, landowner’s name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:
Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, LANDOWNERS, NEIGHBORING
UTILITIES, AND AFFECTED PARTIES
DOCKET NO. 51683

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities, landowners and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT
DOCKET NO. 51683

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____,
who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____