



Control Number: 51683



Item Number: 5

Addendum StartPage: 0

DOCKET NO. 51683

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

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

On January 5, 2021, Integra Water Texas, LLC (Integra) filed an application to obtain a new sewer certificate of convenience and necessity (CCN) in Bastrop County. The requested area consists of approximately 196 acres and no current customers,

On January 7, 2021, the administrative law judge (ALJ) filed Order No. 1, ordering Staff to file a recommendation on administrative completeness and proposed notice by February 4, 2021. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and, as detailed in the attached memoranda from Jolie Mathis, Infrastructure Division, and Fred Bednarski, Rate Regulation Division, recommends that the application be found administratively incomplete. Specifically, Staff has identified deficiencies in the mapping and financial information. Staff recommends that Applicants file a response curing these deficiencies, as further detailed in the attached memoranda.

II. 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	March 4, 2021
Deadline for Commission Staff to file a supplemental recommendation on sufficiency of the application and proposed procedural schedule for the continued processing of this application	April 5, 2021

5

III. CONCLUSION

For the reasons discussed above, Staff respectfully requests that the application be deemed administratively incomplete and respectfully requests the entry of an order consistent with the above recommendation.

Dated: February 4, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

Heath D. Armstrong
Managing Attorney

/s/ Robert Dakota Parish
Robert Dakota Parish
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PROJECT 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 February 4, 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: February 4, 2021

RE: Docket No. 51683 – *Application of Integra Water Texas, LLC for a Sewer Certificate 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 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.

I reviewed the answers provided to questions 30 and 31 of the application and recommend the application be deemed administratively incomplete, and that Integra be required to provide the following information to cure the deficiencies:

1. A copy of the executed agreement between the developer and Integra to pay for the wastewater plant and collection lines to provide sewer service to the requested area;
2. Integra Water, LLC's most recent historical year-end financial statements for the last 2 years;
3. An organizational chart of Integra Water, LLC and company affiliates; and
4. Proof of funding sources that Integra has the ability to pay for any wastewater system cost not paid for by the developer as well as any projected operating losses for the first three years of operations.

Public Utility Commission of Texas

Memorandum

TO: Robert Parish, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: February 4, 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 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.

Based on the mapping review by Tracy Montes, Infrastructure Division, and my technical and managerial review of the information filed by the Integra, I recommend that the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

Mapping Content:

The mapping documentation filed in the docket did not include digital mapping data for the requested area. The Applicant must file digital mapping data for the requested area, in order for the requested area to fit exactly within the portion previously decertified from Aqua WSC's CCN No. 20962.

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

- 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).

Staff recommends the Applicant obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes at (512)936-7187 or tracy.montes@puc.texas.gov to resolve the mapping deficiencies.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).

Dated: February 4, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Heath D. Armstrong
Managing Attorney

/s/ Rustin Tawater

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DOCKET NO. 51679

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 February 4, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Rustin Tawater

Rustin Tawater

Public Utility Commission of Texas

Memorandum

TO: Rustin Tawater – Attorney
Legal Division

FROM: James Kelsaw – Utility Analyst
Customer Protection Division

DATE: February 4, 2021

RE: Docket No. 51679 – *Application of Resound Networks, LLC for Designation as an Eligible Telecommunications Carrier*

COMMENTS

Regarding Sufficiency of ETC Application

Application

On January 5, 2021, Resound Networks, LLC (Resound Networks) filed an application for designation as an eligible telecommunications carrier (ETC) under 47 U.S.C. § 214(e) and 16 Texas Administrative Code (TAC) § 26.418. Resound Networks seeks an ETC designation for the purpose of being eligible to receive federal universal support from the Federal Communications Commission’s Rural Digital Opportunity Fund. Resound Networks is a high-speed internet services provider, serving residential, business and government customers in Texas, New Mexico, and Oklahoma.

Sufficiency Analysis

In accordance with 16 TAC § 26.418(h)(1)(B), an application from a common carrier that seeks designation as an ETC shall show the following: (1) that the applicant offers each of the services that are supported by the Federal Universal Service Fund (FUSF) support mechanisms under 47 U.S.C. §254(c) (relating to Universal Service) either using its own facilities or a combination of its own facilities and resale of another carrier’s services throughout the service area for which it seeks designation as an ETC; (2) that the applicant assumes the obligation to offer each of the services that are supported by the FUSF support mechanisms under 47 U.S.C. §254(c) to any consumer in the service area for which it seeks designation as an ETC; (3) that the applicant advertises the availability of, and charges for, such services using media of general distribution; and (4) the service area in which the

applicant seeks designation as an ETC, The application must also contain: (1) a statement detailing the method and content of the notice the applicant has provided or intends to provide to the public regarding the application and a brief statement explaining why the proposed notice is reasonable and in compliance with applicable law; (2) a copy of the text of the notice; (2) the proposed effective date of the designation; and (4) any other information which the applicant wants considered in connection with the commission's review of its application.

Moreover, under 16 TAC § 26.418(h)(1)(C), an application from a common carrier seeking ETC designation shall: (1) comply with the requirements of 16 TAC § 26.418(h)(1)(B); (2) show that the applicant offers Lifeline Service to qualifying low-income consumers in compliance with 47 C.F.R. Part 54, Subpart E; and (3) show that the applicant offers toll limitation services in accordance with 47 C.F.R. §§ 54.400 and 54.401.

Furthermore, under 16 TAC § 26.418(h)(1)(B), a copy of the application must be delivered to the Office of Public Utility Counsel (OPUC).

Conclusion

I have reviewed Resound Network's application for ETC designation and recommend that the application be found incomplete. It does not reference the applicability of 16 TAC § 26.418 and fails to include all the necessary elements as spelled out in the rule. Furthermore, the application does not indicate whether OPUC was served with a copy of the application as required by the rule.

I recommend that Resound Networks' application for ETC designation be found insufficient for further review. To correct the deficiencies, Resound Networks should amend its application to demonstrate compliance with 16 TAC § 26.418 (h)(1)(B) (i-viii) and provide the following information including, but not limited to:

- (1) Lifeline tariffs that show compliance with 47 C.F.R. Part 54 Subpart E and 16 TAC § 26.412;
- (2) A plan that shows compliance with the Federal Communications Commission's Lifeline Reform Order and Duplicative Process Order;
- (3) A copy of all marketing materials and rate plans that Resound Networks will use to advertise the availability of, and charges for, each of the supported services. This should be for both Lifeline and non-Lifeline customers;

- (4) A copy of all commercial agreements or contracts that Resound Networks has with any third-party provider for the provision of 911 and VOIP services;
- (5) An affidavit confirming that OPUC received a copy of the application.