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DOCKET NO. 51801

**APPLICATION OF THE CITY OF §
SCHERTZ TO AMEND ITS A SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN COMAL COUNTY §**

**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS OF THE APPLICATION AND PROPOSED PROCEDURAL
SCHEDULE**

On February 8, 2021, the City of Schertz (Schertz) filed an application to amend its sewer certificate of convenience and necessity (CCN) number 20271 in Comal County, Texas, under Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237.

On February 10, 2021, the administrative law judge (ALJ) filed Order No. 1, setting a deadline of March 8, 2021 for Staff of the Public Utility Commission of Texas (Staff) to file comments on the administrative completeness of the application and proposed notice and to file a recommendation regarding how to proceed with the application and propose a procedural schedule. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

For the reasons detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, Staff has reviewed the application and recommends that it be found administratively incomplete at this time. Staff notes that Schertz should not issue notice until the application is found administratively complete.

II. COMMENTS ON 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	April 8, 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	May 10, 2021

IV. CONCLUSION

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

Dated: March 8, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
Division Director

Rashmin J. Asher
Managing Attorney

/s/ M. Justin Ackley – signed with permission by /s/
Rashmin J. Asher

M. Justin Ackley
State Bar No. 24121354
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7228
(512) 936-7268 (facsimile)
M.Justin.Ackley@puc.texas.gov

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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 March 8, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ M. Justin Ackley – signed with permission by /s/
Rashmin J. Asher
M. Justin Ackley

Public Utility Commission of Texas

Memorandum

TO: M. Justin Ackley, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: March 8, 2021

RE: Docket No. 51801 – *Application of the City of Schertz to Amend its a Sewer Certificate of Convenience and Necessity in Comal County*

On February 8, 2021, the City of Schertz (Schertz) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer CCN number 20271 in Comal County, Texas under Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237. The requested area includes approximately 150 acres, comprised of 150 acres of uncertificated area.

The result of the application/petition will be the addition of approximately 150 acres to CCN number 20271.

Based on the mapping review by Gary Horton, Infrastructure Division, the financial and managerial review by Fred Bednarski, III, Rate Regulation Division, and my technical and managerial review of the original application and the additional information filed by Schertz February 11, 2021, I recommend that the application be deemed administratively incomplete and not accepted for filing.

Application Content:

The following deficiencies must be remedied, please provide:

1. A letter from the developer/landowner requesting service from the City of Schertz for the requested area or the annexation documents showing the area has been annexed into the city limits.
2. A map showing the requested area with the city limit border.
3. A copy of the TCEQ discharge permit that will be providing service to the area. The TCEQ discharge permit number provided in the application does not pull up anything in the TCEQ Central Registry database.
4. The date of last TCEQ Sewer System inspection by the TCEQ.
5. The number of additional connections for the requested area (how many connections are expected at build out?).

6. A signed and dated copy of the most current sewer treatment capacity purchase agreement or contract.
7. The operator information.
8. The exact address for Schertz Public Works for the published notice.

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>).