



Control Number: 51842



Item Number: 3

Addendum StartPage: 0

PETITION OF BERNADINE C. KING, §
 TRUSTEE OF THE HINSVARK §
 FAMILY TRUST TO AMEND AQUA §
 TEXAS, INC.'S CERTIFICATE OF §
 CONVENIENCE AND NECESSITY IN §
 BASTROP COUNTY BY EXPEDITED §
 RELEASE §

2021 MAR 23 PM 2:50
 PUBLIC UTILITY COMMISSION
 OF TEXAS

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

On February 26, 2021, Bernadine C. King, Trustee of the Hinsvark Family Trust (Ms. King) filed a petition for streamlined expedited release of approximately 269.692 acre tract of land that lies within Aqua Texas, Inc.'s (Aqua Texas) water certificate of convenience and necessity (CCN) number 21116 in Bastrop County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Ms. King asserts that the tract of land is at least 25 acres, is not receiving water service, and is located in Bastrop County, which is a qualifying county.

On March 1, 2021, the administrative law judge (ALJ) filed Order No. 1 setting a deadline of March 29, 2021, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the petition, the sufficiency of the notice, and to propose a procedural schedule. Therefore, this pleading timely filed.

I. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Patricia Garcia in the Commission's Infrastructure Division, Staff recommends that the petition be found administratively incomplete. Specifically, Staff noted deficiencies in the mapping content.

II. NOTICE

Under 16 TAC § 24.245(l)(4)(A)(vi), the landowner must provide proof that a copy of the petition has been mailed to the current CCN holder via certified mail on the day that the landowner submits the petition with the Commission.

Petitioner states in its filing in the certificate of service that it mailed a copy of its petition to the CCN holder, Aqua Texas, by certified mail on the day the petition was filed with the Commission. Accordingly, Staff recommends that the notice issued be found sufficient.

III. PROPOSED PROCEDURAL SCHEDULE

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

Event	Date
Deadline for Ms. King to file information to cure deficiencies identified in Staff's memorandum	April 29, 2021
Deadline for Commission Staff to file a supplemental recommendation on sufficiency of the petition and proposed procedural schedule	May 13, 2021

IV. CONCLUSION

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

Dated: March 29, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Kourtnee Jinks
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DOCKET NO. 51842

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 29, 2021 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Kourtnee Jinks
Kourtnee Jinks

Public Utility Commission of Texas

Memorandum

TO: Kourtnee Jinks, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: March 29, 2021

RE: Docket No. 51842 – *Petition of Bernadine C. King, Trustee of the Hinsvark Family Trust to Amend Aqua Texas Inc.'s Certificate of Convenience and Necessity in Bastrop County by Expedited Release*

On February 26, 2021, Bernadine C. King, Trustee of the Hinsvark Family Trust (Ms. King) filed an application for streamlined expedited release from Aqua Texas, Inc.'s (Aqua Texas) sewer certificate of convenience and necessity (CCN) No. 21116 in Bastrop County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Ms. King asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Bastrop County, which is a qualifying county.

Ms. King submitted a sworn affidavit attesting that the property was not receiving sewer service from Aqua Texas and a warranty deed confirming Ms. King's ownership of the tract of land.

The petition also includes a statement indicating a copy of the petition was sent via certified mail to Aqua Texas on the date the petition was filed with the Commission.

Based on the mapping review by Tracy Montes, Infrastructure Division, and my technical and managerial review of the information provided by Ms. King, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Mapping Content:

The mapping documentation filed in Item 1 on 2/26/2021 is deficient. The petitioner did not provide adequate digital mapping data, general location and detailed maps clearly showing the subject property to be released.

The petitioner must submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the subject property to be released, in reference to the nearest county boundary, city, or town.

- A detailed map identifying only the subject property to be released, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for the subject property to be released, provided as a single polygon record, in a 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 by email at tracy.montes@puc.texas.gov.