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DOCKET NO. 51863

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PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY SERVICE DIVISION  
OF TEXAS  
FILING CLERK

PETITION OF THE CITY OF §  
PFLUGERVILLE AND MANVILLE §  
WATER SUPPLY CORPORATION §  
FOR APPROVAL OF SERVICE AREA §  
CONTRACT UNDER TEXAS WATER §  
CODE § 13.248 AND TO AMEND §  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY IN TRAVIS COUNTY §

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

On March 2, 2021, the City of Pflugerville and Manville Water Supply Corporation (collectively, Petitioners) filed an application for approval of a service-area contract under Texas Water Code (TWC) § 13.248 and to amend water certificates of convenience and necessity (CCN) in Travis County. Under the contract, Manville will transfer a portion of its water service area under CCN number 11144 to Pflugerville's water CCN number 11303.

On March 8, 2021, the administrative law judge filed Order No. 1, establishing a deadline of April 1, 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 propose a procedural schedule. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application and, as detailed in the attached memorandum from Jolie Mathis of the Infrastructure Division, recommends that it be found administratively incomplete at this time. Specifically, Staff has identified deficiencies in the mapping content. Staff respectfully requests that Petitioners be ordered to submit additional mapping content, as detailed in Ms. Mathis' memorandum.

**II. NOTICE**

In accordance with Staff's recommendation that the petition be deemed administratively incomplete, Staff does not make a recommendation on notice at this time. Staff intends to make a recommendation on sufficiency of notice alongside a supplemental recommendation on administrative completeness.

### **III. PROCEDURAL SCHEDULE**

In accordance with Staff's deficiency recommendation, Staff does not propose a procedural schedule for further processing of the docket at this time. Staff recommends that Petitioners be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by May 3, 2021, and that Staff be given a deadline of June 2, 2021 to file a supplemental recommendation on the administrative completeness of the petition.

### **IV. CONCLUSION**

For the reasons discussed above, Staff respectfully requests that the application be deemed administratively incomplete and that Petitioners be ordered to file a supplement addressing the identified deficiencies by May 3, 2021.

Dated: April 1, 2021

Respectfully submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

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/s/ Justin C. Adkins  
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**DOCKET NO. 51863**  
**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 April 1, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Justin C. Adkins  
Justin C. Adkins

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Justin Adkins, Attorney  
Legal Division

**FROM:** Jolie Mathis, Utility Engineering Specialist  
Infrastructure Division

**DATE:** Jolie Mathis

**RE:** Docket No. 51863 – *Petition of the City of Pflugerville and Manville Water Supply Corporation for Approval of Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Travis County*

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On March 2, 2021, the City of Pflugerville (Pflugerville) and Manville Water Supply Corporation (Manville) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Pflugerville's water certificate of convenience and necessity (CCN) No. 11303 and Manville's water CCN No. 11144 in Travis County, Texas. The Petitioners' TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

Specifically, Pflugerville and Manville entered into a contractual agreement which permits Pflugerville to provide water services within the agreed upon water service area. Petitioners will not transfer assets or facilities under the terms of the agreement.

Based on the mapping review by Tracy Montes, Infrastructure Division and my technical review of the information filed by the Petitioners, I recommend that the petition be deemed administratively incomplete and not accepted for filing.

### **Mapping Content:**

The digital mapping data, including general location and detailed maps submitted with the Petition on March 2, 2021, are deficient. The requested area identified in the digital mapping data, general location, and detailed maps does not appear to accurately follow along the three tracts designated as the BLD Property. In addition to e-filing the items requested below, I recommend that Petitioners e-file the survey plat (Exhibit A-4) as an original PDF.

I recommend that Petitioners submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.

- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- 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 that Petitioners obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes, by email at [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov).