



Control Number: 51872



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DOCKET NO. 51872

**APPLICATION OF THE CITY OF
WOODWAY TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY AND FOR DUAL
CERTIFICATION WITH THE CITY OF
WACO IN MCLENNAN COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

2021 APR -5 PM 2:59

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

On March 5, 2021, the City of Woodway (Woodway) filed an application to amend its water certificate of convenience and necessity (CCN) number 10022 and for dual certification with the City of Waco's CCN number 10039 in McLennan County. The amendment proposes to add approximately 170 acres and 450 customers.

On March 9, 2021 the administrative law judge filed Order No. 1, setting a deadline of April 5, 2021 for Staff of the Public Commission of Texas (Staff) to file a recommendation on the administrative completeness of the application and propose a procedural schedule. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Alicia Maloy in the Commission's Infrastructure Division, Staff has reviewed the application filed in this docket and recommends that it be found administratively incomplete at this time. Staff notes that Woodway 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 Woodway to cure deficiencies identified in Staff's memorandum	May 5, 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	June 4, 2021

III. 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.

Date: April 5, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Rashmin J. Asher
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/s/ Kourtnee Jinks

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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 April 5, 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: Alicia Maloy, Senior Infrastructure Analyst
Infrastructure Division

DATE: April 5, 2021

RE: Docket No. 51872 – *Application of the City of Woodway to Amend its Certificate of Convenience and Necessity and Dual Certification with the City of Waco in McLennan County*

On March 5, 2021, the City of Woodway filed with the Public Utility Commission of Texas (Commission) an application to amend its water certificate of convenience and necessity (CCN) No. 10039 in McLennan County, Texas for dual certification with the City of Waco under Texas Water Code (TWC) §§ 13.242 to 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 to 24.237.

Based on the mapping review by Gary Horton, Infrastructure Division, and my technical and managerial review of the information filed by the City of Woodway, I recommend that the application be deemed administratively incomplete and not accepted for filing.

The following deficiencies must be remedied:

Application Content:

The City of Woodway must show a need for granting a CCN amendment by providing:

- Documentation of the development described in the application.
- A copy of the developer agreement for the development described in the application.

Mapping Content:

City of Woodway must 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); **OR** metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.

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