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DOCKET NO. 51998

**APPLICATION OF THE CITY OF
BURLESON TO AMEND ITS SEWER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN JOHNSON
COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

2021 MAY 10 AM 10:10

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

On April 8, 2021, the City of Burleson (Burleson) filed an application to amend its sewer certificate of convenience and necessity (CCN) number 20358 in Johnson County, Texas. Burleson seeks to decertify 7,667 acres having no current customers from its certificated sewer service area.

On April 12, 2021, the administrative law judge filed Order No. 1, ordering Staff of the Public Utility Commission of Texas (Staff) to file a recommendation on the administrative completeness of the application and proposed notice, and to propose a procedural schedule for further processing of the application by May 10, 2021. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed Burleson's application and, as detailed in the attached memorandum of 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 recommends that Burleson be ordered to submit supplemental information, as further detailed in the attached memorandum.

Staff notes that Burleson should not issue notice until the application is found administratively complete.

II. COMMENTS ON PROCEDURAL SCHEDULE

Staff recommends that Burleson be ordered to cure the deficiencies identified by Ms. Mathis by June 7, 2021, and that Staff be given a deadline of July 5, 2021 to file a supplemental recommendation on the administrative completeness of the application. Staff intends to propose a revised procedural schedule alongside its subsequent recommendation regarding application sufficiency.

III. CONCLUSION

For the reasons discussed above, Staff recommends that the application be deemed deficient and that the above-proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with the above recommendations.

Dated: May 10, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
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/s/ Justin C. Adkins

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DOCKET NO. 51998 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 on May 10, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Justin C. Adkins

Justin C. Adkins

Public Utility Commission of Texas

Memorandum

TO: Justin Adkins, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: May 10, 2021

RE: Docket No. 51998 – *Application of the City of Burleson to Amend its Certificate of Convenience and Necessity in Johnson County*

On April 8, 2021, the City of Burleson (Burleson) filed with the Public Utility Commission of Texas (Commission) an application to decertify a portion of its sewer CCN No. 20358 in Johnson County, Texas 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 Tracy Montes, Infrastructure Division, and my technical and managerial review of the information filed by Burleson, I recommend that the application be deemed administratively incomplete and not accepted for filing.

Mapping Content:

Staff has determined that the digital mapping data, general location and detailed maps submitted with the application on April 8, 2021 are deficient. The requested area provided in a shapefile format overlaps the existing certificated service areas for the City of Burleson (CCN No. 20358) and Undine Texas Environmental LLC (CCN No. 21019).

The detailed map must clearly show the outer boundary of the requested area in reference to the roads and highways located in close proximity to both the inside and outside of this large requested area. The general location map must show the requested area in reference to major highways and roads. The labeling of roads and highways on both maps, should not cover any portion of the outer boundary of the requested area.

Staff recommends that Burleson submit the following items to resolve the mapping deficiencies:

- A revised general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A revised detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Revised 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 further recommends that Burleson obtain additional mapping guidance from the Commission's mapping staff, Ms. Tracy Montes by email at tracy.montes@puc.texas.gov to resolve the mapping deficiencies.