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DOCKET NO. 52267

PETITION MOUNT ZION WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION TO AMEND	§	
ITS CERTIFICATE OF CONVENIENCE	§	OF TEXAS
AND NECESSITY FOR PARTIAL	§	
DECERTIFICATION IN ROCKWALL	§	
COUNTY	§	

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

On June 23, 2021, Mount Zion Water Supply Corporation (Mount Zion) filed an application to amend its certificate of convenience and necessity (CCN) in Rockwall County, Texas. On August 10, 2021 filed a revised petition for partial decertification of its water certificate of convenience and necessity (CCN) No. 10088 in Rockwall County, under Texas Water Code (TWC) § 13.254(a) and 16 Texas Administrative Code (TAC) § 24.245(h). Mount Zion seeks the amendment to transfer a tract of land to the City of Rockwall.

On August 13, 2021, the administrative law judge (ALJ) filed Order No. 3, establishing a deadline of September 13, 2021 for the 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 for the further processing of this docket. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the supplemented application and, as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the application is incomplete from a managerial and technical perspective. Staff further recommends that Mount Zion be ordered to cure the deficiencies identified in Ms. Garcia’s memorandum by October 13, 2021 and that Staff be given a deadline of November 12, 2021 to file a supplemental recommendation on the administrative completeness of the application.

II. 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 intends to propose a

procedural schedule alongside a subsequent recommendation that the application be found administratively complete. Staff notes that Mount Zion should not issue notice until the application is deemed sufficient.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the supplemented application be found administratively incomplete and that Mount Zion be ordered to file supplemental information to cure the deficiencies in the application by October 13, 2021. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: September 13, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 September 13, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Mildred Anaele
Mildred Anaele

Public Utility Commission of Texas

Memorandum

TO: Mildred Anaele, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: September 13, 2021

RE: Docket No. 52267 – *Petition Mount Zion Water Supply Corporation to Amend Its Certificate of Convenience and Necessity and for Partial Decertification in Rockwall County*

On June 23, 2021, Mount Zion Water Supply Corporation (Mount Zion) filed a petition for decertification of its water certificate of convenience and necessity (CCN) No. 10088 in Rockwall County, under Texas Water Code (TWC) § 13.254(b) and 16 Texas Administrative Code (TAC) § 24.245(d)(1)(E).

Mount Zion is seeking removal of a tract of land that is thought to be located within Mount Zion's CCN boundaries and inside the City of Rockwall's city limits. The developer has requested service from the City of Rockwall.

Based on the mapping review of the mapping documentation filed on August 10, 2021, Tracy Montes, Infrastructure Division, determined the tract of land includes approximately 11.11 acres and is not located within Mount Zion WSC CCN No. 10088. Therefore, this petition is not necessary to decertify the requested tract of land from Mount Zion WSC CCN No. 10088. The petitioner may consult Ms. Montes to confirm her evaluation.