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DOCKET NO. 52453

APPLICATION OF SKYLINE DRIVE	§	PUBLIC UTILITY COMMISSION
LANDOWNERS ASSOCIATION TO	§	
AMEND ITS CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
JOHNSON COUNTY	§	

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

On August 20, 2021, Skyline Drive Landowners Association (Skyline Drive Landowners) filed an application to amend its Certificate of Convenience and Necessity (CCN) No. 12479 in Johnson County. On September 15, 2021, Skyline Drive Landowners filed supplemental mapping information.

On August 25, 2021, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of September 20, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) 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 application and supplemental information and, as detailed in the attached memoranda from Patricia Garcia, Infrastructure Division, and Kathryn Eiland and Fred Bednarski, III, Rate Regulation Division, recommends that the application is incomplete. At this time, Staff believes that Skyline Drive Landowners is looking to adjust its CCN boundaries to encompass the customers it currently serves; however, the application does not sufficiently detail that intent. Staff therefore recommends that Skyline Drive Landowners be ordered to cure the deficiencies identified in the attached memoranda by October 4, 2021. Depending on Skyline Drive Landowners’ responses, it may be necessary for Staff to request further information, so Staff further recommends that Staff be given a deadline of November 4, 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 Skyline Drive Landowners should not issue notice until the application is deemed sufficient.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively incomplete and that the proposed deadlines be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: September 20, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Rachelle Nicolette Robles
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/s/ Scott Miles
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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 20, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Scott Miles
Scott Miles

Public Utility Commission of Texas

Memorandum

TO: Scott Miles, Attorney
Legal Division

FROM: Kathryn Eiland, Financial Analyst
Fred Bednarski III, Financial Analyst
Rate Regulation Division

DATE: September 20, 2021

RE: Docket No. 52453 - *Application of Skyline Drive Landowners Association to Amend its Certificate of Convenience and Necessity in Johnson County*

On August 20, 2021, Skyline Drive Landowners Association (Skyline Drive Landowners) filed an application to amend its water Certificate of Convenience and Necessity number 12479 in Johnson County under Subchapter G of Texas Water Code Chapter 13.

I reviewed the answers provided to questions 28, 29, 30, and 31 of the application and recommend that the application be deemed administratively incomplete and that Skyline Drive Landowners be required to provide the following information to cure the deficiencies:

1. Historical year-end financial statements for the most recent 3 years;
2. If infrastructure is not in place, or existing infrastructure needs repairs and improvements to provide continuous and adequate service to the requested area, provide a capital improvement plan, including a budget and an estimated timeline for construction of all facilities necessary to provide full service to the requested area, keyed to a map showing where such facilities will be located to provide service; and
3. A copy of the current tariff.

Public Utility Commission of Texas

Memorandum

TO: Scott Miles, Attorney
Legal Division

FROM: Patricia Garcia, Senior Engineering Specialist
Infrastructure Division

DATE: September 20, 2021

RE: Docket No. 52453 – *Application of Skyline Drive Landowners Association to Amend its Certificate of Convenience and Necessity in Johnson County*

On August 20, 2021, Skyline Drive Landowners Association (Skyline Drive Landowners) filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12479 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. On September 15, 2021, Skyline Drive Landowners filed supplemental mapping information.

Based on my technical and managerial review of the information filed by Skyline Drive Landowners, I recommend that the application be deemed administratively incomplete and not accepted for filing.

Application Content:

If the amendment is for both adding area to and decertifying area from Skyline Drive Landowners' CCN, please file an amended application to provide the following:

- A cover letter to the application detailing the intent of the application.
- Details for both the requested area to be added and the requested area to be decertified, as requested in questions 6-14 of the application and any other questions, where necessary.
- The number of any *new* connections in the requested area to be added as requested in question 22. If there are no new connections being added to the additional CCN area, this would be zero.
- The total acreage of the requested area as requested in question 33. Please list separately the acreage being added and the acreage being decertified.
- The total number of customers in the requested area as requested in question 33. Please list separately the number of customers being added through adding area to the CCN and the number of customers being removed through decertification. If no customers are being added or removed, this would be zero.

- A newly signed affidavit.