



## **Filing Receipt**

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**Control Number - 52482**

**Item Number - 32**

**DOCKET NO. 52482**

<b>PETITION OF BRENT DAVIS TO</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>DISCONTINUE SERVICE AND</b>	<b>§</b>	
<b>CANCEL THE CERTIFICATE OF</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CONVENIENCE AND NECESSITY OF</b>	<b>§</b>	
<b>DREW T. SPENCER DBA</b>	<b>§</b>	
<b>CYPRESSWOOD ESTATES IN</b>	<b>§</b>	
<b>MONTGOMERYCOUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS OF PETITION AND NOTICE**

**I. INTRODUCTION**

On September 9, 2021, William Brent Davis (Mr. Davis) filed a motion to revoke the Certificate of Convenience and Necessity (CCN) of Drew T. Spencer d/b/a Cypresswood Estates (Cypresswood). Mr. Davis seeks to have the CCN No. 12498 revoked under Texas Administrative Code (TAC) § 24.245(d)(2).

On March 13, 2024, the administrative law judge (ALJ) filed Order No. 14, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on administrative completeness and proposed notice by March 26, 2024. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the petition and as detailed in the attached memorandum from Patricia Garcia, Infrastructure Division, recommends that the petition is incomplete from a managerial and technical perspective. Staff further recommends that Mr. Davis be ordered to cure the deficiencies identified in the attached memorandum by April 26, 2024, and that Staff be given a deadline of May 28, 2024, to file a supplemental recommendation on the administrative completeness of the petition.

Staff respectfully requests adoption of these proposed deadlines as the noted deficiencies are related to mapping information and Staff’s mapping experts may be required to assist Mr. Davis regarding the supplemental mapping information needed to cure the mapping deficiencies and will require at least thirty days to review same.

### **III. NOTICE**

As a result of Staff's deficiency recommendation, Staff does not yet offer a recommendation on Mr. Davis's proposed notice. Staff intends to offer its comments on the proposed notice alongside a subsequent recommendation that the petition be found administratively complete.

### **IV. CONCLUSION**

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, that Mr. Davis be ordered to file supplemental information to cure the deficiencies in the petition by April 26, 2024, and that Staff be given a deadline of May 28, 2024, to file a supplemental recommendation on the administrative completeness of the petition and notice. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: March 26, 2024

Respectfully submitted,

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

Marisa Lopez Wagley  
Division Director

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/s/ Cheri Hasz  
Cheri Hasz  
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**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on March 26, 2024, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Cheri Hasz  
Cheri Hasz

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Cheri Hasz, Attorney  
Legal Division

**FROM:** Patricia Garcia, Infrastructure Analysis Section Director  
Infrastructure Division

**DATE:** March 26, 2024

**RE:** Docket No. 52482 – *Application of Brent Davis to Revoke the Certificate of Convenience and Necessity of Drew T. Spencer dba Cypresswood Estates in Montgomery County*

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On September 9, 2021, Brent Davis (Mr. Davis) filed a petition to discontinue water service and cancel Drew T. Spencer dba Cypresswood Estates' (Cypresswood Estates) certificate of convenience and necessity (CCN) No. 12978 in Montgomery County. Mr. Davis asserts SP Utility, water CCN No. 12978, is now providing service to the requested area. I am reviewing this docket under Texas Water Code (TWC) § 13.254(a) and 16 Texas Administrative Code (TAC) § 24.245(d).

Based on my technical and managerial review of the information filed by Mr. Davis, I recommend that the petition be deemed administratively incomplete and not accepted for filing due to the following deficiencies.

### **Mapping Content:**

Based on the mapping review by Tracy Montes, Infrastructure Division, the maps filed with Item 2 on September 13, 2021 are deficient.

Mr. Davis must file the following items to resolve the mapping deficiencies:

1. A general location map identifying only the Select term, in reference to the nearest county boundary, city, or town.
2. A detailed map identifying only the Select term, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.

Staff recommends the Select type obtain additional mapping guidance from the PUCT's mapping staff, Tracy Montes, by email at [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov) to resolve the mapping deficiencies. In addition, the applicant is advised to carefully review the PUCT's CCN Mapping Information webpage at: <https://www.puc.texas.gov/industry/water/utilities/gis.aspx>.