



## Filing Receipt

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**Control Number - 52646**  
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**DOCKET NO. 52646**

<b>PETITION OF THE CITY OF NEW</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>BOSTON AND CENTRAL BOWIE</b>	<b>§</b>	
<b>COUNTY WATER SUPPLY</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CORPORATION FOR APPROVAL OF</b>	<b>§</b>	
<b>SERVICE AREA CONTRACT UNDER</b>	<b>§</b>	
<b>TEXAS WATER CODE §§ 13.248 AND</b>	<b>§</b>	
<b>13.255 AND TO AMEND CERTIFICATES</b>	<b>§</b>	
<b>OF CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>BOWIE COUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S COMMENTS REGARDING ADMINISTRATIVE  
COMPLETENESS AND NOTICE**

On September 27, 2021, the City of New Boston and Central Bowie County Water Supply Corporation (collectively, Petitioners) filed a petition for approval of a service-area contract under Texas Water Code (TWC) § 13.248 and to amend certificates of convenience and necessity in Bowie County. On December 3 and 17, 2021, Petitioners filed supplemental information.

On January 7, 2022, the administrative law judge (ALJ) filed Order No. 3 establishing a deadline of January 24, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the petition. On January 24, 2022, Staff filed a motion seeking an extension through January 26, 2022 to file its response. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the petition, and, as supported by the attached memorandum of Jolie Mathis of the Infrastructure Division, Staff recommends that the petition be found incomplete from a managerial and technical perspective. As explained in Ms. Mathis’s memorandum, the maps and digital mapping data submitted in this proceeding are deficient, including the supplemental information filed December 3 and 17, 2021. Staff recommends that Petitioners be ordered to cure the deficiencies identified in Ms. Mathis’s memorandum by February 17, 2022, and that Staff be given a deadline of March 22, 2022 to file a supplemental recommendation on the administrative completeness of the petition.

**II. PROCEDURAL SCHEDULE**

Until the petition is deemed administratively complete, Staff recommends that the procedural schedule be limited to curing the deficiencies in the petition and Staff’s supplemental

recommendations. As explained above, Staff recommends that Petitioners be ordered to cure the deficiencies identified in Ms. Mathis's memorandum by February 17, 2022, and that Staff be given a deadline of March 22, 2022 to file a supplemental recommendation on the administrative completeness of the petition. Once the petition is deemed administratively complete, Staff will make further recommendations on the processing of this petition.

### **III. CONCLUSION**

Staff respectfully requests entry of an order consistent with this pleading.

Dated: 2022-01-26

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

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/s/ R. Floyd Walker  
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**DOCKET NO. 52646  
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 2022-01-26, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ R. Floyd Walker  
R. Floyd Walker

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Floyd Walker, Attorney  
Legal Division

**FROM:** Jolie Mathis, Utility Engineering Specialist  
Infrastructure Division

**DATE:** January 25, 2022

**RE:** Docket No. 52646 – *Petition of the City of New Boston and Central Bowie County Water Supply Corporation for Approval of a Service Area Contract Under Texas Water Code §§ 13.248 and 13.255 and to Amend Certificates of Convenience and Necessity in Bowie County*

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On September 27, 2021, the City of New Boston (the City) and Central Bowie County Water Supply Corporation (Central Bowie County WSC) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend City's water Certificate of Convenience and Necessity (CCN) No. 10525 and Central Bowie County WSC's water CCN No. 13164 in Bowie County, Texas. The/Petitioners' TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

Specifically, the City and Central Bowie County WSC entered into a contractual agreement which

- i. transfers portions of the Central Bowie County WSC CCN to the City CCN,
- ii. transfers portions of the City CCN to the Central Bowie County WSC CCN; and
- iii. establishes a dual certification area in an area presently served by the City

Based on the mapping review by Tracy Montes, Infrastructure Division and my technical review of the additional information filed by the Petitioners on December 3, 2021, I recommend that the petition be deemed administratively incomplete and not accepted for filing.

### **Mapping Content:**

The maps and digital mapping data submitted with Item 5 on December 3, 2021 are deficient.

Applicants must submit the following items to resolve the mapping deficiencies:

- Revised general location maps identifying only the requested areas, in reference to the nearest county boundary, city, or town.
- Revised detailed maps identifying only the requested areas, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Revised digital mapping data for the requested areas, as a single polygon record, in shapefile (SHP) format, georeferenced in NAD83 Texas Statewide Mapping System (Meters).

Staff recommends the Applicant obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes by email at [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov) to resolve the mapping deficiencies.

Staff will need at least 30 days to review the documentation, maps, and digital data provided by the Petitioners and draft a recommendation.