



## Filing Receipt

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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</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN BOWIE COUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S COMMENTS REGARDING ADMINISTRATIVE  
COMPLETENESS AND PROPOSED PROCEDURAL SCHEDULE**

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 13.255 and to amend certificates of convenience and necessity in Bowie County.

On June 14, 2022, the administrative law judge (ALJ) filed Order No. 8, establishing a deadline of June 28, 2022, for Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation regarding the administrative completeness of the application and a proposed procedural schedule. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Jolie Mathis of the Commission’s Infrastructure Division, recommends that the application is administratively complete. Staff’s recommendation on administrative completeness is not a comment on the merits of the application.

## II. PROPOSED PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

Event	Date
Deadline for intervention	July 29, 2022
Deadline for Staff to provide final maps, certificates, and tariffs (if applicable) to the Applicants for review and consent	August 30, 2022
Deadline for the Applicants to file signed consent forms with the Commission	September 6, 2022
If no hearing is requested, deadline for Staff to file a final recommendation on the application	September 13, 2022
If no hearing is requested, deadline for parties to file joint proposed findings of fact, conclusions of law, and ordering paragraphs	September 28, 2022

## III. CONCLUSION

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

Date: June 28, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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/s/ Mildred Anaele  
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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 on June 28, 2022 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Mildred Anaele  
Mildred Anaele

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Mildred Anaele, Attorney  
Legal Division

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

**DATE:** June 28, 2022

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

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On September 27, 2021, City of New Boston (New Boston) 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 New Boston'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, New Boston and Central Bowie County WSC entered into a contractual agreement which permits each utility to provide water services within the agreed upon water certificated service area. The Petitioners will not transfer assets or facilities under the terms of the agreement.

Based on the mapping review by Tracy Montes, Infrastructure Division, the maps submitted with Item 13 on February 17, 2022, and the clarification provided with Item 19 on May 6, 2022, are sufficient.

- The *requested area for New Boston (CCN No. 13164)* includes 0 customer connections and approximately 2,294 total acres, comprised of:
  - 2,288 acres of transferred area from Central Bowie County WSC (CCN No. 10525) includes [RA 1A, 1B, 3, 7 as referenced on maps filed February 17, 2022]
  - 6 acres of dual certificated area with CCN No. 10525, includes [RA 4 as referenced on maps filed February 17, 2022]
- The *requested area for Central Bowie County WSC (CCN No. 10525)* includes 0

customer connections and approximately 769 total acres, comprised of:

- 56 acres of transferred area from New Boston (CCN No. 13164), includes [RA 2 and 6 as referenced on maps filed February 17, 2022]
  - 713 acres of dual certificated area with CCN No. 13164, includes [RA 5 and 8 as referenced on maps filed February 17, 2022]
- The petition proposes the subtraction of approximately 2,288 acres from Central Bowie County WSC (CCN No. 10525) and the addition of approximately 2,288 acres to New Boston (CCN No. 13164).
- The petition proposes the subtraction of approximately 56 acres from New Boston (CCN No. 13164) and the addition of approximately 56 acres to Central Bowie County WSC (CCN No. 10525).
- 719 acres will be dually certificated between Central Bowie County WSC (CCN No. 10525) and New Boston (CCN No. 13164).

On September 27, 2021, the Petitioners submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c). Specifically, New Boston and Central Bowie County WSC submitted copies of their meeting minutes approving the agreement and agendas that were posted prior to each of their meetings. Both Petitioners also provided affidavits attesting to the dates meeting notice was posted and the dates that the respective meetings approving the agreement transpired.

Based on mapping review and my technical and managerial review of the additional information filed by the Petitioners on December 3, 2021, February 17, 2022, and May 6, 2022, I recommend that the petition be deemed administratively complete.