



## 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</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 30, 2022, the administrative law judge (ALJ) filed Order No. 9, establishing a deadline of September 13, 2022, for Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a final recommendation on the application. Therefore, this pleading is timely filed.

**I. FINAL RECOMMENDATION**

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 be approved.

**II. CONCLUSION**

Staff respectfully requests the entry of an order consistent with Staff’s recommendation.

Date: September 13, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Keith Rogas  
Division Director

Sneha Patel  
Managing Attorney

/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 September 13, 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:** September 13, 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 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 *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).

Individual Notice was not required for this petition because there are no affected customers in the area subject to the transfer.

The Petitioners submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c).

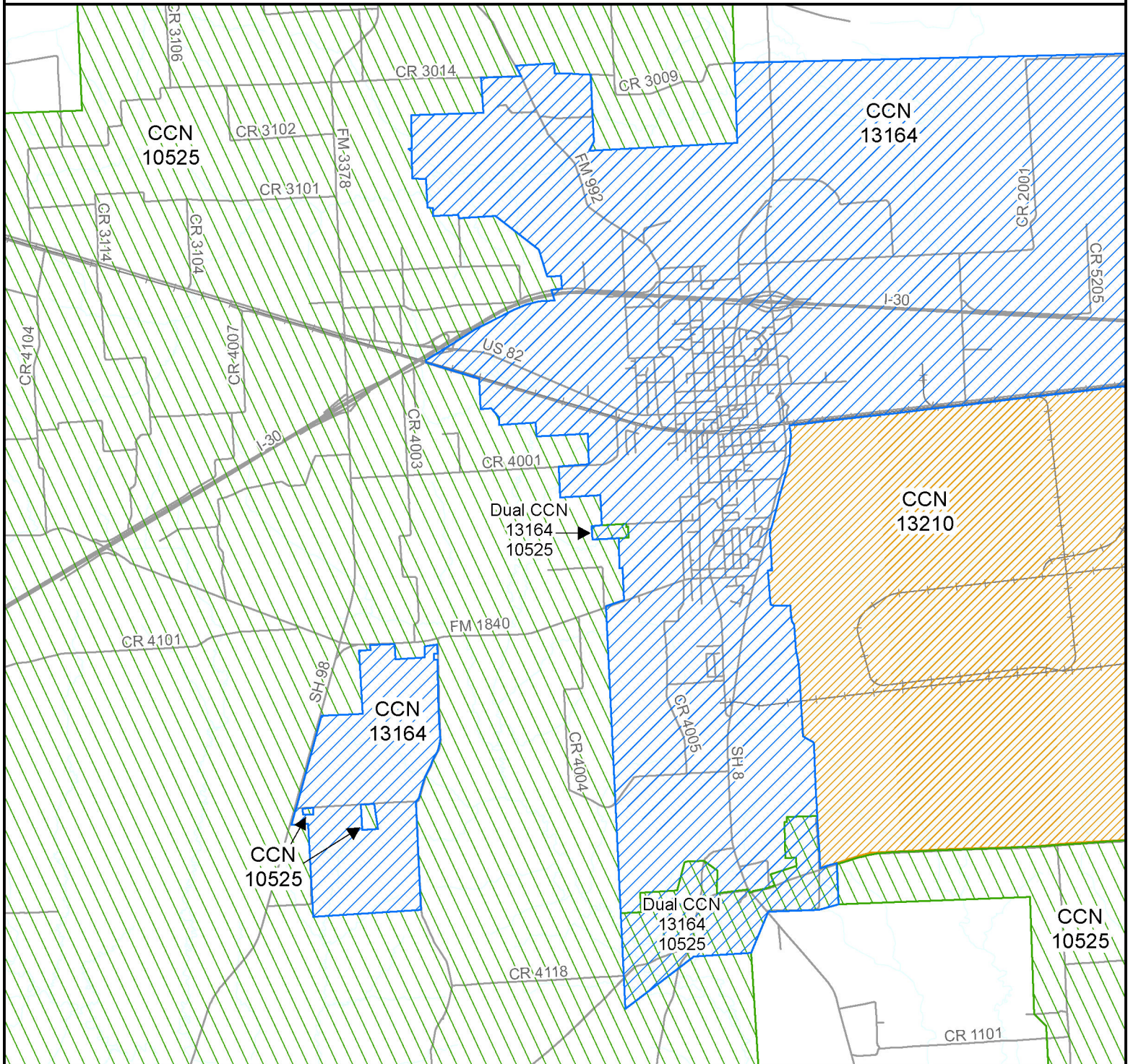
The petition meets all applicable statutory requirements of TWC Chapter 13 and 16 TAC Chapter 24 rules and regulations. Therefore, I recommend approval of the petition.

The Petitioners consented to the attached map and certificates on September 6, 2022.






City of New Boston, Portion of Water CCN No. 13164 and  
Central Bowie County Water Supply Corporation, Portion of Water CCN No. 10525  
PUC Docket No. 52646

13.248 Agreement Obtained Dual Certification and Amended CCN No. 13164 and CCN No. 10525 in  
Bowie County



**Water CCN**

-  13164 - City of New Boston
-  10525 - Central Bowie County WSC
-  13210 - Riverbend Water Resources District

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# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

## **Central Bowie County WSC**

having obtained certification to provide water or sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Central Bowie County WSC is entitled to this

### **Certificate of Convenience and Necessity No. 10525**

to provide continuous and adequate water utility service to that service area or those service areas in Bowie County/counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52646 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Central Bowie County WSC to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.