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DOCKET NO. 52666

APPLICATION OF CITY OF SCHERTZ	§	PUBLIC UTILITY COMMISSION
TO AMEND ITS CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY AND	§	OF TEXAS
FOR DECERTIFICATION OF A	§	
PORTION OF GREEN VALLEY	§	
SPECIAL UTILITY DISTRICT'S	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN COMAL COUNTY	§	

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

On October 4, 2021, the City of Schertz (Schertz) filed an application to amend its water Certificate of Convenience and Necessity (CCN) number 10645 and to decertify a portion of Green Valley Special Utility District's (Green Valley SUD) CCN number 10646 in Comal County. Schertz filed supplemental information on October 14, 2021.

On January 4, 2022, the administrative law judge (ALJ) filed Order No. 4, establishing a deadline of January 14, 2022 for Schertz to supplement the application to cure the deficiencies identified in the November 4, 2021 memorandum of Patricia Garcia or provide the information necessary to process this docket under Texas Water Code § 13.248 along with a request to restyle the application. Order No. 4 also established a deadline of January 28, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

To date, Schertz has failed to respond to Staff's recommendation of deficiency filed on November 4, 2021. Staff recommends that Schertz be ordered to cure the deficiencies identified in Ms. Garcia's November 4, 2021 memorandum by February 11, 2022, and that Staff be given a deadline of March 2, 2022 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 Schertz 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 Schertz be ordered to file supplemental information to cure the deficiencies in the application by February 11, 2022. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: January 28, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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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 January 28, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Jenna Keller
Jenna Keller