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DOCKET NO. 52666

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

ORDER NO. 5
FINDING APPLICATION DEFICIENT, ESTABLISHING DEADLINES AND
OPPORTUNITY TO CURE

This Order addresses the October 4, 2021 application filed by the City of Schertz to amend its water certificate of convenience and necessity (CCN) number 10645 and to decertify a portion of Green Valley Special Utility District's CCN number 10646 in Comal County. In Orders Nos. 2, 3, and 4, the administrative law judge (ALJ) required that the applicant must supplement the application to cure the deficiencies as described in the November 4, 2021 memorandum of Patricia Garcia or provide the information necessary to process this docket under Texas Water Code (TWC) § 13.248 along with a request to restyle the application. To date, Schertz has yet to respond.

On January 28, 2022, Commission Staff filed a fourth supplemental recommendation on administrative completeness.

The ALJ continues to find the application administratively incomplete and deficient. Under 16 Texas Administrative Code § 24.8(d), the Commission does not consider an application filed until it makes a determination that the application administratively complete. Thus, at this time the application is not considered filed with the Commission.

On or before February 11, 2022, the applicant must supplement the application to cure the deficiencies as described in the November 4, 2021 memorandum of Patricia Garcia or provide the information necessary to process this docket under Texas Water Code (TWC) § 13.248 along with a request to restyle the application. Until the Commission receives and reviews the supplemental information, the application cannot proceed. The applicant must not issue notice until the application is deemed administratively complete. Failure to supplement or provide the necessary information to process this docket under TWC § 13.248 may result in the dismissal of this docket.

On or before March 2, 2022, Commission Staff must file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate.

Signed at Austin, Texas the 1st day of February 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**