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DOCKET NO. 52693

PETITION OF ROSENDO L. GARCIA,	§	PUBLIC UTILITY COMMISSION
ISABEL R. GARCIA AND NICHOLAS	§	
R. GARCIA TO AMEND AQUA	§	OF TEXAS
WATER SUPPLY CORPORATION'S	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN BASTROP	§	
COUNTY BY EXPEDITED RELEASE	§	

**COMMISSION STAFF'S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND NOTICE**

On October 12, 2021, Rosendo L. Garcia, Isabel R. Garcia, and Nicholas R. Garcia (Garcia) filed a petition for streamlined expedited release from Aqua Water Supply Corporation's (Aqua WSC) certificate of convenience and necessity (CCN) number 20962 under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Garcia asserts that the land to be released is at least twenty-five (25) contiguous acres, is not receiving sewer service, and is located in Bastrop County, which is a qualifying county.

On October 13, 2021, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of November 12, 2021 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments regarding the administrative completeness of the petition and notice. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the petition, and as detailed in the attached memorandum from Jolie Mathis of the Commission's Infrastructure Division, recommends that the petition be found administratively incomplete at this time. Staff further recommends that Garcia be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by December 13, 2021 and that Staff be given a deadline of January 13, 2022 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests adoption of these proposed deadlines as the noted deficiencies are related to mapping information and Staff's mapping experts may be required to assist Garcia regarding the supplemental mapping information needed to cure the mapping deficiencies and will require at least thirty (30) days to review same.

II. RECOMMENDATION ON NOTICE

Along with its petition, Garcia submitted a certificate of service, which certified that a copy of the petition was sent via certified mail to Aqua WSC on October 11, 2021. Staff recommends that Garcia meets the requirements of 16 TAC § 24.245(h)(3)(F), and therefore, that Garcia's notice be found sufficient.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, and that Garcia's be ordered to file supplemental information to cure the deficiencies in the petition by December 13, 2021. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: November 12, 2021

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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/s/ Bradley Reynolds
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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 November 12, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Bradley Reynolds
Bradley Reynolds

Public Utility Commission of Texas

Memorandum

TO: Bradley Reynolds, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: November 10, 2021

RE: Docket No. 52693 – *Petition of Rosendo L. Garcia, Isabel R. Garcia and Nicholas R. Garcia to Amend Aqua Water Supply Corporation's Sewer Certificate of Convenience and Necessity in Bastrop County by Expedited Release*

On October 12, 2021, Rosendo L. Garcia, Isabel R. Garcia and Nicholas R. Garcia (Garcia) filed a petition for streamlined expedited release from Aqua Water Supply Corporation's (Aqua WSC) sewer certificate of convenience and necessity (CCN) No. 20962 in Bastrop County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Garcia asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Bastrop County, which is a qualifying county.

Based on the mapping review by Tracy Montes, Infrastructure Division, and my technical and managerial review of the information provided by Garcia I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Mapping Content:

Maps and digital mapping data submitted on October 12, 2021 are deficient.

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

- A revised general location map identifying only the entire tract of land owned by Garcia, shown in reference to the nearest county boundary, city, or town.
- Revised detailed maps both identifying only the following, shown in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
 - Entire tract of land (181.110 acres) owned by Garcia; and
 - Portion of the tract of land (156.754 acres) owned by Garcia.
- Revised digital mapping data for the following both provided as a single polygon record, in a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet):
 - Entire tract of land (181.110 acres) owned by Garcia; and

- Portion of the tract of land (156.754 acres) owned by Garcia.

Please file each map as a separate Adobe PDF file that maintains the original size and scale of the map.

Staff recommends Garcia obtain additional mapping guidance from the PUC's mapping staff, Ms. Tracy Montes, by email at 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 Garcia and draft a recommendation.