



Filing Receipt

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DOCKET NO. 52694

PETITION OF BEN F. VAUGHAN, III,	§	PUBLIC UTILITY COMMISSION
AND FROST BANK, AS CO-TRUSTEES	§	
OF THE GENEVIEVE TARLTON	§	OF TEXAS
DOUGHERTY TRUST NO. 2, FOR BEN	§	
F. VAUGHAN, III; JAMES CULLEN	§	
VAUGHAN, AS TRUSTEE OF THE	§	
JAMES CULLEN VAUGHAN GST	§	
EXEMPT TRUST; AND CATHERINE A.	§	
PAYER, AS TRUSTEE OF THE	§	
RACHEL CATHERINE VAUGHAN	§	
GST EXEMPT TRUST, AS TRUSTEE	§	
OF THE DANIEL BENJAMIN	§	
VAUGHAN GST EXEMPT TRUST, AND	§	
AS TRUSTEE OF THE PATRICK	§	
MICHAEL VAUGHAN GST EXEMPT	§	
TRUST TO AMEND AQUA WATER	§	
SUPPLY CORPORATION'S SEWER	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN BASTROP	§	
COUNTY BY EXPEDITED RELEASE	§	

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

On October 12, 2021, Ben F. Vaughan, III, and Frost Bank, as Co-Trustees of the Genevieve Tarlton Dougherty Trust No. 2, for Ben F. Vaughan, III; James Cullen Vaughan, as Trustee of the James Cullen Vaughan GST Exempt Trust; and Catherine A. Payer, as Trustee of the Rachel Catherine Vaughan GST Exempt Trust, as Trustee of the Daniel Benjamin Vaughan GST Exempt Trust, and as Trustee of the Patrick Michael Vaughan GST Exempt Trust (collectively, Vaughn) filed a petition for streamlined expedited release from Aqua Water Supply Corporation's (Aqua WSC) sewer certificate of convenience and necessity (CCN) number 20962 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Vaughn asserts that the land to be released is at least 25 contiguous acres, is not receiving sewer service, and is located in Bastrop County, which is a qualifying county.

On October 14, 2021, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of November 12, 2021 for the Staff of the Public Utility Commission of Texas (Staff) 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 is administratively incomplete. Staff further recommends that Vaughn be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by December 13, 2021 and that Staff be given a deadline of January 12, 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. Staff's mapping experts may be required to assist Vaughn regarding the supplemental mapping information needed to cure the mapping deficiencies and will require at least thirty days to review same.

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 petition be found administratively complete.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete and that Vaughn 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**

Rachelle Nicolette Robles
Division Director

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Managing Attorney

/s/ Jenna Keller
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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 November 12, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Jenna Keller
Jenna Keller

Public Utility Commission of Texas

Memorandum

TO: Jenna Keller, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: November 12, 2021

RE: Docket No. 52694 –*Petition of Ben F. Vaughan, III, and Frost Bank, as Co-Trustees of the Genevieve Tarlton Dougherty Trust No. 2, for Ben F. Vaughan, III; James Cullen Vaughan, as Trustee of the James Cullen Vaughan GST Exempt Trust; and Catherine A. Payer, as Trustee of the Rachel Catherine Vaughan GST Exempt Trust, as Trustee of the Daniel Benjamin Vaughan GST Exempt Trust, and as Trustee of the Patrick Michael Vaughan GST Exempt Trust to Amend Aqua Water Supply Corporation's Certificate of Convenience and Necessity in Bastrop County by Expedited Release*

On October 12, 2021, Ben F. Vaughan, III, and Frost Bank, as Co-Trustees of the Genevieve Tarlton Dougherty Trust No. 2, for Ben F. Vaughan, III; James Cullen Vaughan, as Trustee of the James Cullen Vaughan GST Exempt Trust; and Catherine A. Payer, as Trustee of the Rachel Catherine Vaughan GST Exempt Trust, as Trustee of the Daniel Benjamin Vaughan GST Exempt Trust, and as Trustee of the Patrick Michael Vaughan GST Exempt Trust (collectively, Vaughan) 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). Vaughan 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 Vaughan, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Mapping Content:

Vaughan must submit the following item to resolve the mapping deficiencies:

The maps and digital mapping data submitted with Item 1 on October 12, 2021 are deficient. The mapping documentation does not include maps for each of the three tracts making up the

192.367 total acres conveyed in the deeds. Please file each map requested as a separate Adobe PDF file that maintains the original size and scale of the map.

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

- A revised general location map identifying each tract of land owned by Vaughan, shown in reference to the nearest county boundary, city, or town.
- A revised detailed map both identifying each tract of land owned by Vaughan, and shown in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Revised digital mapping data identifying each tract of land owned by Vaughan, each 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):

Staff recommends that Vaughan 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 Vaughan and draft a recommendation.