



Filing Receipt

Received - 2021-11-12 09:51:38 AM
Control Number - 52696
ItemNumber - 5

DOCKET NO. 52696

PETITION OF FIRMITAS	§	PUBLIC UTILITY COMMISSION
INVESTMENTS, LLC TO AMEND	§	
GUADALUPE-BLANCO RIVER	§	OF TEXAS
AUTHORITY'S CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
COMAL COUNTY BY EXPEDITED	§	
RELEASE	§	

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

On October 12, 2021, Firmitas Investments, LLC (Firmitas) filed a petition for streamlined expedited release from Guadalupe-Blanco River Authority's (GBRA) sewer certificate of convenience and necessity (CCN) No. 20892 under Texas Water Code (TWC) § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245(h). Firmitas asserts that the land to be released is at least 25 acres, is not receiving water or sewer service, and is in Comal County, which is a qualifying county. On October 19, 2021, Firmitas filed supplemental filings in the docket.

On October 13, 2021, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of November 11, 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. As the Commission was closed on November 11, 2021, pursuant to 16 § TAC 22.4(a), the deadline is extended to the next day on which the Commission is open for business. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the petition, and as detailed in the attached memorandum from Pai Liu of the Infrastructure Division, recommends that the petition be found administratively incomplete at this time. Staff further recommends that Firmitas be ordered to cure the deficiency identified in Ms. Liu's memorandum by December 10, 2021 and that Staff be given a deadline of January 10, 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 Firmitas

regarding the supplemental mapping information needed to cure the mapping deficiencies and will require at least thirty days to review same.

II. RECOMMENDATION ON NOTICE

Along with its petition, Counsel for Firmitas submitted a certificate of service, which certified that a copy of the petition was sent via certified mail to GBRA on October 12, 2021. Staff recommends that Firmitas meets the requirements of 16 TAC § 24.245(h)(3)(F), and therefore, that Firmitas' notice be found sufficient.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, and that Firmitas be ordered to file supplemental information to cure the deficiency in the petition by December 10, 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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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/ Phillip Lehmann
Phillip Lehmann

Public Utility Commission of Texas

Memorandum

TO: Phillip Lehmann, Attorney
Legal Division

FROM: Pai Liu, Infrastructure Analyst
Infrastructure Division

DATE: November 8, 2021

RE: Docket No. 52696 – *Petition of Firmitas Investments, LLC to Amend Guadalupe-Blanco River Authority's Certificate of Convenience and Necessity in Comal County by Expedited Release*

On October 12, 2021, Firmitas Investments LLC (Firmitas) filed a petition for streamlined expedited release from Guadalupe-Blanco River Authority's (GBRA) water certificate of convenience and necessity (CCN) No. 20892 in Comal County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Firmitas asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Comal County, which is a qualifying county.

Based on the mapping review by Tracy Montes of the Infrastructure Division, and my technical and managerial review of the additional information provided by Firmitas on October 19, 2021, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Mapping Content:

The general location map filed on October 19, 2021 is deficient. The general location map should identify only the tract of land to be released; it should not include the boundaries of existing CCNs.

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

- A revised general location map identifying only the tract of land in reference to the nearest county boundary, city, or town.

Staff will need at least 30 days to review the documentation, maps, and digital data provided by Firmitas and draft a recommendation.