



## Filing Receipt

**Received - 2022-03-25 01:38:23 PM**

**Control Number - 53148**

**ItemNumber - 7**

**DOCKET NO. 53148**

<b>APPLICATION OF THE CITY OF</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>LINDALE AND LINDALE RURAL</b>	<b>§</b>	
<b>WATER SUPPLY CORPORATION FOR</b>	<b>§</b>	<b>OF TEXAS</b>
<b>APPROVAL OF A SERVICE AREA</b>	<b>§</b>	
<b>AGREEMENT UNDER TEXAS WATER</b>	<b>§</b>	
<b>CODE § 13.248 AND TO AMEND</b>	<b>§</b>	
<b>CERTIFICATES OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN SMITH COUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S FINAL RECOMMENDATION**

On January 26, 2022, the City of Lindale (Lindale) and Lindale Rural Water Supply Corporation (Lindale WSC) (collectively, the Applicants) filed an application for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Lindale’s water Certificate of Convenience and Necessity (CCN) No. 12795 and Lindale Rural WSC’s water CCN No. 10758 in Smith County, Texas. On February 1, 2022 and February 23, 2022, the Applicants filed supplemental information.

On March 1, 2022, the administrative law judge (ALJ) filed Order No. 2, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a request for a hearing or a final recommendation by March 25, 2022. Therefore, this pleading is timely filed.

**I. FINAL RECOMMENDATION**

Staff has reviewed the Applicants’ application and, as detailed in the attached memorandum of James Harville, of the Infrastructure Division, recommends that the application be approved. Staff’s review indicates that the application meets the statutory requirements of TWC § 13.248.

**II. CONCLUSION**

For the reasons detailed above, Staff respectfully recommends that the application be approved.

Dated: March 25, 2022

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rustin Tawater  
Managing Attorney

/s/ Arnett D. Caviel

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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 March 25, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Arnett D. Caviel  
Arnett D. Caviel

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Arnett Caviel, Attorney  
Legal Division

**FROM:** James Harville, Infrastructure Analyst  
Infrastructure Division

**DATE:** March 25, 2022

**RE:** Docket No. 53148 – *Application of the City of Lindale and Lindale Rural Water Supply Corporation for Approval of a Service Area Agreement Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Smith County*

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On January 26, 2022, City of Lindale (Lindale) and Lindale Rural Water Supply Corporation (Lindale Rural WSC) (collectively, Applicants) filed an application for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Lindale’s water Certificate of Convenience and Necessity (CCN) No. 12795 and Lindale Rural WSC’s water CCN No. 10758 in Smith County, Texas. The Applicants’ TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

The requested area includes 0 customer connections and approximately 69 acres of dual certificated area (with CCN No. 10758).

The petition proposes the addition of approximately 69 acres to CCN No. 12795. All of the requested area will be dually certificated with CCN No. 10758.

Individual Notice was not required for this application because there are no affected customers in the area subject to the transfer.

The Applicants submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c).

The application meets all applicable statutory requirements of TWC Chapter 13 and 16 TAC Chapter 24 rules and regulations. Therefore, I recommend approval of the application.

The map and certificates will be provided to the Applicants on March 31, 2022, and they will have until April 14, 2022, to consent to the map and certificates.