



## Filing Receipt

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**Control Number - 53253**  
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**DOCKET NO. 53253**

<b>PETITION OF KB HOME LONE STAR, INC. TO AMEND AQUA WATER SUPPLY CORPORATION'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN TRAVIS COUNTY BY STREAMLINED EXPEDITED RELEASE</b>	<b>§ § § § § § §</b>	<b>PUBLIC UTILITY COMMISSION    OF TEXAS</b>
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**COMMISSION STAFF'S SUPPLEMENTAL RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS AND NOTICE**

On February 22, 2022, KB Home Lone Star, Inc. (KB Home) filed a petition for streamlined expedited release from Aqua Water Supply Corporation's (Aqua WSC) water Certificate of Convenience and Necessity (CCN) No. 10294 under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). KB Home asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county. On April 25, 2022, May 25, 2022, and May 26, 2022, KB Home filed supplemental information.

On May 26, 2022, the administrative law judge (ALJ) filed Order No. 3, establishing a deadline of June 8, 2022 for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on the administrative completeness of the petition and the sufficiency of notice and propose a procedural schedule. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the petition and, as detailed in the attached memorandum from Pai Liu, Infrastructure Division, recommends that the petition is administratively incomplete. Staff further recommends that KB Home be ordered to cure the deficiencies identified in Ms. Liu's memorandum by July 8, 2022 and that Staff be given a deadline of August 8, 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 KB Home 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, that KB Home be ordered to file supplemental information to cure the deficiencies in the petition by July 8, 2022, and that Staff be given a deadline of August 8, 2022 to file a second supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: June 8, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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/s/ Scott Miles  
Scott Miles  
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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 June 8, 2022, in accordance with the Order Suspending Rules issued in Project No. 50664.

/s/ Scott Miles  
Scott Miles

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Scott Miles and Arnett Caviel, Attorney  
Legal Division

**FROM:** Pai Liu, Infrastructure Analyst  
Infrastructure Division

**DATE:** June 8, 2022

**RE:** Docket No. 53253 – *Petition of KB Home Lone Star, Inc. to Amend Aqua Water Supply Corporation's Certificate of Convenience and Necessity in Travis County by Streamlined Expedited Release*

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On February 22, 2022, KB Home Lone Star, Inc. (KB Home) filed a petition for streamlined expedited release from Aqua Water Supply Corporation's (Aqua WSC) water Certificate of Convenience and Necessity (CCN) No. 10294 in Travis County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). KB Home asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county.

Based on the mapping review by Dave Babicki, Infrastructure Division, and my technical and managerial review of the additional information provided by KB Home, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

### **Mapping Content:**

The digital data submitted with Item 5 on April 25, 2022 are deficient. The maps submitted with Item 7 on May 25, 2022 are deficient; however, the maps submitted with Item 8 on May 26, 2022 are sufficient.

KB Home must submit the following item to resolve the mapping deficiency:

- Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

Staff recommends KB Home obtain additional mapping guidance from the PUC's mapping staff, Dave Babicki by email at [dave.babicki@puc.texas.gov](mailto:dave.babicki@puc.texas.gov) to resolve the mapping deficiencies.