



## Filing Receipt

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**ItemNumber - 3**

**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 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 and 16 Texas Administrative Code (TAC) § 24.245(h). KB Home asserts that the land is at least 25 contiguous acres, is not receiving sewer service, and is located in Travis County, which is a qualifying county.

On February 24, 2022, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of March 24, 2022 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 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 April 25, 2022, and that Staff be given a deadline of May 25, 2022 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests adoption of these proposed deadlines as some of 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 April 25, 2022, and that Staff be given a deadline of May 25, 2022 to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: March 24, 2022

Respectfully submitted,

### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Sneha Patel  
Managing Attorney

/s/ Scott Miles  
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**DOCKET NO. 53253**

**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 24, 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, Attorneys  
Legal Division

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

**DATE:** March 24, 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 information provided by KB Home, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

### **Mapping Content:**

The maps and digital mapping data submitted with Item 1 on February 22, 2022, are deficient.

KB Home must submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the tract of land, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the tract of land, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- Digital mapping data for each tract of land, as a 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. Staff will need at least 30 days to review the documentation, maps, and digital data provided by KB Home and draft a recommendation.