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DOCKET NO. 53297

**APPLICATION OF THE CITY OF
JUSTIN AND AQUA TEXAS, INC.
FOR APPROVAL OF A SERVICE
AREA CONTRACT UNDER TEXAS
WATER CODE § 13.248 AND TO
AMEND CERTIFICATES OF
CONVENIENCE AND NECESSITY
IN DENTON COUNTY**

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**PUBLIC UTILITY COMMISSION

OF TEXAS**

COMMISSION STAFF’S FINAL RECOMMENDATION

On March 1, 2022, the City of Justin (Justin) and Aqua Texas, Inc. (Aqua) (collectively, Applicants) filed an application for approval of a service-area contract under Texas Water Code (TWC) § 13.248 and to amend certificates of convenience and necessity in Denton County. Applicants filed supplemental information on March 7, 2022.

On April 4, 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 final recommendation by June 30, 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: June 30, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ John Harrison
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DOCKET NO. 53297

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 on June 30, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ John Harrison
John Harrison

Public Utility Commission of Texas

Memorandum

TO: John Harrison, Attorney
Legal Division

FROM: James Harville, Infrastructure Analyst
Infrastructure Division

DATE: June 30, 2022

RE: Docket No. 53297 – *Application of the City of Justin and Aqua Texas, Inc. for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Denton County*

On March 1, 2022, City of Justin (Justin) and Aqua Texas, Inc. (Aqua Texas) (collectively, Applicants) filed an application for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Justin’s water Certificate of Convenience and Necessity (CCN) No. 10167 and Aqua Texas’s water CCN No. 13201 in Denton County, Texas. The Applicants’ TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

Based on the mapping review by Hank Journey, Infrastructure Division:

The requested area includes 0 customer connections and 9.7 acres of transferred area from Aqua Texas (CCN No. 13201) to Justin (CCN No. 10167).

The petition proposes the subtraction of approximately 9.7 acres from CCN No. 13201 and the addition of approximately 9.7 acres to CCN No. 10167.

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 Applicants consented to the attached map and certificates on June 8, 2022 and June 16, 2022.