



## Filing Receipt

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**DOCKET NO. 53718**

<b>APPLICATION OF CSWR-TEXAS</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>UTILITY OPERATING COMPANY,</b>	<b>§</b>	
<b>LLC TO AMEND ITS CERTIFICATE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OF CONVENIENCE AND NECESSITY</b>	<b>§</b>	
<b>AND TO DECERTIFY RANCH</b>	<b>§</b>	
<b>COUNTRY OF TEXAS WATER</b>	<b>§</b>	
<b>SYSTEMS, INC.'S CERTIFICATE</b>	<b>§</b>	
<b>RIGHTS IN AUSTIN COUNTY</b>	<b>§</b>	

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE  
COMPLETENESS AND NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

On June 14, 2022, CSWR-Texas Utility Operating Company, LLC (CSWR Texas) filed an application to amend its Certificate of Convenience and Necessity (CCN) No. 13290 in Austin County, Texas and to decertify Ranch Country of Texas Water Systems Inc.'s (Ranch Country) CCN No. 12916 in Austin County. The applicant requests the amendment to add four acres with 26 customer connections and to cancel Ranch Country's CCN. CSWR Texas filed supplemental information on June 15, 2022.

On June 17, 2022, the administrative law judge (ALJ) filed Order No. 1, establishing a deadline of July 15, 2022, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the application and proposed notice and to propose a procedural schedule for the further processing of this docket. Therefore, this pleading is timely filed.

**I. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Jolie Mathis, Infrastructure Division, recommends that the application is incomplete from a managerial and technical perspective. Staff further recommends that CSWR be ordered to cure the deficiencies identified in Ms. Mathis’ memorandum by August 15, 2022, and that Staff be given a deadline of September 15, 2022, to file a supplemental recommendation on the administrative completeness of the application. 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 CSWR regarding the

supplemental mapping information needed to cure the mapping deficiencies and will require at least thirty days to review the 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 application be found administratively complete. Staff notes that CSWR Texas should not issue notice until the application is deemed sufficient.

## **III. CONCLUSION**

For the reasons detailed above, Staff recommends that the application be found administratively incomplete, that CSWR be ordered to file supplemental information to cure the deficiencies in the application by August 15, 2022, and that Staff be given a deadline of September 15, 2022, to file a supplemental recommendation on the administrative completeness of the application. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: July 15, 2022

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Keith Rogas  
Division Director

Robert Dakota Parish  
Managing Attorney

/s/ Forrest Smith  
Forrest Smith  
State Bar No. 24093643  
Ian Groetsch  
State Bar No. 24078599  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7388  
(512) 936-7268 (facsimile)  
Forrest.Smith@puc.texas.gov

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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 July 15, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith  
Forrest Smith

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Forrest Smith, Attorney  
Legal Division

**FROM:** Jolie Mathis, Utility Engineering Specialist  
Infrastructure Division

**DATE:** July 15, 2022

**RE:** Docket No. 53718 – *Application of CSWR-Texas Utility Operating Company, LLC to Amend Its Certificate of Convenience and Necessity and to Decertify Ranch Country of Texas Water Systems, Inc.’s Certificate Rights in Austin County*

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On June 14, 2022, CSWR-Texas Utility Operating Company, LLC (CSWR Texas) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 13290 to decertify Ranch Country of Texas Water Systems, Inc. dba Lakeside Estates Water System (Lakeside Estates) CCN No. 12916 in Austin County, Texas under Texas Water Code (TWC) §§ 13.242 through 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 through 24.237.

Based on the mapping review and my technical and managerial review of the information filed by CSWR, I recommend that the application be deemed administratively incomplete and not accepted for filing.

### **Application Content:**

The following deficiencies must be remedied:

- 1) Staff understands it was assumed that the Lakeside Estates Water System, public water system ID: 0080053 was considered to have transferred along with the other assets and public water systems in Docket No. 50989. However, there is no indication on the original application from CSWR in Docket No. 50989 that Lakeside Estates Water System was to be included in the transfer other than the inclusion of the Compliance Investigation from the Texas Commission on Environmental Quality. If there is proof previously filed in Docket No. 50989 that the system assets were transferred in the sale documents and if customer deposits for the Lakeside Estates Water System were addressed, please file those documents in this docket for further processing as a CCN amendment and decertify application. Otherwise, Staff suggests CSWR Texas and Lakeside Estates file a Sale, Transfer, Merger (STM) application for further processing.

### **Mapping Content:**

Based on the mapping review by Dave Babicki, Infrastructure Division, the maps submitted with Item 1 on June 14, 2022 are deficient. CSWR Texas is seeking to transfer CCN No. 12916 with PWS ID: 0080053 and facilities to CCN No. 13290. Mr. Babicki has confirmed that CCN No. 12916 was approved in application 32068-C on June 4, 1999, and has never been mapped on historical WRS-8 (Austin County) CCN Map or in GIS. Mapping Staff will provide further mapping guidance for this complex scenario to help CSWR Texas meet mapping requirements for an STM Application.

Applicant must submit the following items to resolve the mapping deficiencies:

- A general location map identifying only the requested area, in reference to the nearest county boundary, city, or town.
- A detailed map identifying only the requested area, in reference to verifiable man-made and natural landmarks, such as roads, rivers, and railroads.
- 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 the Applicant 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 CSWR and draft a recommendation.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).