



Control Number: 54147



Item Number: 18

**DOCKET NO. 54147**

**APPLICATION OF ROLLING V WATER §  
CONTROL AND IMPROVEMENT §  
DISTRICT NO. 3 FOR A CERTIFICATE §  
OF CONVENIENCE AND NECESSITY §  
AND FOR DUAL CERTIFICATION WITH §  
THE CITY OF RHOME IN WISE §  
COUNTY §**

**RECEIVED**  
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PUBLIC UTILITY COMMISSION  
OF TEXAS  
FILING CLERK

**COMMISSION STAFF'S THIRD SUPPLEMENTAL RECOMMENDATION ON  
ADMINISTRATIVE COMPLETENESS AND NOTICE AND PROPOSED  
PROCEDURAL SCHEDULE**

On September 23, 2022, Rolling V Water Control and Improvement District No. 3 (Rolling V WCID) filed an application to obtain a water certificate of convenience and necessity (CCN) and for dual certification with the City of Rhome in Wise County. Rolling V WCID filed supplemental information on October 21, 2022, November 4, 2022, February 16, 2023, and March 3, 2023.

On February 7, 2023, the administrative law judge (ALJ) filed Order No. 7, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on the administrative completeness of the application and proposed notice by April 10, 2023. 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 Rolling V WCID be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by May 10, 2023 and that Staff be given a deadline of June 9, 2023 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 Rolling V WCID 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 Rolling V WCID 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, and that Rolling V WCID be ordered to file supplemental information to cure the deficiencies in the application by May 10, 2023. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: April 10, 2023

Respectfully submitted,

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

Marisa Lopez Wagley  
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/s/ Forrest Smith  
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**DOCKET NO. 54147**

**CERTIFICATE OF SERVICE**

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on April 10, 2023 in accordance with the Second 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:** April 10, 2023

**RE:** Docket No. 54147 – *Application of Rolling V Ranch Water Control and Improvement District No. 3 of Wise County for a Certificate of Convenience and Necessity and for Dual Certification with the City of Rhome in Wise County*

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On September 23, 2022, Rolling V Ranch Water Control and Improvement District No. 3 of Wise County (Rolling V WCID) filed with the Public Utility Commission of Texas (Commission) an application to obtain a water certificate of convenience and necessity (CCN) and for dual certification with the City of Rhome (Rhome) in Wise 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 my technical and managerial review of the additional information filed by Rolling V WCID on March 3, 2023, I recommend that the application be deemed administratively incomplete and not accepted for filing.

### **Application and Mapping Content:**

Rolling V WCID No. 3 is seeking dual certification with Rhome (CCN No. 10989) for the entire requested area:

- 1) Under 16 TAC § 24.233(a)(12) applicants requesting dual certification with another utility must provide a copy of an agreement with the other utility that allows the dual certification. Please provide an agreement from Rolling V Ranch WCID No. 3 of Wise County that specifies the acreage agreed to have dual certification with City of Rhome (CCN No. 10989).
- 2) Please specify the number of existing customer connections in the requested area.