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DOCKET NO. 54147

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

**COMMISSION STAFF'S FOURTH 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 No. 3) 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 No. 3 filed supplemental information on October 21 and November 4, 2022, February 16, March 3 and May 9, 2023.

On April 27, 2023, the administrative law judge (ALJ) filed Order No. 9, 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 June 9, 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 remains incomplete from a managerial and technical perspective. Staff further recommends that Rolling V WCID No. 3 be ordered to cure the deficiencies identified in Ms. Mathis' memorandum by July 10, 2023 and that Staff be given a deadline of August 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 No. 3 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 application be found administratively complete. Staff notes that Rolling V WCID No. 3 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 No. 3 be ordered to file supplemental information to cure the deficiencies in the application by July 10, 2023. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: June 9, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
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/s/ Forrest Smith
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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 June 9, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Forrest Smith
Forrest Smith

Public Utility Commission of Texas

Memorandum

TO: Forrest Smith, Attorney
Legal Division

FROM: Jolie Mathis, Utility Engineering Specialist
Infrastructure Division

DATE: June 9, 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*

On September 23, 2022, Rolling V Ranch Water Control and Improvement District No. 3 of Wise County (Rolling V WCID No. 3) 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 No. 3 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) Please submit a revised dual certification agreement with Rolling V Water WCID No. 3 and Rhome (CCN No. 10989), stating the correct approximate total acreage (2,367.5 acres) for the requested area to dually certify with CCN No. 10989, as calculated from the digital mapping data submitted with Item 17 filed March 3, 2023.