



## Filing Receipt

**Received - 2022-11-04 01:29:20 PM**  
**Control Number - 54147**  
**ItemNumber - 6**

**DOCKET NO. 54147**

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

**COMMISSION STAFF'S 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 B WCID No. 3 filed supplemental information on November 4, 2022.

On October 24, 2022, the administrative law judge (ALJ) filed Order No. 2, 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 November 4, 2022. 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. Also as detailed in the attached memorandum from Fred Bednarski, Rate Regulation Division, Staff recommends that the application is administratively incomplete from a financial perspective. Staff further recommends that Rolling V WCID be ordered to cure the deficiencies identified in Ms. Mathis' and Mr. Bednarski's memoranda by December 5, 2022 and that Staff be given a deadline of January 5, 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 December 5, 2022. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: November 4, 2022

Respectfully submitted,

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

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Division Director

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Managing Attorney

/s/ Forrest Smith  
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 was provided to all parties of record via electronic mail on November 4, 2022 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:** November 4, 2022

**RE:** 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*

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On September 23, 2022, Rolling V Water Control and Improvement District No. 3 (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 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 the mapping review and my technical and managerial review of the information filed by Rolling V WCID, I recommend that the application be deemed administratively incomplete and not accepted for filing.

### **Mapping Content:**

Based on the mapping review by Dave Babicki, Infrastructure Division, the maps submitted with Item 1 on September 23, 2022 are deficient.

Rolling V 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 Rolling V 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 Rolling V WCID 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>).

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Forrest Smith  
Legal Division

**FROM:** Fred Bednarski  
Rate Regulation Division

**DATE:** November 4, 2022

**RE:** Docket No. 54147 – *Application of Rolling V Water Control and Improvement District No. 3 of Wise County to Obtain a Water 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 Water Control and Improvement District No. 3 of Wise County (Rolling V WCID) filed an application to obtain a water Certificate of Convenience and Necessity and for dual certification with the City of Rhome in Wise County under Subchapter G of Texas Water Code Chapter 13.

I reviewed the answers provided to questions 28, 29, 30, and 31 of the application. I recommend the application be deemed administratively incomplete, and that Rolling V WCID No. 3 be required to provide the following information to cure the deficiencies:

1. Leverage Test: Please file documentation demonstrating compliance with 16 Texas Administrative Code (TAC) § 24.11(e)(2) pursuant to 24.11(e)(4)(B) and (C),
2. Operations Test: Please file documentation demonstrating compliance with 16 Texas Administrative Code (TAC) § 24.11(e)(3), such as Appendix B of the application pursuant to 24.11(e)(4)(B) and (C).
3. Capital Improvement Plan: Please file documentation demonstrating compliance with 16 TAC § 24.11(e)(5); a capital improvement plan or detailed budget, which indicates sources and uses of funds required for all facilities that will be constructed to serve the requested area, and an estimated timeline for construction of all facilities necessary to provide full service to the requested area, keyed to a map showing where such facilities will be located to provide service