



## Filing Receipt

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**Control Number - 54377**  
**ItemNumber - 8**

**DOCKET NO. 54377**

<b>PETITION OF MILLIGAN WATER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SUPPLY CORPORATION AND THE</b>	<b>§</b>	
<b>CITY OF PRINCETON FOR</b>	<b>§</b>	<b>OF TEXAS</b>
<b>APPROVAL OF A SERVICE AREA</b>	<b>§</b>	
<b>CONTRACT UNDER TEXAS WATER</b>	<b>§</b>	
<b>CODE § 13.248 AND TO AMEND</b>	<b>§</b>	
<b>CERTIFICATES OF CONVENIENCE</b>	<b>§</b>	
<b>AND NECESSITY IN COLLIN</b>	<b>§</b>	
<b>COUNTY</b>		

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

**I. INTRODUCTION**

On November 28, 2022, the City of Princeton (Princeton) and Milligan Water Supply Corporation (Milligan) (collectively, the Petitioners) 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 Collin County.

On January 4, 2023, the administrative law judge (ALJ) filed Order No. 2, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on the administrative completeness of the application, notice, and propose a procedural schedule by March 7, 2023. Therefore, this pleading is timely filed.

**II. ADMINISTRATIVE COMPLETENESS**

Staff has reviewed the application and as detailed in the attached memorandum of Jaspinder Singh of the Commission's Infrastructure Division, recommends that the application satisfies the requirements of TWC § 13.248 and 16 Texas Administrative Code (TAC) § 24.253. Therefore, Staff recommends that the application be deemed administratively complete.

**III. NOTICE**

Notice in this matter is governed by 16 TAC § 24.253(c). Under this section, two forms of notice may potentially be required. First, if the decision to enter into a contract was discussed at a meeting of a city council, a water supply or sewer service corporation's board, district board,

county commissioner's court, or other regulatory authority, a copy of the meeting agenda and minutes for the meeting during which the item was discussed may be considered sufficient notice under 16 TAC § 24.253(c)(2). In this docket, the meeting agenda and minutes for the applicable Princeton and Milligan meetings were filed as notice of the petition. The Petitioners also filed affidavits with the application, signed by Candi Blisard, Milligan's General Manager and Derek Borg, Princeton's City Manager, attesting to the provision of notice. Therefore, Staff recommends that the Applicants have satisfied the notice requirements of 16 TAC § 24.253(c)(2). Additionally, if affected customers will be transferred as part of the contract, then notice must be provided to those customers under 16 TAC § 24.253(c)(1). The Petitioners attested in its affidavit that no existing customers were transferred as part of the service area contract. Therefore, Staff recommends that the Petitioners have satisfied the requirements of 16 TAC § 24.253(c)(1).

#### **IV. PROPOSED PROCEDURAL SCHEDULE**

Staff proposes the following procedural schedule for the continued processing of this application:

<b>Event</b>	<b>Deadline</b>
Deadline for intervention	January 12, 2023
Deadline for Staff to provide final maps and certificates to the Applicants (if applicable)	April 7, 2023
Deadline for Applicants to file signed consent forms with the Commission	April 14, 2023
If no hearing is requested, deadline for Staff to file a final recommendation on the application	April 28, 2023
If no hearing is requested, deadline for the parties to file joint proposed findings of fact and conclusions of law	May 17, 2023

#### **V. CONCLUSION**

For the reasons detailed above, Staff recommends that the application be found administratively complete, that notice be found sufficient, and that the proposed procedural schedule be adopted.

Dated: March 7, 2023

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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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 March 7, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Arnett D. Caviel  
Arnett D. Caviel

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Arnett Caviel, Attorney  
Legal Division

**FROM:** Jaspinder Singh, Engineering Specialist  
Infrastructure Division

**DATE:** March 7, 2023

**RE:** Docket No. 54377 – *Petition of Milligan Water Supply Corporation and the City of Princeton for Approval of Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Collin County*

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On November 28, 2022, Milligan Water Supply Corporation (Milligan WSC) and the City of Princeton (Princeton) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Milligan WSC's water Certificate of Convenience and Necessity (CCN) No. 10188 and City's water CCN No. 13195 in Collin County, Texas. The Petitioners' TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

Specifically, Milligan WSC and Princeton entered into a contractual agreement in which they are seeking to decertify and transfer portions of Milligan WSC's and Princeton's CCNs to each other and to provide water services within the agreed upon transferred water certificated service areas respectively. The Petitioners will not transfer assets or facilities under the terms of the agreement. On February 7, 2023, Milligan WSC and Princeton submitted affidavits stating the correct acreages to be transferred.

Based on the mapping review by Hank Journeay, Infrastructure Division, the revised maps and digital mapping data submitted with Item 6 on January 24, 2023 are sufficient.

### **Transfer Portion of Milligan WSC to Princeton (Requested Areas 1-3)**

- The requested area includes 0 customer connections and approximately 0.53 acres of transferred area from Milligan WSC (CCN No. 10188) to Princeton (CCN No. 13195).
- The petition proposes the subtraction of approximately 0.53 acres from CCN No. 10188 and the addition of approximately 0.53 acres to CCN No. 13195.

### **Transfer Portion of Princeton to Milligan WSC (Requested Areas 4-6)**

- The requested area includes 0 customer connections and approximately 2.08 acres of

transferred area from Princeton (CCN No. 13195) to Milligan WSC (CCN No. 10188).

- The petition proposes the subtraction of approximately 2.08 acres from CCN No. 13195 and the addition of approximately 2.08 acres to CCN No. 10188.

The Petitioners submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c). Milligan WSC and Princeton submitted copies of their meeting minutes approving the agreement. Milligan WSC provided a copy of the agenda that was posted prior to the meeting. On January 20, 2023, both Petitioners also provided affidavits attesting to the dates that the respective meetings approving the agreement transpired.

Based on my technical review of the additional information filed by the Petitioners on February 7, 2023, I recommend that the petition be deemed administratively complete.