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Received - 2023-01-05 02:23:57 PM

Control Number - 54429

ItemNumber - 3

DOCKET NO. 54429

APPLICATION OF PALO DURO	§	PUBLIC UTILITY COMMISSION
SERVICE COMPANY DBA TRINITY	§	
RIVER ESTATES AND CITY OF	§	OF TEXAS
HUDSON OAKS FOR SALE,	§	
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN PARKER COUNTY	§	

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND NOTICE**

On December 6, 2022, Palo Duro Service Company dba Trinity River Estates (Palo Duro) and the City of Hudson Oaks (COHO) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Parker County.

On December 8, 2022, the administrative law judge (ALJ) filed Order No. 1, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the petition and notice by January 5, 2023. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and, as detailed in the attached memoranda from Jaspinder Singh, Infrastructure Division, Staff recommends that the application is administratively incomplete from a technical perspective. Staff further recommends that the Applicants be ordered to cure the deficiencies identified in Mr. Singh’s memorandum by February 6, 2023 and that Staff be given a deadline of March 8, 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 Applicants 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 the Applicants 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 the Applicants be ordered to file supplemental information to cure the deficiencies in the application by February 6, 2023. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: January 5, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Keith Rogas
Division Director

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/s/ Forrest Smith
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DOCKET NO. 54429

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 January 5, 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: Jaspinder Singh, Engineering Specialist
Infrastructure Division

DATE: January 5, 2023

RE: Docket No. 54429 – *Application of Palo Duro Service Company dba Trinity River Estates and City of Hudson Oaks for Sale, Transfer, or Merger of Facilities and Certificate Rights in Parker County*

Palo Duro Service Company dba Trinity River Estates (Palo Duro) and the City of Hudson Oaks (COHO) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Parker County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239.

Specifically, COHO, Certificate of Convenience and Necessity (CCN) No. 12273, seeks approval to acquire facilities and to transfer a portion of the water service area from Palo Duro under water CCN No. 12200

Based on the mapping review and my technical and managerial review of the information filed by the Applicants, I recommend that the application be deemed administratively incomplete and not accepted for filing due to the deficiencies detailed below:

Application Content:

The following deficiency must be remedied:

- Please clarify the intent of the application. It is unclear if Palo Duro is looking to transfer and decertify a portion of CCN No. 12200 that will result in single certification for the City of Hudson Oaks under CCN No. 12273 to serve Trinity River Estates Mobile Home Park.

Mapping Content:

Based on the mapping review by Mr. Babicki the maps submitted with Item 1 on December 20, 2022 are deficient.

Applicants 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 a shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet).

Staff recommends the Applicants obtain additional mapping guidance from the PUC's mapping staff, Dave Babicki by email at 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 the Applicants and draft a recommendation.