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DOCKET NO. 54464

APPLICATION OF ORANGE COUNTY	§	PUBLIC UTILITY COMMISSION
WATER CONTROL &	§	
IMPROVEMENT DISTRICT NO. 1	§	OF TEXAS
(LEXINGTON) TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN ORANGE	§	
COUNTY	§	

ORDER NO. 5
FINDING APPLICATION ADMINISTRATIVELY INCOMPLETE AND
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE

This Order addresses the administrative completeness of the March 22, 2023 application of Orange County Water Control & Improvement District No. 1 to amend its certificate of convenience and necessity (CCN) in Orange County. Orange County WCID filed supplemental information on February 28, 2023, which included an application for approval of the sale, transfer, or merger of facilities and certificate rights in Orange County.

On April 28, 2023, Commission Staff filed a supplemental recommendation on administrative completeness and notice and proposed procedural schedule.

The administrative law judge finds the application administratively incomplete and deficient. Under 16 Texas Administrative Code § 24.8(d), the Commission does not consider the application filed until it makes a determination that the application is administratively complete. Thus, at this time the application is not considered filed with the Commission.

By May 17, 2023, the parties must confer and determine the appropriate manner of processing for this proceeding. Specifically, because the transaction between Orange County WCID and Lexington Water Systems, Inc. occurred in 1995, the parties must determine which of the following is appropriate: (1) an application to decertify the certificated service area of Lexington Water Systems under CCN number 11560 and amend Orange County WCID's CCN number 10115 to include the area previously included in Lexington Water System's CCN number 11560; or (2) an application for approval of the sale, transfer, or merger.

By May 31, 2023, the applicants must supplement the application to cure the deficiencies as described in the April 28, 2023 memorandum of Patricia Garcia. Until the Commission receives

and reviews the supplemental information, the application cannot proceed. The applicants must not issue notice until the application is found administratively complete.

By June 30, 2023, Commission Staff must file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate. Commission Staff's recommendation must also include comments on whether it is appropriate to restyle this proceeding.

Signed at Austin, Texas the 1st day of May 2023.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'Isaac Ta', is written over a horizontal line.

**ISAAC TA
ADMINISTRATIVE LAW JUDGE**