



## **Filing Receipt**

**Filing Date - 2023-06-29 02:03:13 PM**

**Control Number - 54488**

**Item Number - 22**

**DOCKET NO. 54488**

<b>APPLICATION OF FOREST GLEN</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>UTILITY COMPANY TO AMEND ITS</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	<b>OF TEXAS</b>
<b>AND NECESSITY IN MEDINA</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

**ORDER NO. 6**  
**FINDING NOTICE DEFICIENT AND PROVIDING OPPORTUNITY TO CURE**

This Order addresses the sufficiency of the notice provided by that Forest Glen Utility Company.

On April 20, 2023, Forest Glen filed an affidavit of notice to current customers, landowners, neighboring utilities, and affected parties indicating that notice was sent on March 30 and April 4, 2023. Forest Glen also attached a list of the individuals and entities to whom notice was provided and included a copy of the notice and a copy of the maps.

The notice map Forest Glen used includes a different CCN which is not allowed on notice maps because in doing so the map does not clearly show the four requested areas to be amended in this application. On March 3, 2023, Forest Glen submitted maps that Commission Staff deemed sufficient during administrative review as AIS number 9. However, the notice did not use the approved maps.

Additionally, on April 6, 2023, Forest Glen filed a publisher's affidavit attesting that notice was published in the *Hondo Anvil Herald*, a newspaper of general circulation in Medina County, on March 30 and April 4, 2023. Forest Glen also filed the newspaper tear sheets to demonstrate publication. However, the published maps in the newspaper tear sheet show the boundaries of the requested area different than the maps submitted and recommended sufficient by Commission Staff on March 16, 2023.

On June 27, 2023, Commission Staff filed a recommendation on sufficiency of notice.

The administrative law judge (ALJ) finds the notice deficient. By July 28, 2023, Forest Glen must re-issue notice using the maps included under AIS number 9, and file proof of re-issued notice.

By August 11, 2023, Commission Staff must file a supplemental recommendation on the sufficiency of the notice.

Signed at Austin, Texas the 29th day of June 2023.

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK**  
**ADMINISTRATIVE LAW JUDGE**