



Filing Receipt

Filing Date - 2023-04-21 08:08:01 AM

Control Number - 54785

Item Number - 6

DOCKET NO. 54785

PETITION OF CASH SPECIAL UTILITY	§	PUBLIC UTILITY COMMISSION
DISTRICT AND ROYSE CITY FOR	§	
APPROVAL OF SERVICE AREA	§	OF TEXAS
CONTRACT UNDER TEXAS WATER	§	
CODE § 13.248 AND TO AMEND	§	
CERTIFICATES OF CONVENIENCE	§	
AND NECESSITY IN ROCKWALL	§	
COUNTY	§	

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

I. INTRODUCTION

On March 21, 2023, Cash Special Utility District (Cash SUD) and the City of Royse City (Royse City) (collectively, the Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend certificates of convenience and necessity in Rockwall County. Petitioners filed supplemental information on April 13, 2023.

On March 23, 2023, 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, and propose a procedural by April 21, 2023. Therefore, this pleading is timely filed.

II. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the Petitioners' petition and as detailed in the attached memorandum of Jaspinder Singh, Infrastructure Division, recommends that the petition be deemed administratively incomplete. Staff further recommends that the Petitioners be ordered to cure the deficiencies identified in Mr. Singh's memorandum by May 19, 2023, and that Staff be given a deadline of June 23, 2023, to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests adoption of these proposed deadlines as the noted deficiencies are related to mapping information and Staff's mapping experts may be required to assist the Petitioners regarding the supplemental mapping information needed to cure the mapping deficiencies and will require at least thirty days to review.

III. PROPOSED 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 petition be found administratively complete.

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, that the Petitioners be ordered to file supplemental information to cure the deficiencies in the petition by May 19, 2023, and that Staff be given a deadline of June 23, 2023, to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests the entry of an order consistent with these recommendations.

Date: April 21, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Kelsey Daugherty
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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 April 21, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Kelsey Daugherty
Kelsey Daugherty

Public Utility Commission of Texas

Memorandum

TO: Kelsey Daugherty, Attorney
Legal Division

FROM: Jaspinder Singh, Engineering Specialist
Infrastructure Division

DATE: April 21, 2023

RE: Docket No. 54785 – *Petition of Cash Special Utility District and Royse City for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Rockwall County*

On March 21, 2023, Cash Special Utility District (Cash SUD) and the City of Royse City (Royse City) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Cash SUD's water Certificate of Convenience and Necessity (CCN) No. 10824 and Royse City's water CCN No. 12827 in Rockwall County, Texas. The Petitioners' TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

Staff notes that the current style of this docket is "*Petition of Cash Special Utility District and Royse City for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Rockwall County.*" The legal utility name for Royse City in the Commission's records is City of Royse City. Staff requests that the style of the docket be changed to "*Petition of Cash Special Utility District and the City of Royse City for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Rockwall County.*"

Specifically, Cash SUD and Royse City entered into a contractual agreement which permits Royse City to provide water services within the agreed upon water certificated service area. The Petitioners will not transfer assets or facilities under the terms of the agreement.

Based on the mapping review and my technical review of the information filed by the Petitioners, I recommend that the petition 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 March 21, 2023 and the digital mapping data submitted with Item 2 on March 21, 2023 are deficient.

Petitioners 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).
- State the approximate acreage for the requested area to transfer from Cash SUD (CCN No. 10824) to City of Royse City (CCN No. 12827). This acreage should match the acreage calculated in the digital mapping data for the requested area to transfer.

Staff recommends the Petitioners 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 Petitioners and draft a recommendation.