



Filing Receipt

Filing Date - 2023-07-17 11:31:13 AM

Control Number - 54861

Item Number - 6

DOCKET NO. 54861

PETITION OF GREGG LANE DEV LLC § PUBLIC UTILITY COMMISSION
TO AMEND AQUA WATER SUPPLY §
CORPORATION'S CERTIFICATE OF § OF TEXAS
CONVENIENCE AND NECESSITY IN §
TRAVIS COUNTY BY STREAMLINED §
EXPEDITED RELEASE §

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

On April 17, 2023, Gregg Lane Dev LLC (Gregg Lane) filed a petition for streamlined expedited release from Aqua Water Supply Corporation's (Aqua WSC) water certificate of convenience and necessity (CCN) number 10294 under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Gregg Lane asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county. Gregg Lane filed supplemental information on June 19, 2023.

On May 19, 2023, the administrative law judge (ALJ) filed Order No. 2, establishing a deadline of June 26, 2023, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation on administrative completeness of the petition and notice and propose a procedural schedule. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the petition and as detailed in the attached memorandum from Chase Lipscomb, Infrastructure Division, recommends that the petition continues to be administratively incomplete. Staff further recommends that Gregg Lane be ordered to cure the deficiencies identified in Mr. Lipscomb's memorandum by July 31, 2023, and that Staff be given a deadline of August 15, 2023 to file a supplemental recommendation on the administrative completeness of the petition.

II. PROCEDURAL SCHEDULE

In accordance with Staff's deficiency recommendation as to the administrative completeness of the petition, 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.

I. CONCLUSION

For the reasons detailed above, Staff recommends that the petition be found administratively incomplete, and that Gregg Lane be ordered to file supplemental information to cure the deficiencies in the petition by July 31, 2023, and that Staff be given a deadline of August 15, 2023, to file a supplemental recommendation on the administrative completeness of the petition. Staff further recommends that the notice be found sufficient. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: July 17, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Kevin Pierce
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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on July 17, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Kevin Pierce

Kevin Pierce

Public Utility Commission of Texas

Memorandum

TO: Kevin Pierce, Attorney
Legal Division

FROM: Chase Lipscomb, Infrastructure Analyst
Infrastructure Division

DATE: July 17, 2023

RE: Docket No. 54861 – *Petition of Gregg Lane Dev LLC to Amend Aqua Water Supply Corporation's Certificate of Convenience and Necessity in Travis County by Streamlined Expedited Release*

On March 20, 2023, Gregg Lane Dev LLC (Gregg Lane) filed a petition for streamlined expedited release from Aqua Water Supply Corporation's (Aqua WSC) water Certificate of Convenience and Necessity (CCN) No. 10294 in Travis County, under Texas Water Code (TWC) § 13.2541(b) and 16 Texas Administrative Code (TAC) § 24.245(h). Gregg Lane asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Travis County, which is a qualifying county.

Based on the mapping review and my technical and managerial review of the additional information provided by Gregg Lane on June 19, 2023, I recommend the petition be deemed insufficient for filing and found administratively incomplete.

Petition Content:

The following deficiencies must be remedied:

1. Please provide a signed affidavit attesting to the documents provided in the petition. See docket 53253 item 1 pages 7 and 8 for reference.

Mapping Content:

Gregg Lane must submit the following items to resolve the mapping deficiencies:

- Digital mapping data for the tract of land, 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 Gregg Lane obtain additional mapping guidance from the PUC's mapping staff, Hank Journey by email at hank.journey@puc.texas.gov to resolve the mapping deficiencies.