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DOCKET NO. 55028

APPLICATION OF DRIFTWOOD	§	PUBLIC UTILITY COMMISSION
WATER CONSERVATION, LLC FOR	§	
AN EXEMPT UTILITY	§	OF TEXAS
REGISTRATION	§	

STAFF’S RECOMMENDATION ON ADMINISTRATIVE COMPLETENESS

On May 22, 2023, Driftwood Water Conservation, LLC (Driftwood) filed an application for an exempt utility registration in accordance with Texas Water Code § 13.242(c) and 16 Texas Administrative Code (TAC) § 24.229(e).

On May 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 regarding the administrative completeness of the application and notice, how the application should be process, and propose a procedural schedule, if necessary, by June 22, 2023. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed Driftwood’s application and as detailed in the attached memorandum of Jaspinder Singh, Infrastructure Division, recommends that the application be deemed administratively incomplete. Staff recommends that Driftwood be ordered to cure the deficiencies identified in Mr. Singh’s memorandum by July 22, 2023, and that Staff be given a deadline of August 22, 2023, to file a supplemental recommendation on the administrative completeness of the application. 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 Driftwood 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.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively incomplete, and that Driftwood be ordered to file supplemental information to cure the deficiencies in the application by June 22, 2023. Staff respectfully requests the entry of an order consistent with these recommendations.

Date: June 22, 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 was provided to all parties of record via electronic mail on June 22, 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: Jaspinder Singh, Engineering Specialist
Infrastructure Division

DATE: June 22, 2023

RE: Docket No. 55028 – *Application of Driftwood Water Conservation, LLC for an Exempt Utility Registration*

On May 22, 2023, Driftwood Water Conservation, LLC (Driftwood Water), filed an application for registration of an exempt utility under 16 Texas Administrative Code (TAC) § 24.229(e). The requested area includes 8 connections.

Under 16 TAC § 24.229(e), a utility is exempt from the requirement to possess a certificate of convenience and necessity (CCN) in order to provide retail water service if it has less than 15 potential service connections. Based on the information provided, it appears Driftwood Water has less than 15 potential retail water service connections. Driftwood Water asserts there are 8 active water connections.

Based on the mapping review by Hank Journeay, Infrastructure Division, and my technical review of the information filed by Driftwood Water, I recommend that the application be deemed administratively incomplete and not accepted for filing.

Mapping Content:

Based on the mapping review by Hank Journeay, Infrastructure Division, the maps submitted with Item 1 on May 22, 2023 are deficient.

Driftwood Water 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 Driftwood Water 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.

Staff will need at least 30 days to review the documentation, maps, and digital data provided by Driftwood Water and draft a recommendation.