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DOCKET NO. 55045

APPLICATION OF CITY OF FORT	§	PUBLIC UTILITY COMMISSION
WORTH TO AMEND A CERTIFICATE	§	
OF CONVENIENCE AND NECESSITY	§	OF TEXAS
AND FOR DUAL CERTIFICATION	§	
WITH THE CITY OF HURST IN	§	
TARRANT COUNTY	§	

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

On May 25, 2023, the City of Fort Worth (Fort Worth) filed an application to amend sewer Certificate of Convenience and Necessity (CCN) No. 12311 and for dual certification with the City of Hurst in Tarrant County. Fort Worth filed supplemental information on July 26, 2023.

On June 26, 2023, the administrative law judge (ALJ) filed Order No. 2 directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a supplemental recommendation regarding the administrative completeness of the application, along with a proposed procedural schedule, if appropriate, by August 25, 2023. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Jaspinder Singh, Infrastructure Division, recommends that the application is incomplete from a managerial and technical perspective. Staff recommends that Fort Worth be ordered to cure the deficiencies by September 25, 2023, and that Staff be given a deadline of October 25, 2023 to file a supplemental recommendation on the administrative completeness of the application.

Staff respectfully requests adoption of these proposed deadlines as some of the noted deficiencies are related to mapping information, and Staff's mapping experts may be required to assist Fort Worth 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. Staff notes that Fort Worth should not issue notice until the application is deemed sufficient.

III. CONCLUSION

For the reasons detailed above, Staff recommends that the supplemented application be found administratively incomplete and that Fort Worth be ordered to file supplemental information to cure the deficiencies in the application by September 25, 2023. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: August 25, 2023

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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/s/ Margaux Fox
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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 August 25, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Margaux Fox
Margaux Fox

Public Utility Commission of Texas

Memorandum

TO: Margaux Fox, Attorney
Legal Division

FROM: Jaspinder Singh, Engineering Specialist
Infrastructure Division

DATE: August 25, 2023

RE: Docket No. 55045 – *Application of City of Fort Worth to Amend a Certificate of Convenience and Necessity and for Dual Certification with the City of Hurst in Tarrant County*

On May 25, 2023, City of Fort Worth (Fort Worth) filed with the Public Utility Commission of Texas (Commission) an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12311 in Tarrant County, Texas under Texas Water Code (TWC) §§ 13.242 through 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 through 24.237. Specifically, Fort Worth is seeking to amend its water CCN No. 12311 and to obtain a dual certification with the City of Hurst (Hurst) CCN No. 10104.

Based on the mapping review and my technical and managerial review of the additional information filed by Fort Worth on July 26, 2023, 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 revised maps and digital mapping data submitted with Item 5 on July 26, 2023 are deficient.

Fort Worth 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 Fort Worth obtain additional mapping guidance from the PUCT's mapping staff, Hank Journeay, by email at hank.journeay@puc.texas.gov to resolve the mapping

deficiencies. In addition, the applicant is advised to carefully review the PUCT's CCN Mapping Information webpage at:
<https://www.puc.texas.gov/industry/water/utilities/gis.aspx>.

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