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DOCKET NO. 55142

PETITION OF CENTURY LAND HOLDINGS II, LLC AND GRBK EDGEWOOD, LLC TO DECERTIFY A PORTION OF AQUA WATER SUPPLY CORPORATION'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN BASTROP COUNTY	§ § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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COMMISSION STAFF'S COMMENTS ON ADMINISTRATIVE COMPLETENESS AND PROPOSED NOTICE

On June 14, 2023, Century Land Holdings II, LLC and GRBK Edgewood, LLC (jointly, Petitioners) filed a petition to decertify a portion of Aqua Water Supply Corporation's certificate of convenience and necessity number 10294 in Bastrop County.

On June 15, 2023, the administrative law judge (ALJ) filed Order No. 1, requiring Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the petition, determine the appropriate form and method of notice, if any, file a recommendation regarding how to proceed with the petition, and propose a procedural schedule by July 14, 2023. 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 be found administratively incomplete at this time. Staff recommends that the Petitioners be ordered to cure the deficiencies identified in the attached memorandum from Mr. Lipscomb by August 14, 2023, and that Staff be given a deadline of September 14, 2023, to file a supplemental recommendation on the administrative completeness of the petition, determine the appropriate form and method of notice, if any, file a recommendation regarding how to proceed with the petition, and propose a procedural schedule.

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 the Petitioners 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 petition at this time. Staff intends to propose a procedural schedule alongside a subsequent recommendation that the petition be found administratively complete.

III. 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 August 14, 2023, and that Staff be given a deadline of September 14, 2023, to file a supplemental recommendation on the administrative completeness of the petition, determine the appropriate form and method of notice, if any, file a recommendation regarding how to proceed with the petition, and propose a procedural schedule. Staff respectfully requests an order consistent with these recommendations.

Date: July 14, 2023

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Marisa Lopez Wagley
Division Director

/s/ David Berlin

David Berlin
State Bar No. 24126088
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7442
(512) 936-7268 (facsimile)
David.Berlin@puc.texas.gov

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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 14, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ David Berlin
David Berlin

Public Utility Commission of Texas

Memorandum

TO: David Berlin, Attorney
Legal Division

FROM: Chase Lipscomb, Infrastructure Analyst
Infrastructure Division

DATE: July 14, 2023

RE: Docket No. 55142 – *Petition of Century Land Holdings II, LLC and GRBK Edgewood, LLC to Decertify a Portion of Aqua Water Supply Corporation's Certificate of Convenience and Necessity in Bastrop County*

On June 15, 2023, Century Land Holdings II, LLC and GRBK Edgewood, LLC (collectively, Petitioners) filed a petition to decertify a portion of its water Certificate of Convenience and Necessity (CCN) No. 10294 in Bastrop County, Texas under Texas Water Code (TWC) § 13.254(a) and 16 Texas Administrative Code (TAC) § 24.245(d).

Based on my technical and managerial review of the information filed by Petitioners, I recommend that the petition be deemed administratively incomplete and not accepted for filing due to the following deficiencies.

Petition Content:

Please clarify the relationship between the Petitioners and the Elgin Municipal Utility District No. 1 and No. 2.

Mapping Content:

Based on the mapping review by Dave Babicki, Infrastructure Division, the maps and digital mapping data submitted with Item 1 on June 14, 2023, are deficient. Petitioner must submit the following items to resolve the mapping deficiencies:

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).

Staff recommends the Petitioners obtain additional mapping guidance from the PUCT's mapping staff, Dave Babicki by email at dave.babicki@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>.

Note: Any confidential items should be submitted as confidential filings with the PUC. The instructions for filing confidential documents can be found on our website at: (<http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>).