



Filing Receipt

Filing Date - 2023-09-15 10:59:04 AM

Control Number - 55366

Item Number - 3

DOCKET NO. 55366

APPLICATION OF AQUA WATER	§	PUBLIC UTILITY COMMISSION
SUPPLY CORPORATION TO	§	
DECERTIFY A PORTION OF ITS	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN BASTROP	§	
COUNTY	§	

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

On August 15, 2023, Aqua Water Supply Corporation (Aqua WSC) filed a petition to decertify a portion of its sewer Certificate of Convenience and Necessity (CCN) No. 20962 in Bastrop County under Texas Water Code (TWC) § 13.254(a) and 16 Texas Administrative Code (TAC) § 24.245(d).

On August 16, 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 and determine the appropriate form and method of notice, if any, and file a recommendation regarding how to proceed with the petition, along with a proposed procedural schedule by September 15, 2023. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and, as detailed in the attached memorandum from Patricia Garcia, of the Infrastructure Division, recommends that the application be found administratively incomplete at this time. Staff recommends that Aqua WSC be ordered to cure the deficiencies identified in the attached memorandum from Ms. Garcia by October 16, 2023, and that Staff be given a deadline of November 15, 2023, to file a supplemental recommendation on the administrative completeness of the application.

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 Aqua WSC be ordered to file supplemental information to cure the deficiencies in the petition by October 16, 2023, and that Staff be given a deadline of November 15, 2023, to file a supplemental recommendation on the administrative completeness of the petition. Staff respectfully requests an order consistent with these recommendations.

Dated: September 15, 2023

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Marisa Lopez Wagley
Division Director

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/s/ Dylan King
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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 September 15, 2023, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Dylan King
Dylan King

Public Utility Commission of Texas

Memorandum

TO: Dylan King, Attorney
Legal Division

FROM: Patricia Garcia, Infrastructure Analysis Section Director
Infrastructure Division

DATE: September 15, 2023

RE: Docket No. 55366 – *Application of Aqua Water Supply Corporation to Decertify a Portion of Its Certificate of Convenience and Necessity in Bastrop County*

On August 15, 2023, Aqua Water Supply Corporation (Aqua WSC) filed a petition to decertify a portion of its sewer Certificate of Convenience and Necessity (CCN) No. 20962 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 Aqua WSC, I recommend that the petition be deemed administratively incomplete and not accepted for filing due to the following deficiencies:

Petition Content:

TAC § 24.245(d)(2)(A) states a retail public utility requesting revocation of a portion of their CCN must provide notice and a map of the affected area to customers and landowners inside the affected area at the time the petition is filed with the Commission. If notice was provided, please provide a copy of the notice, map, and signed affidavit indicating who notice was provided to. If notice has not been provided, please do not provide notice until Staff deems the application sufficient.

Mapping Content:

Based on the mapping review by Hank Journeay, Infrastructure Division, the maps and digital mapping data submitted with Item 1 on August 15, 2023 are deficient.

Applicant 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 Applicant obtain additional mapping guidance from the PUCT's mapping staff, Hank Journey, by email at hank.journey@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>.