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DOCKET NO. 55373

APPLICATION OF MCLENNAN	§	PUBLIC UTILITY COMMISSION
COUNTY WATER CONTROL AND	§	
IMPROVEMENT DISTRICT NO. 2 TO	§	OF TEXAS
AMEND ITS CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	
AND FOR DUAL CERTIFICATION	§	
WITH CITY OF WACO IN	§	
MCLENNAN COUNTY	§	

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

On August 16, 2023, McLennan County Water Control and Improvement District No. 2 (McLennan County WCID No. 2) filed an application to obtain certificates of convenience and necessity (CCNs) in McLennan County and for dual certification of a portion of the City of Waco's water CCN No. 10039 and sewer CCN No. 20010. McLennan County WCID No. 2 filed supplemental information on August 18, 2023, January 26, 2024, March 25, 2024, September 25, 2024, October 22, 2024, and December 2, 2024.

On October 30, 2024, the administrative law judge (ALJ) issued Order No. 8, 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 January 2, 2025. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff reviewed the application and supplemental information and, as detailed in the attached memorandum from Jaspinder Singh of the Infrastructure Division recommends that the supplemented application is administratively incomplete from a technical and managerial perspective. Staff further recommends that McLennan County WCID No. 2 be ordered to cure the deficiencies listed in Mr. Singh's memoranda by February 3, 2025, and for Staff to be given a deadline of March 5, 2025, 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 McLennan County WCID No. 2 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 McLennan County WCID No. 2 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, that McLennan County WCID No. 2 be ordered to cure the deficiencies by February 3, 2025, and for Staff to be given a deadline of March 5, 2025, to file a supplemental recommendation on the administrative completeness of the application. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: January 2, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Garrett Sharp
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DOCKET NO. 55373

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 January 2, 2025, in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Garrett Sharp
Garrett Sharp

Public Utility Commission of Texas

Memorandum

TO: Garrett Sharp, Attorney
Legal Division

FROM: Jaspinder Singh, Engineering Specialist
Infrastructure Division

DATE: January 2, 2024

RE: Docket No. 55373 – *Application of McLennan County Water Control and Improvement District No. 2 to Amend Its Certificate of Convenience and Necessity and for Dual Certification with City of Waco in McLennan County*

On August 16, 2023, McLennan County Water Control and Improvement District 2 (McLennan County WCID No. 2 or Applicant) filed with the Public Utility Commission of Texas (Commission) an application to obtain new water and sewer certificates of convenience and necessity (CCN) in McLennan County, Texas under Texas Water Code (TWC) §§ 13.242 through 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 through 24.237 and for dual certification with a portion of the City of Waco's (Waco) water CCN No. 10039 and sewer CCN No. 20010.

Based on the mapping review and my technical and managerial review of the additional information filed by McLennan County WCID No. 2 on August 18, 2023, January 26, 2024, March 25, 2024, September 25, 2024, and December 2, 2024, I recommend that the application be deemed administratively incomplete and not accepted for filing.

Application and Mapping Content:

Based on the review of the maps, digital mapping data, and updated application content filed in Item 24 on December 2, 2024, by Hank Journeay, Infrastructure Division, the Applicant is seeking dual certification between McLennan County WCID No. 2 (New Water and Sewer CCN Nos.) and Waco (CCN Nos. 10039 and 20010) under 16 TAC § 24.233(a)(12). Therefore, the Applicant must file one the following items below:

1. A statement of why dual certification between McLennan County WCID No. 2 (New Water and Sewer CCN Nos.) and Waco (CCN Nos. 10039 and 20010) is in the public interest. The statement should also include the approximate total acreage for dual certification as calculated in the digital mapping data filed in Item 24 on December 2, 2024. Please use NAD1983 State Plane Coordinate System (US Feet) to calculate the approximate total acreage; or
2. A signed dual certification agreement between McLennan County WCID No. 2 and

Waco stating the following:

- a. McLennan County WCID No. 2 (New Water and Sewer CCN Nos.) is seeking dual certification with Waco (CCN Nos. 10039 and 20010); and
- b. The approximate total acreage agreed upon for dual certification as calculated in the digital mapping data filed in Item 24 on December 2, 2024; and
 - i. Please use NAD1983 State Plane Coordinate System (US Feet) to calculate the approximate total acreage used in the dual certification agreement.
- c. The revised general location map and revised detailed map filed in Item 24 on December 2, 2024, correctly identifies the requested area for dual certification between McLennan County WCID No. 2 (New Water and Sewer CCN Nos.) and Waco CCN Nos. 10039 and 20010).