

**Practice Directive #1 –Applications for Certificate of Public Convenience and
Necessity and Amendments
Comptroller of Water Rights, *Water Utility Act***

This practice directive is issued under Section 12 of the *Administrative Tribunals Act*. The directive sets out the usual time periods for completing an application for a Certificate of Public Convenience and Necessity and for the various procedural steps within that application. It also sets out the usual time period for release of the Comptroller's final Decision with Reasons and Order after the hearing of the application is completed.

1. *Acknowledging receipt of and notification of any defect in an application*

The Comptroller's staff will acknowledge it has received an application for a Certificate of Public Convenience and Necessity by sending the applicant a written confirmation* within 40 days of receipt, and conduct of a cursory review of the application during that time. If the application appears to not meet any filing condition or requirement, the Comptroller's staff will also notify the applicant of any steps the applicant is required to take to properly complete the application, along with any completion deadlines.

The confirmation and notice will be sent by ordinary mail, fax or e-mail to the location, number, or address set out on the application. The confirmation of receipt may also set out any requirements for the applicant to notify other persons about the application.

**A confirmation of receipt does not mean that the Comptroller accepts that the application is filed within time, or that it meets any or all conditions or requirements for the application to be accepted as properly filed. It is up to the applicant to make sure that the application is fully and properly completed before any filing deadline.*

2. *Notifying other parties of receipt of an application*

Where the application requires notification of other parties, the Comptroller's staff will, within 40 days of receiving a complete application, authorize the applicant to notify the other parties with a copy of the notification to be submitted to the Comptroller within 21 days after notification is given. Notification will be done by an advertisement in a local newspaper and/or sent by ordinary mail, fax or e-mail to the other parties' location(s), number(s), or address(es) as directed by the Comptroller. The complete application must be made available for all interested parties to view and at least 28 days must be given for objections to be submitted to the Comptroller.

3. *Hearing to be scheduled*

If a public hearing is to be held, the Comptroller will make best efforts to schedule the hearing within 90 days of his/her decision to conduct a public hearing. The Comptroller will decide if the public hearing will be in person or in writing, and will advise all parties of when, where and how the parties can participate in the hearing, at least 30 days before the hearing. Notice will be provided by advertisement in a local newspaper and/or sent to the parties by ordinary mail, fax or e-mail to the location(s), number(s), or address(es) as set out on the application or as the Comptroller directs.

4. *Final Decision to be made and sent*

After a complete application is received and the objection period is over, if no further information is required and no public hearing is held, the Comptroller will make his/her best efforts to render a final decision in writing within 80 days. If a public hearing is held, the Comptroller will make his/her best efforts to render a Decision with Reasons and Order within 80 days of conclusion of the hearing. Notification of the decision will be made by mail, fax or e-mail to the location, number, or address set out on the application or as the parties may advise.