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DOCKET NO. 42935

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APPLICATION OF MANVILLE §
WATER SUPPLY CORPORATION §
AND LAKESIDE WATER CONTROL §
AND IMPROVEMENT DISTRICT 2D §
FOR APPROVAL OF A SERVICE §
AGREEMENT IN TRAVIS COUNTY §
(37796-C) §

PUBLIC UTILITY COMMISSION
OF TEXAS
PUBLIC UTILITY COMMISSION
FILING CLERK

NOTICE OF APPROVAL

This Notice addresses the amended application of Lakeside Water Control and Improvement District 2D and Manville Water Supply Corporation for approval of a contract service agreement (CSA) in Travis County. Commission Staff recommended approval of the application, as amended. The application, as amended, is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History and Background

1. On November 18, 2013, Lakeside and Manville submitted a CSA to the Texas Commission on Environmental Quality (TCEQ) for approval.
2. On September 1, 2014, functions relating to the economic regulation of water and sewer utilities were transferred from the TCEQ to the Commission. This application once pending at TCEQ is now before the Commission for consideration.
3. The application was clarified and/or amended on February 19 and 23, 2015, May 22, 2015, July 31, 2015, October 1, 2015, December 4, 2015, February 10, 2016, March 16, 2016, May 19, 2016, July 14, 2016, and August 11 and 30, 2016.
4. Approval of the application, as amended on May 22, 2015, would result in Lakeside being granted water and sewer certificates of convenience and necessity in Travis County, and the same service area being transferred from and/or decertified from the water and sewer certificated service areas of Manville and Pflugerville. This docket was not re-styled.

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5. On May 19, 2016, Pflugerville's signed consent to the decertification of the portions of its sewer CCN that overlap with the Lakeside was provided.
6. On October 5, 2016, Order No. 18 was issued, deeming the application, as amended, administratively complete, addressing notice, and establishing a procedural schedule.
7. On November 29, 2016, Lakeside submitted a signed consent form evidencing agreement with the revised water and sewer maps and certificates, as prepared by Commission Staff.
8. On December 5, 2016, Pflugerville submitted a signed consent form evidencing agreement with the revised water and sewer maps and certificates, as prepared by Commission Staff.
9. On December 7, 2016, Manville submitted a signed consent form evidencing agreement with the revised water and sewer maps and certificates, as prepared by Commission Staff.
10. On December 12, 2016, Commission Staff recommended approval of the application, as amended, and provided copies of the revised water and sewer service area maps and certificates for Lakeside, Manville, and Pflugerville, and consents thereto.
11. The revised maps and certificates discussed in findings of fact 7, 8, 9 and 10 are attached to this Notice.
12. On December 12, 2016, Commission Staff filed a joint proposed notice of approval and motion to admit evidence.
13. On January 19, 2017, Order No. 20 was issued, admitting evidence into the record.

Notice

14. Notice was provided by publication in *The Pflugerville Pflag* on October 12 and 19, 2016, and in the *Round Rock Leader* on October 13 and 20, 2016. The publisher's affidavit, dated November 2, 2016, and signed by Alejandro Cado, the legal advertising representative of *The Pflugerville Pflag* and *Round Rock Leader*, attested to this notice.
15. On October 27, 2016, Lakeside mailed notice of the application to neighboring systems, landowners, cities, and to neighboring utilities and affected parties.
16. On November 4, 2016, Lakeside provided proof of notice.

Description of the Application

17. Lakeside seeks to obtain water and sewer certificates for approximately 307 acres in Travis County and to have the requested water and sewer service areas transferred or decertified from Manville's water certificate 11444 and Pflugerville's sewer certificate 20678.
18. The requested service area is in two non-contiguous parts; one generally south of Cele Road and east of Weiss Lane, the other generally north of Cele Road and west of Hodde Lane.
19. There are approximately 738 current water and sewer customers with an anticipated final connection count of 1,092 in the requested service area.
20. Lakeside owns all of the water distribution and sewer collection facilities in the requested service area.
21. Lakeside is currently and will continue to be the provider of retail water and sewer service in the requested service area.
22. Manville provides and will continue to provide wholesale water service to Lakeside.
23. Pflugerville provides and will continue to provide wholesale wastewater service to Lakeside.
24. Lakeside has a TCEQ-approved Public Water System.
25. Lakeside demonstrated adequate financial and managerial capacity to provide service to the area.

Informal Disposition

26. The only parties to this proceeding are Commission Staff, Manville, and Lakeside.
27. More than 15 days have passed since completion of the notice.
28. No issues of fact or law are disputed by any party; therefore, no hearing is necessary.
29. The requirements for information disposition under 16 Texas Administrative Code § 22.35 (TAC) have been met in this proceeding.

II. Conclusions of Law

1. The Commission has jurisdiction and authority over this docket under Texas Water Code §§ 13.041 and 13.241 and 16 TAC § 24.102.
2. Lakeside and Manville are retail public utilities as defined in TWC § 13.002(19) and 16 TAC § 24.3(58).
3. Public notice of the application was provided in compliance with TWC § 13.246 and 16 TAC § 24.106.
4. After considering the factors in TWC § 13.246(c), Lakeside has demonstrated adequate financial, managerial and technical capability for providing continuous and adequate service to the requested water and sewer service areas, as required 16 TAC § 24.102.
5. The application, as amended, meets the requirements set forth in TWC §§ 13.241, 13.244 and 13.246, and 16 TAC §§ 24.101-24.102 and 24.104-24.106.
6. Lakeside and Manville are entitled to approval of the application, as amended, having demonstrated that new water and sewer certificates for Lakeside and partial decertification of Manville's water certificate and Pflugerville's sewer certificate, as requested in this application, are necessary for the service, accommodation, convenience, and safety of the public as required by TWC § 13.246(b) and 16 TAC § 24.102(c).
7. Under TWC § 13.257(r) and 16 TAC § 24.106(f), Lakeside, Manville, and Pflugerville are each required to record a certified copy of their respective approved certificate and map, along with a boundary description of the service area, in the real property records of each county in which the service area or a portion of the service area is located, and submit to the Commission evidence of the recording.
8. The requirements for informal disposition as required by 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

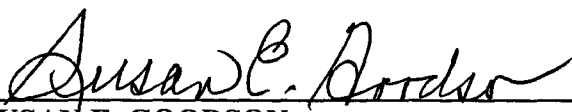
In accordance with these findings of fact and conclusions of law, the Commission issues the following orders:

1. The application, as amended, is approved.

2. Lakeside is granted water certificate 13253 in Travis County, consistent with this Notice.
3. Lakeside shall serve every water customer and applicant for water service within the areas certified under certificate 13253, and such service shall be continuous and adequate.
4. Lakeside is granted sewer certificate 21100 in Travis County, consistent with this Notice.
5. Lakeside shall serve every customer and applicant for sewer service within the areas certified under certificate 21100, and such service shall be continuous and adequate.
6. Manville's water certificate 11444 is amended, consistent with this Notice.
7. Manville shall continue to serve every customer and applicant for water service within the areas certified under certificate 11444, and such service shall be continuous and adequate.
8. Pflugerville's sewer certificate 20678 is amended, consistent with this Notice.
9. Pflugerville shall continue to serve every customer and applicant for sewer service within the areas certified under certificate 20678, and such service shall be continuous and adequate.
10. Lakeside, Manville, and Pflugerville shall comply with the recording requirements in TWC § 13.257(r) for the areas in Travis County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
11. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

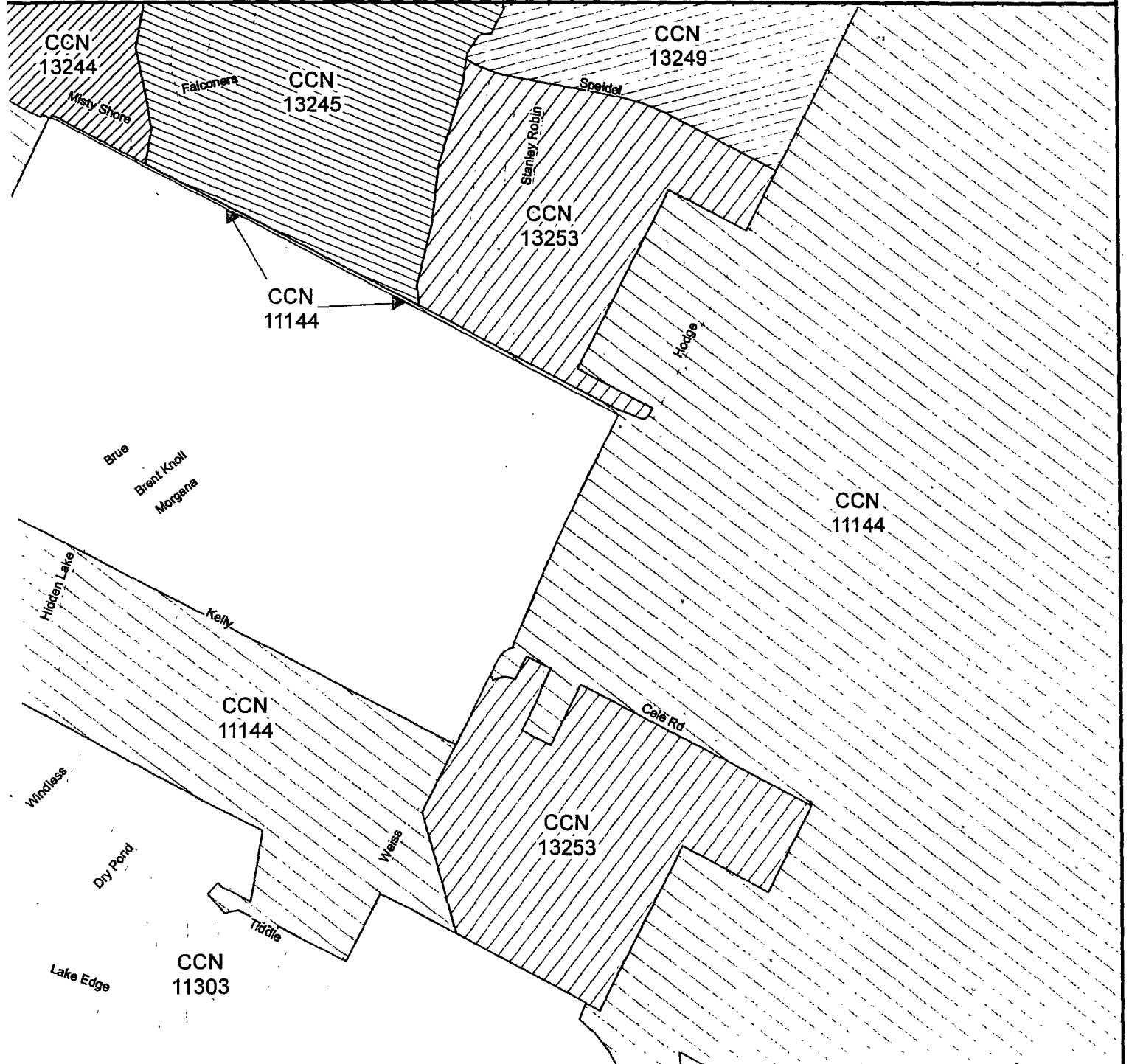
Signed at Austin, Texas on the 19th day of January 2017.

PUBLIC UTILITY COMMISSION OF TEXAS





 SUSAN E. GOODSON
 ADMINISTRATIVE LAW JUDGE

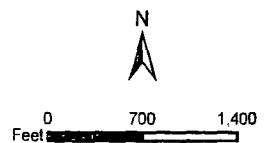
Lakeside Water Control Improvement District 2D
 Water Service Area
 CCN No. 13253
 PUC Docket No. 42935
 Obtained New CCN and Decertified a Portion of
 Manville WSC, CCN No. 11144 in Travis County



Water CCN Service Areas

-  13253 - Lakeside WCID 2D
-  13244 - Lakeside WCID 2B
-  11144 - Manville WSC
-  13245 - Lakeside WCID 2C
-  13249 - Lakeside WCID 2A

11303 - City of Pflugerville





Public Utility Commission Of Texas

By These Presents Be It Known To All That

Lakeside Water Control Improvement District 2D

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Lakeside Water Control Improvement District 2D, is entitled to this

Certificate of Convenience and Necessity No. 13253

to provide continuous and adequate sewer utility service to that service area or those service areas in Travis County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42935 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Lakeside Water Control Improvement District 2D, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 19th day of January 2017.



Public Utility Commission Of Texas

By These Presents Be It Known To All That

Manville Water Supply Corporation

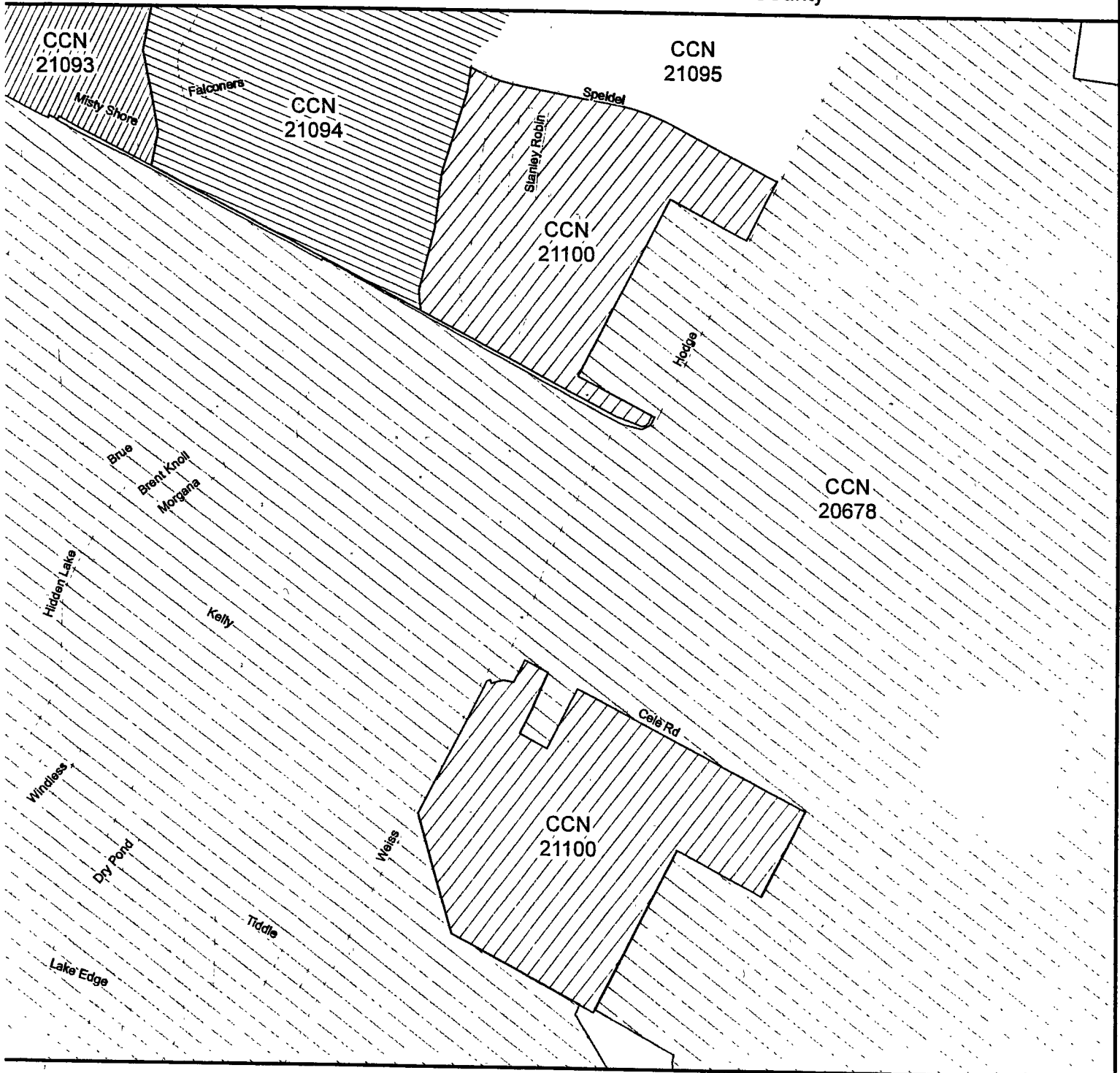
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Manville Water Supply Corporation, is entitled to this:

Certificate of Convenience and Necessity No. 11444

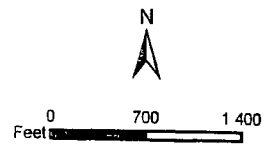
to provide continuous and adequate sewer utility service to that service area or those service areas in Lee, Travis and Williamson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42935 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Manville Water Supply Corporation, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 19th day of January 2017.

Lakeside Water Control Improvement District 2D
 Sewer Service Area
 CCN No. 21100
 PUC Docket No. 42935
 Obtained New CCN and Decertified a Portion of
 City of Pflugerville, CCN No. 20678 in Travis County



- Sewer CCN Service Areas**
- 21100 - Lakeside WCID 2D
 - 20678 - City of Pflugerville
 - 21093 - Lakeside WCID 2B
 - 21094 - Lakeside WCID 2C





Public Utility Commission Of Texas

By These Presents Be It Known To All That

Lakeside Water Control Improvement District 2D

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Lakeside Water Control Improvement District 2D, is entitled to this:

Certificate of Convenience and Necessity No. 21100

to provide continuous and adequate sewer utility service to that service area or those service areas in Travis County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42935 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Lakeside Water Control Improvement District 2D, to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 19th day of January 2017.



Public Utility Commission Of Texas

By These Presents Be It Known To All That

City of Pflugerville

having obtained certification to provide sewer utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Pflugerville, is entitled to this

Certificate of Convenience and Necessity No. 20678

to provide continuous and adequate sewer utility service to that service area or those service areas in Travis and Williamson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 42935 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the City of Pflugerville to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 19th day of January 2017.