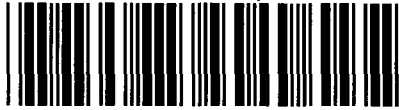




Control Number: 42958



Item Number: 64

Addendum StartPage: 0

**DOCKET NO. 42958**

**APPLICATION OF AQUA UTILITIES, §  
INC. AND AQUA TEXAS, INC. D/B/A §  
AQUA TEXAS FOR SALE, TRANSFER, §  
OR MERGER OF FACILITIES AND TO §  
AMEND CERTIFICATES OF §  
CONVENIENCE AND NECESSITY IN §  
CHAMBERS, JEFFERSON, AND §  
LIBERTY COUNTIES (GRAY UTILITY §  
SERVICE WATER SYSTEM; 37943-S) §**

**PUBLIC UTILITY COMMISSION**

**OF TEXAS**

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**COMMISSION STAFF'S CLARIFICATION**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Clarification. In support thereof, Staff shows the following:

**I. BACKGROUND**

On June 4, 2014, Aqua Utilities, Inc. dba Aqua Texas (Seller or Aqua Utilities) and Aqua Texas dba Aqua Texas Inc. (Buyer or Aqua Texas) (collectively, Applicants) submitted an application with the Texas Commission on Environmental Quality (TCEQ) to transfer portions of water service areas and water system assets held by Aqua Utilities CCN No. 11157 to Aqua Texas CCN No. 13203 in Chambers, Jefferson and Liberty Counties pursuant to Tex. Water Code Ann. § 13.301 and Title 16, Tex. Admin. Code (16 TAC) §§ 24.109 and 24.112.

On April 10, 2017, the Administrative Law Judge issued Order No. 19 requiring Staff to clarify and confirm the public water systems (PWS) that are included in this application by April 17, 2017. Accordingly, this pleading is timely filed.

**II. STAFF'S RECOMMENDATION**

As supported by the attached memorandum from Debbie Reyes Tamayo, Program Specialist with the Water Utility Regulation Division, Staff clarifies and confirms the following:

- Towering Oaks I Subdivision, PWS No. 1460145, is a part of the transfer and was mistakenly left out of the final recommendation.
- The correct PWS ID number for Oak Meadows II Subdivision is 1460096.
- The correct PWS ID number for Oak Meadows III Subdivision is 1460100.
- Icet Cove was referenced in this application at the Applicants' request to identify service area that is part of the transfer. Icet Cove has also been referenced in previous applications and it would be consistent to reference it in this application as well. Icet

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Cove is additional service area that is part of the transfer without PWS facilities yet and without an associated PWS ID number.

The following PWS are included in this application:

<b>PWS #</b>	<b>TCEQ System Name</b>	<b>SUBDIVISION/ AREA SERVED</b>	<b>COUNTY</b>	<b>RATE REGION</b>
0360005	Gray Utility Service	Cove at Cotton Creek Creeside at Cotton Creek Cotton Creek Gas Station Icet Cove Joseph's Cove Lanai Maley Woods Strip Center Commercial Development The Veranda Travel Park	Chambers	SE/Gray
0360081	Leaning Oaks Water Association	Leaning Oaks Water Association	Chambers, Liberty	SE/Gray
0360084	Trinity Cove Subdivision	Trinity Cove	Chambers	SE/Gray
0360093	Carriage Trail Subdivision	Carriage Trail	Chambers	SE/Gray
0360100	Hackberry Creek Subdivision	Hackberry Creek	Chambers	SE/Gray
***0360122	Barrow Ranch	Barrow Ranch Barrow Ranch Estates Legends Bay Southwind	Chambers	SE/Gray
1230083	Sunchase Subdivision	South Fork Sunchase Estates	Jefferson	SE/Gray
1460096	Oak Meadows II Subdivision	Oak Meadows II	Liberty	SE/Gray
1460100	Oak Meadows III Subdivision	Oak Meadows III	Liberty	SE/Gray
1460137	Webb Way Subdivision	Webb Way	Liberty	SE/Gray
1460145	Towering Oaks I	Towering Oaks I Towering Oaks II Cedar Lane	Liberty	SE/Gray

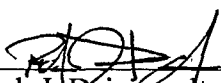
**Dated: April 13, 2017**

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director


Karen S. Hubbard  
Managing Attorney

  
\_\_\_\_\_  
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**DOCKET NO. 42958**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on April 13, 2017, in accordance with 16 TAC § 22.74.

  
\_\_\_\_\_  
Ralph J. Daigneault

## PUC Interoffice Memorandum

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**To:** Ralph Daignéault, Attorney  
Legal Division

**Thru:** Tammy Benter, Director  
Lisa Fuentes, Manager  
Water Utilities Division

**From:** Debbie Reyes Tamayo, Program Specialist  
Water Utilities Division

**Date:** April 13, 2017

**Subject:** **Docket No. 42958;** *Application of Aqua Utilities, Inc. and Aqua Texas, Inc. d/b/a Aqua Texas for Sale, Transfer and Merger of Facilities and to Amend Certificates of Convenience and Necessity (CCN) in Chambers, Jefferson and Liberty Counties (37943-S)*

On June 4, 2014, Aqua Utilities, Inc. dba Aqua Texas (Seller) and Aqua Texas, Inc. dba Aqua Texas (Buyer) (collectively, Applicants) submitted an application with the Texas Commission on Environmental Quality (TCEQ) to transfer portions of water service areas and water system assets held by Aqua Utilities, Inc., CCN No. 11157 to Aqua Texas, Inc., CCN No. 13203 in Chambers, Jefferson and Liberty Counties. As a result of the transaction, both the Buyer's and Seller's water CCNs will be amended to reflect the transfer. The application was filed pursuant to the criteria in the Tex. Water Code §§ 13.241, 13.246, and 13.301 (TWC). On September 1, 2014, the rates and CCN programs were transferred from the TCEQ to the Public Utility Commission (PUC or Commission). This application was part of the transfer and is now under the PUC's purview. The application is now being reviewed under 16 Tex. Admin. Code §§ 24.102, 24.109 and 24.112 (TAC) and TWC §§ 13.241, 13.246 and 13.301.

Order No. 19 requires Commission Staff to provide clarification regarding the public water systems (PWS) included in this application.

- Towering Oaks I Subdivision, PWS No. 1460145, is a part of the transfer and was mistakenly left out of the final recommendation.
- The correct PWS ID number for Oak Meadows II Subdivision is 1460096.
- The correct PWS ID number for Oak Meadows III Subdivision is 1460100.
- Icet Cove was referenced in this application at the Applicants' request to identify service area that is part of the transfer. Icet Cove has also been referenced in previous applications and it would be consistent to reference it in this application as well.