

Control Number: 43078



Item Number: 39

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FREMONT WATER Co.
P.O. Box 291937
Kerrville, Texas 78029-1937

April 28, 2015

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

RECEIVED
2015 MAY 14 AM 10:32
PUBLIC UTILITY COMMISSION
FILING CLERK

Re: **PUC DOCKET NO. 43078** CCN 12821

This letter is in response to Donald R. Allen's letter, dated September 8, 2014 protesting the proposed water rate increase by Fremont Water Co.

The sale/transfer of Fremont Water System was completed on June 23, 2014 with the granting of the application and transfer of the Certificate of Convenience and Necessity No. 12821 by TCEQ. We also had the support of The Homestead @ Turtle Creek Homeowners Association Board of Directors. Mr. Allen and Mrs. Allen were Protestants however, as noted in the accompanying letter and Executive Director's Motion to dismiss and Remand no hearing was required.

The proposed rate increase is the first increase since 1/25/1997 and is intended to bring revenue and expenses in line with a financially sound business.

After I became operator of the water system in June of 2008 I worked with the owner improving the neglected system as much as the owner could afford considering their ongoing financial loss.

With the proposed rate increase we intend to eliminate the ongoing financial operational loss and repair existing age related maintenance projects such as (but not limited to) severe concrete and steel structural damage to the concrete pump house walls, floors and ceiling caused by chlorine corrosion. Replace the undersized and deteriorated electric system supplying the booster pumps and associated controls. Replace galvanized steel water lines used for instrument monitoring and replace out dated sensors throughout the plant and water tanks. Add outside emergency lighting and purchase emergency backup supplies not available locally, such as 6" and 8" pipe with associated repair parts.

Regards,



Fred Gregory

Owner & Operator Fremont Water Co.

Copy: Donald R. & Mary Catherine Allen

SOAH DOCKET NO. 582-11-3388
TCEQ DOCKET NO. 2011-0009-UCR

APPLICATION FROM FRED R.	§	BEFORE THE
AND MONTE J. GREGORY	§	
TO PURCHASE FACILITIES	§	
AND TRANSFER CERTIFICATE	§	
OF CONVENIENCE AND	§	TEXAS COMMISSION ON
NECESSITY (CCN) No. 12821	§	
FROM CRYSTAL LAND WATER	§	
CO., LLC IN KERR COUNTY,	§	
TEXAS APPLICATION	§	ENVIRONMENTAL QUALITY
NO. 36852-S	§	

EXECUTIVE DIRECTOR'S MOTION TO DISMISS AND REMAND

The Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ) files this Motion to Dismiss and Remand and shows in support thereof the following:

On January 28, 2014, Stephen B. Schulte, attorney for applicants Fred R. and Monte J. Gregory, received a letter from Donald R. and Mary C. Allen withdrawing their protests. Mr. Schulte subsequently forwarded the letter to the ED. That letter is attached. Because the Allens were the only remaining protestants in this matter, pursuant to 30 TAC §80.101 the ED requests that the Administrative Law Judge cancel the hearing set to begin on January 30, 2014, dismiss this case from SOAH's docket, and remand the application back to the ED to be processed in conformity with TCEQ rules. Counsel for the ED has discussed this Motion with the applicant and OPIC and neither party opposes the ED's Motion.

DONALD R. ALLEN
MARY CATHERINE ALLEN
904 SADDLE CLUB DRIVE
KERRVILLE, TEXAS 78028

Honorable Craig R. Bennett
State Office of Administrative Hearings
P. O. Box 13025
Austin, Texas 78711-3025

Re: Transfer of CCN 12821 to Gregory's and scheduled hearing for Jan 30-31, 2014

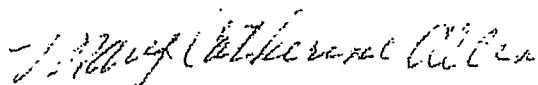
Please be advised that after further review of the ED's prefiled testimony we find that the decision has already been determined to approve the CCN transfer based only on two merits. We find this response detrimental to the public interest and to the HOA membership.

However, we withdraw, effective this date.

Regards.



Donald R. Allen



Mary Catherine Allen

cc: Mailing List