

Control Number: 43082



Item Number: 14

Addendum StartPage: 0

DOCKET NO. 43082

APPLICATION OF THE CITY OF §
ROYSE CITY TO AMEND SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY NO. 20813 IN §
COLLIN, HUNT, AND ROCKWALL §
COUNTIES, APPLICATION NO. §
37951-C §

RECEIVED
2014 DEC 29 PM 4:29
BEFORE THE
PUBLIC UTILITY COMMISSION
FILING CLERK
PUBLIC UTILITY COMMISSION
OF TEXAS

**CITY OF ROYSE CITY REVISIONS
TO APPLICATION**

The City of Royse City, Texas (“City”), files the following-described revisions to its Application to Amend Sewer Certificate of Convenience and Necessity (“CCN”) No. 20813 in Collin, Hunt, and Rockwall Counties (“CCN Application”). These revisions are being filed to remove properties owned by individuals who have protested the CCN Application, and also in accordance with Order No. 2 previously issued in this Docket on November 13, 2014. In support hereof, the City would show as follows:

On June 18, 2014, the City filed its CCN Application with the Texas Commission on Environmental Quality. Subsequent to the transfer of the regulation of water and sewer CCNs to the Public Utility Commission of Texas (“Commission”), effective September 1, 2014, the City published notice, provided the appropriate notices to surrounding utilities and governmental authorities, and notified property owners within the proposed CCN area. Proof of such notification was provided to Commission Staff on November 21, 2014, and filed with the Commission on December 2, 2014.

Four property owners within the proposed sewer CCN area filed protests with the Commission. Although only one of these protests qualified for removal of the subject property from the CCN Application under the provisions of Texas Water Code § 13.246(h) (*i.e.*, the two tracts owned by Mr. Steve Woody), the City has nevertheless determined to revise the CCN

Application to remove the properties identified in all four protests. These properties and their owners are as follows:

1. Mr. Steve Woody:
A0205 H.T. Chinowith Survey, Tract 63, 35.873 acres in Hunt County.
A0205 H.T. Chinowith Survey, Tract 62, 41.266 acres in Hunt County.
2. Mr. Melvin Joslin:
A0851 Prewitt Joseph Survey, Tract 24, 2.5 acres in Hunt County.
3. Mr. Gerald Gray:
A946 Shelby County School Land Survey, Tract 23-2,
1.5 acres in Hunt County.
4. Michael and Theresa Gray:
A0946 Shelby County School Land Survey, Tract 23,
31.273 acres in Hunt County.


The City has provided notice to these four individuals of the revision of the CCN Application to remove their properties. Notification to the individuals included an illustrative map identifying the location of their properties, as well as a copy of the Revised Attachment E to the CCN Application (described below). Copies of such notifications are attached hereto as Attachments 1, 2, 3, and 4.

In order to effectuate the revisions to the CCN Application described herein, Revised Attachments E and G to the CCN Application are being filed herewith, and are attached hereto as Attachments 5 and 6, respectively. The City is also providing the required digital mapping data to conform to the revisions to the CCN Application set forth herein. A disk containing the revised mapping data is attached to this pleading as Attachment 7.

With the removal of these properties from the CCN Application, the CCN Application is not adverse to any party, and no hearing is necessary. The City respectfully requests the Commission take note of these revisions to the City's CCN Application and approve the revised CCN Application under the informal disposition provisions of P.U.C. PROC. R. 22.35.

Respectfully submitted,

LLOYD GOSSELINK
ROCHELLE & TOWNSEND, P.C.
816 Congress Avenue
Suite 1900
Austin, Texas 78701
(512) 322-5800
Fax: (512) 472-0532
gcrump@lglawfirm.com




GEORGIA N. CRUMP
State Bar No. 05185500

ATTORNEYS FOR THE CITY OF ROYSE CITY,
TEXAS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was transmitted by hand-delivery and/or regular, first class mail on this 29th day of December, 2014 to the parties of record.



GEORGIA N. CRUMP

Ms Crump's Direct Line (512) 322-5832
Email gcrump@lglawfirm.com

December 29, 2014

Mr. Steve Woody
4831 CR 2526
Royse City, TX 75189

Re: Application of the City of Royse City to Amend Sewer Certificate of Convenience and Necessity No. 20813 in Collin, Hunt, and Rockwall Counties; Application No. 37951-C; Public Utility Commission Docket No. 43082

Dear Mr. Woody:

The City of Royse City is in receipt of your requests dated October 1, 2014 (filed with the Public Utility Commission of Texas on October 9, 2014), to have property owned by you excluded from the proposed service area identified in the City's application to amend its sewer certificate of convenience and necessity ("CCN"). You have provided the City with General Warranty Deeds, both dated September 18, 2009, conveying the following properties to Steven Warren Woody, Trustee, Woody Family Trust:

Property ID # 23049: A0205 Chinowith H.T., Tract 63, 35.873 acres in Hunt County
Property ID # 23050: A0205 Chinowith H.T., Tract 62, 41.266 acres in Hunt County

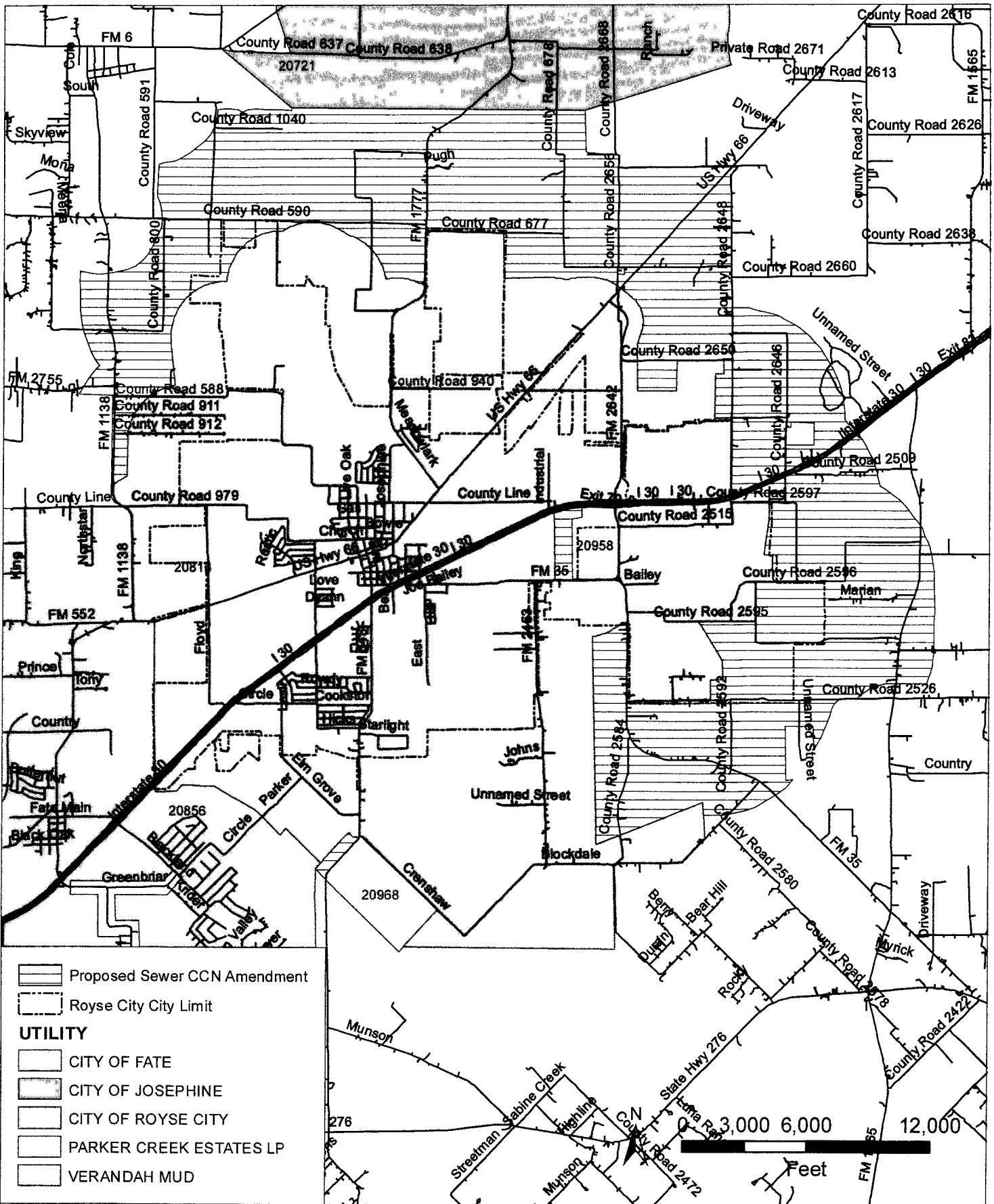
In accordance with your request and with Texas Water Code § 13.246(h), the City has modified its Application No. 37951-C to remove the above-described properties from its application. I have enclosed with this letter a copy of the pleading being filed today with the Public Utility Commission of Texas documenting the removal of your properties from the CCN application, along with an illustrative map showing the location of your properties and the fact that they have been removed from the application.

Sincerely,


Georgia N. Crump

GNC/jmc
4613720.1
Enclosure

cc: Jason Day, City Attorney
Sam Chang, Public Utility Commission of Texas
Debbie Reyes Tamayo, Public Utility Commission of Texas



Harkins
Engineering,
Inc.



December 2014

REVISED ATTACHMENT E
Proposed Sewer CCN Amendment
With Optouts
City of Royle City

12077.05

Ms Crump's Direct Line (512) 322-5832
Email: gcrump@lglawfirm.com

December 29, 2014

Mr. Melvin Joslin
5073 CR 2656
Royse City, TX 75189

Re: Application of the City of Royse City to Amend Sewer Certificate of Convenience and Necessity No. 20813 in Collin, Hunt, and Rockwall Counties; Application No. 37951-C; Public Utility Commission Docket No. 43082

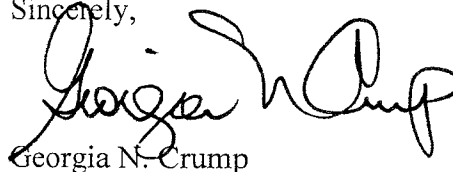
Dear Mr. Joslin:

The City of Royse City is in receipt of your letter filed with the Public Utility Commission of Texas on November 3, 2014, protesting the City's application to amend its sewer certificate of convenience and necessity ("CCN"). The City has considered your protest, and has decided to revise its application in order to remove your property from the application.

Although you did not provide a legal description of your property, the City has determined that you own 2.5 acres in Hunt County, Texas, identified as A0851 Prewitt Joseph, Tract 24, 2.5 acres.

In accordance with your expressed opposition to being included within the City's sewer CCN, please be advised that the City is modifying its Application No. 37951-C to remove your property from its application. I have enclosed with this letter a copy of the pleading being filed today with the Public Utility Commission of Texas documenting the removal of your property from the CCN application, along with an illustrative map showing the location of your property and the fact that it has been removed from the application.

Sincerely,

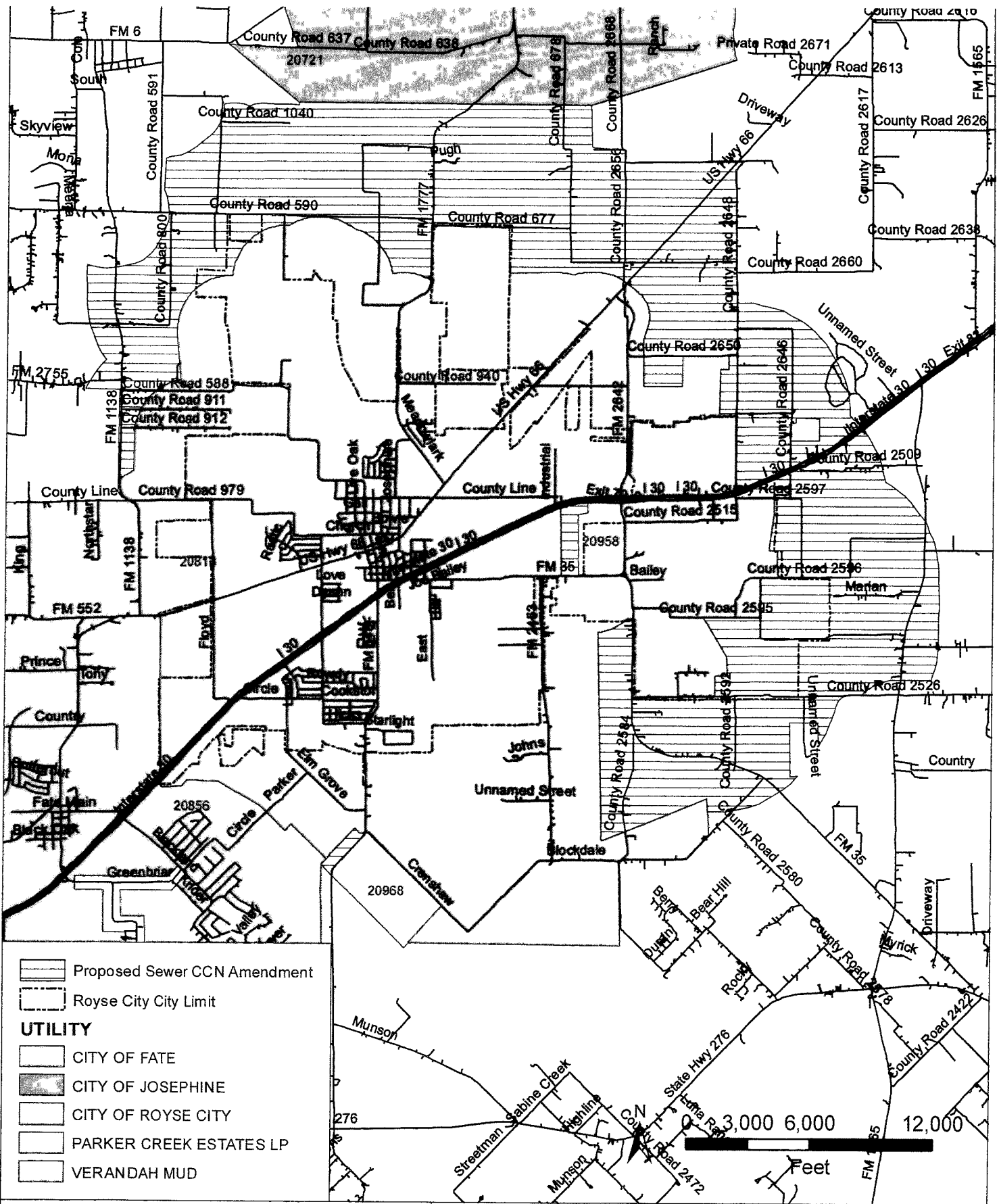









Georgia N. Crump

GNC/jmc
4631518.1

Encl.

cc: Jason Day, City Attorney
Sam Chang, Public Utility Commission of Texas
Debbie Reyes Tamayo, Public Utility Commission of Texas

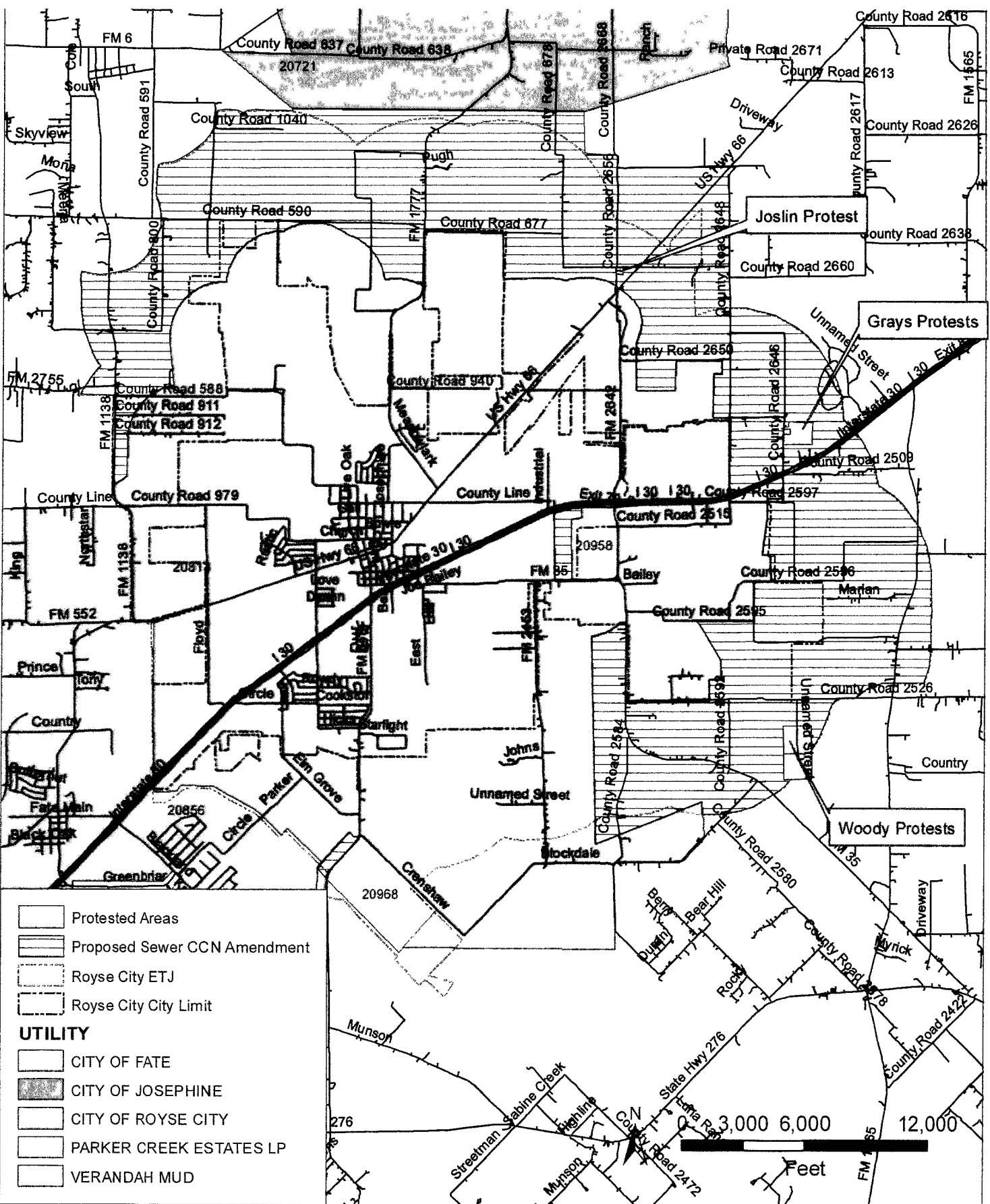


-  Proposed Sewer CCN Amendment
-  Royse City City Limit
- UTILITY**
-  CITY OF FATE
-  CITY OF JOSEPHINE
-  CITY OF ROYSE CITY
-  PARKER CREEK ESTATES LP
-  VERANDAH MUD



REVISED ATTACHMENT E
Proposed Sewer CCN Amendment
 With Optouts
 City of Royse City

December 2014 12077.05



Proposed Sewer CCN Amendment
 With Opt-outs and Exclusions
 City of Royle City

December 2014

12077.05

Ms. Crump's Direct Line: (512) 322-5832
 Email: gcrump@lglawfirm.com

December 29, 2014

Mr. Gerald Gray
 5889 CR 2646
 Royse City, TX 75189

Re: Application of the City of Royse City to Amend Sewer Certificate of Convenience and Necessity No. 20813 in Collin, Hunt, and Rockwall Counties; Application No. 37951-C; Public Utility Commission Docket No. 43082

Dear Mr. Gray:

The City of Royse City is in receipt of your request filed with the Public Utility Commission of Texas ("PUC") on November 3, 2014, to have property owned by you excluded from the proposed service area identified in the City's application to amend its sewer certificate of convenience and necessity ("CCN"). You have filed with the PUC the following property description:

Being a lot, tract or parcel of land lying and being situated in the County of Hunt, State of Texas, and being a part of the Shelby County School Land Survey, Abstract No. 946 and being a part of the same tract conveyed to Veteran's Land Board of the State of Texas by Warranty Deed dated October 11, 1958, and filed in Vol. 668, Pg. 420, of the Deed Records of Hunt County, Texas, and being more particularly described as follows:

Beginning at the Northwest corner of said Veteran's Land Board of the State of Texas tract, said point being in the East line of a county road (50 R.O.W.), an iron stake for corner;

Thence East, 208.72 feet to an iron stake for corner;

Thence S 0°50' W., 208.72 feet to an iron stake for corner;

Thence West, 208.72 feet to an iron stake for corner;

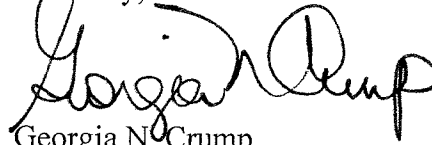
Thence N 0°50' E., along the East line of said Road R.O.W., 208.72 feet to place of beginning and containing 1.0 acre of land.

In accordance with your expressed opposition to being included within the City's sewer CCN, please be advised that the City is modifying its Application No. 37951-C to remove your property from its application. I have enclosed with this letter a copy of the pleading being filed

Mr. Gerald Gray
December 29, 2014
Page 2

today with the Public Utility Commission of Texas documenting the removal of your property from the CCN application, along with an illustrative map showing the location of your property and the fact that it has been removed from the application.

Sincerely,

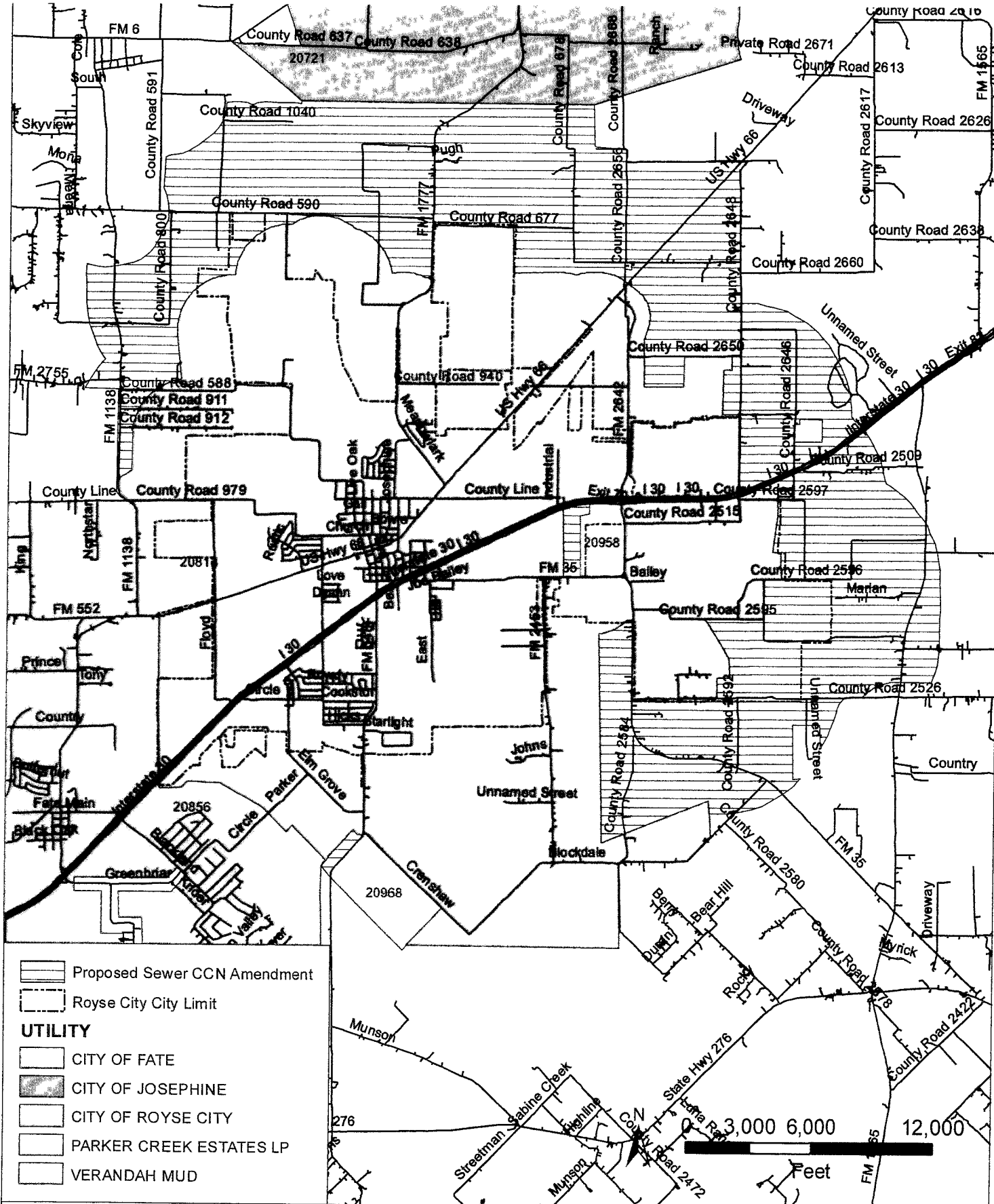









Georgia N. Crump

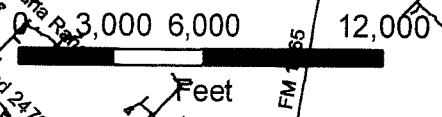
GNC/jmc
4631485.1

Enclosure

cc: Jason Day, City Attorney
Sam Chang, Public Utility Commission of Texas
Debbie Reyes Tamayo, Public Utility Commission of Texas



-  Proposed Sewer CCN Amendment
-  Roysse City City Limit
- UTILITY**
-  CITY OF FATE
-  CITY OF JOSEPHINE
-  CITY OF ROYSSE CITY
-  PARKER CREEK ESTATES LP
-  VERANDAH MUD

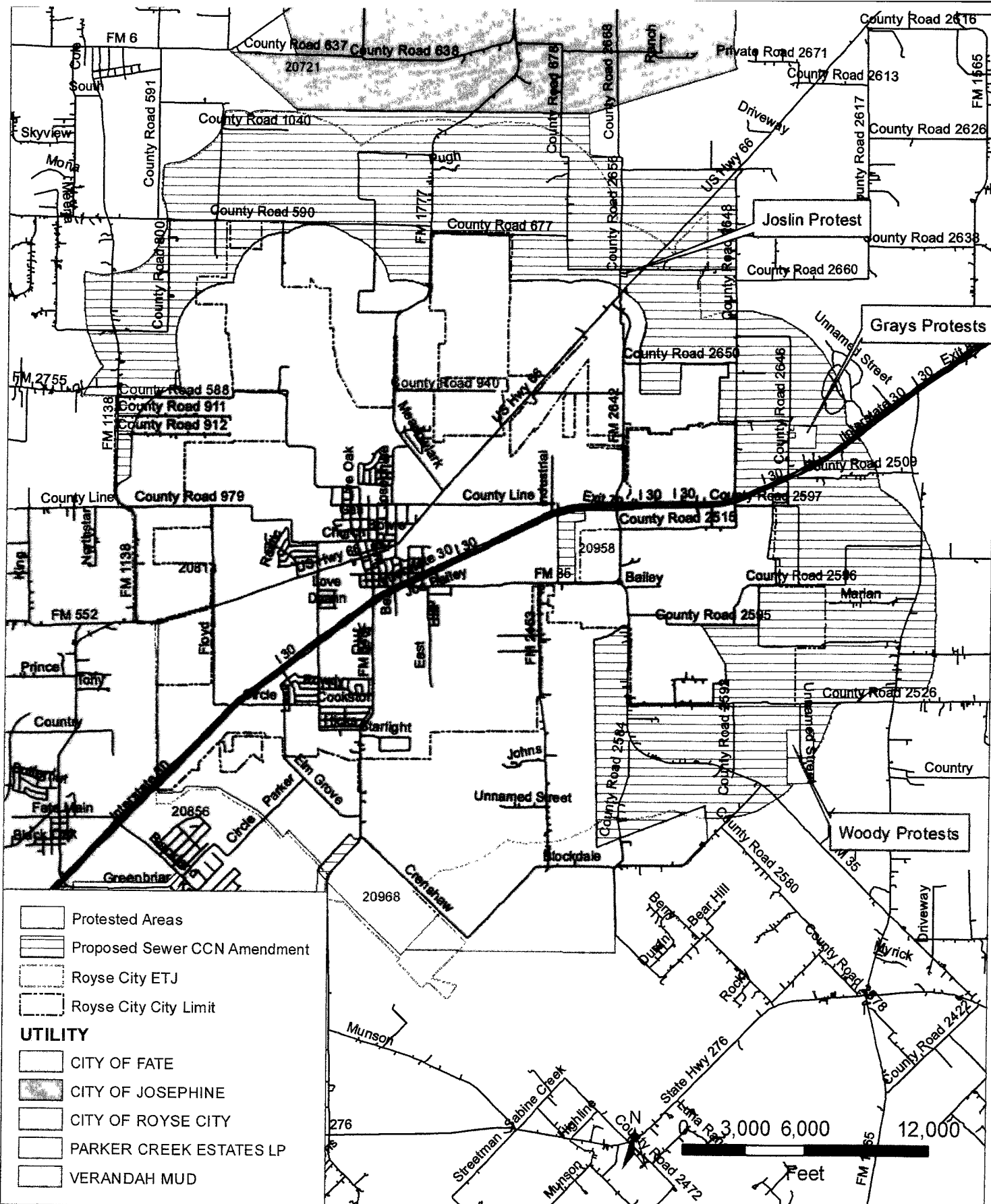


REVISED ATTACHMENT E
Proposed Sewer CCN Amendment
 With Optouts
 City of Roysse City

December 2014

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- Protested Areas
 - Proposed Sewer CCN Amendment
 - Roysie City ETJ
 - Roysie City City Limit
- UTILITY**
- CITY OF FATE
 - CITY OF JOSEPHINE
 - CITY OF ROYSIE CITY
 - PARKER CREEK ESTATES LP
 - VERANDAH MUD



Proposed Sewer CCN Amendment
 With Opt-outs and Exclusions
 City of Roysie City

December 2014

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Ms. Crump's Direct Line: (512) 322-5832
Email: gerump@lglawfirm.com

December 29, 2014

Michael and Theresa Gray
5887 CR 2646
Royse City, TX 75189

Re: Application of the City of Royse City to Amend Sewer Certificate of Convenience and Necessity No. 20813 in Collin, Hunt, and Rockwall Counties; Application No. 37951-C; Public Utility Commission Docket No. 43082

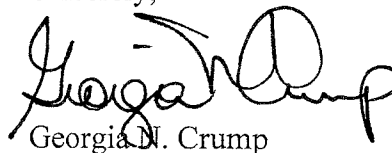
Dear Mr. and Mrs. Gray:

The City of Royse City is in receipt of your letter filed with the Public Utility Commission of Texas on November 3, 2014, protesting the City's application to amend its sewer certificate of convenience and necessity ("CCN"), and requesting a public hearing. The City has considered your protest, and has decided to revise its application in order to remove your property from the application.

Although you did not provide a legal description of your property, the City has determined that you own approximately 31.273 acres in Hunt County, Texas, identified as A0946 Shelby County School Land, Tract 23, 31.273 acres.

In accordance with your expressed opposition to being included within the City's sewer CCN, please be advised that the City is modifying its Application No. 37951-C to remove your property from its application. I have enclosed with this letter a copy of the pleading being filed today with the Public Utility Commission of Texas documenting the removal of your property from the CCN application, along with an illustrative map showing the location of your property and the fact that it has been removed from the application.

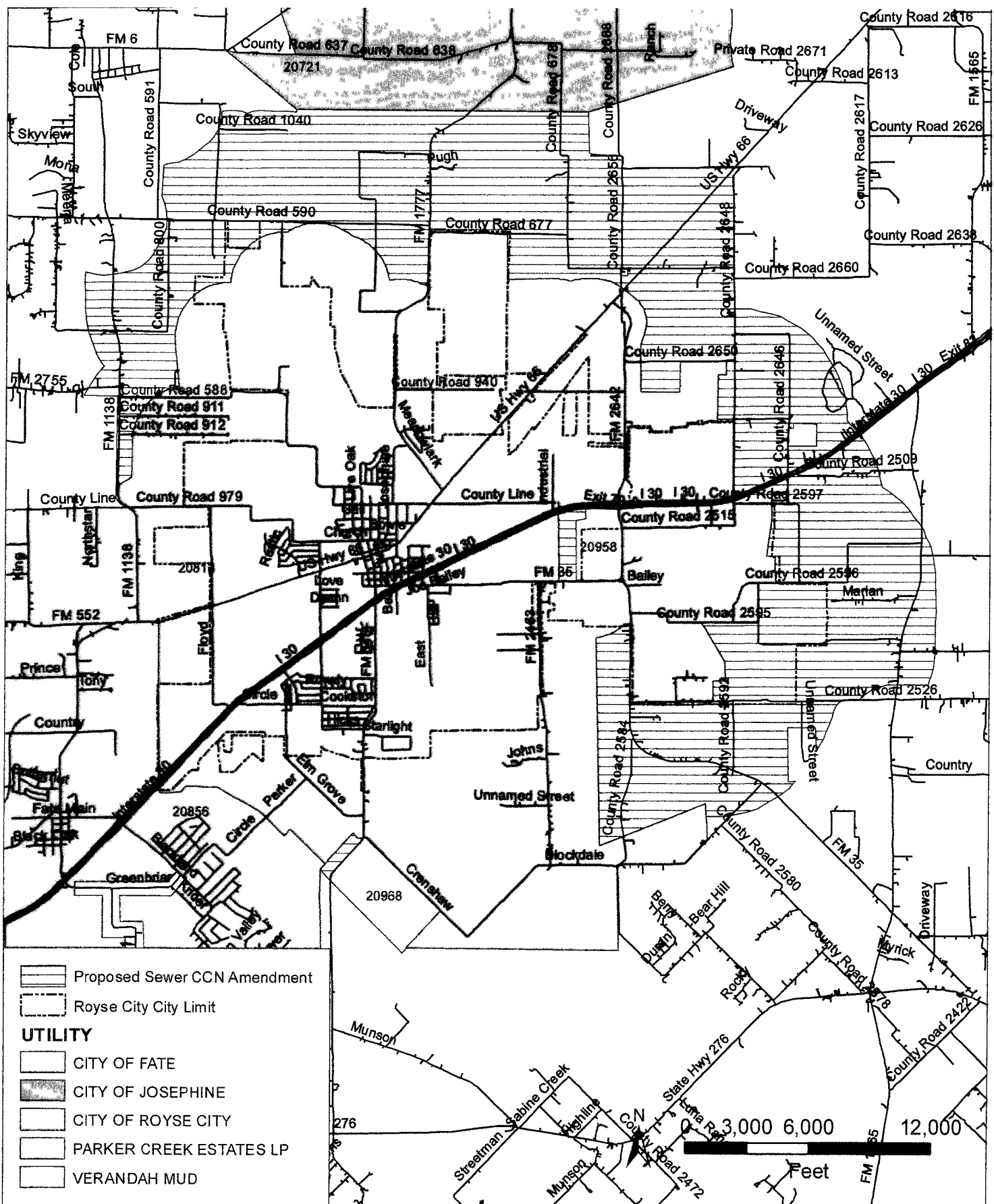
Sincerely,



Georgia N. Crump

GNC/jmc
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Enclosure

cc: Jason Day, City Attorney
Sam Chang, Public Utility Commission of Texas
Debbie Reyes Tamayo, Public Utility Commission of Texas



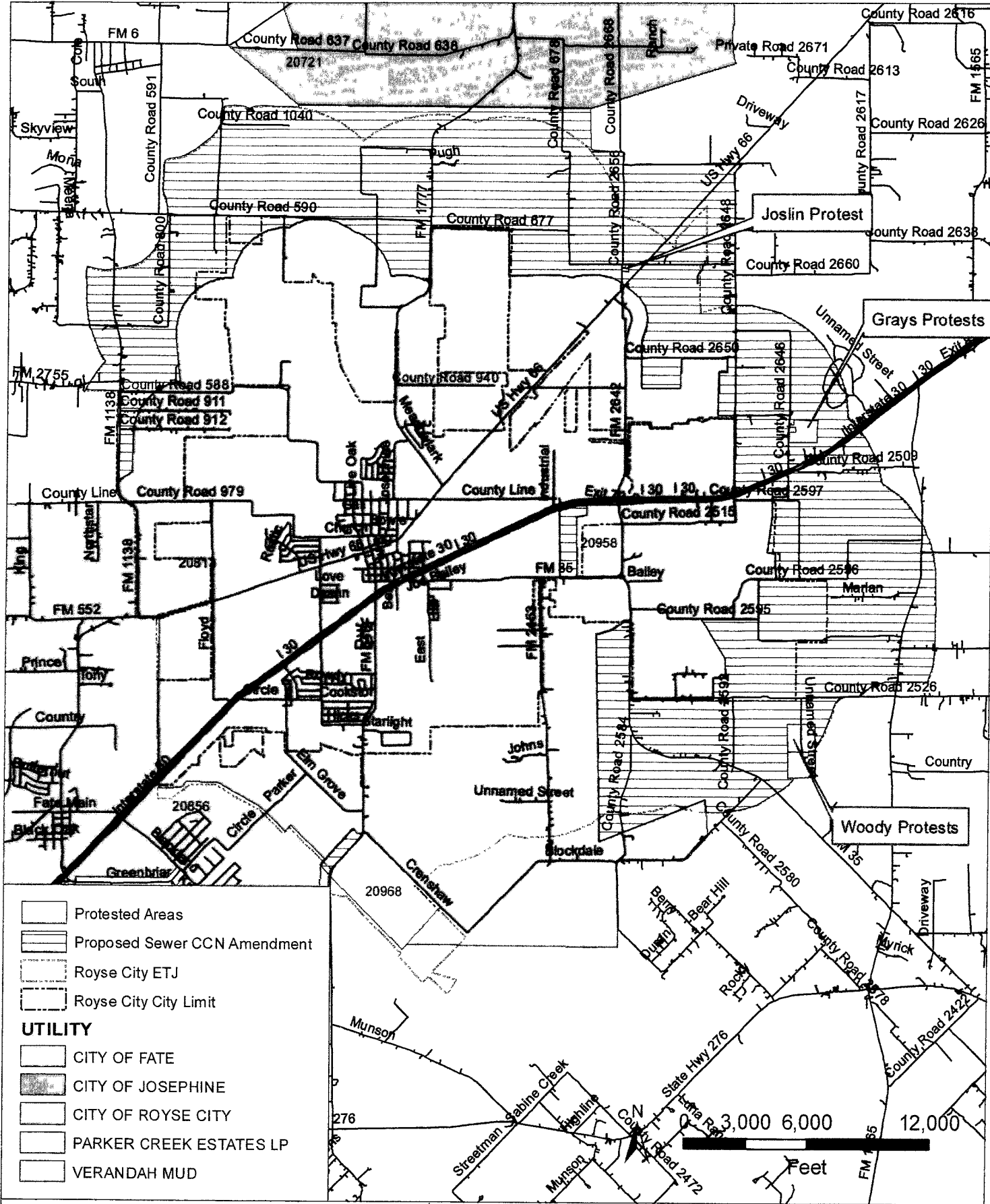
**Harkins
Engineering,
Inc.**



December 2014

REVISED ATTACHMENT E
Proposed Sewer CCN Amendment
 With Optouts
 City of Royle City

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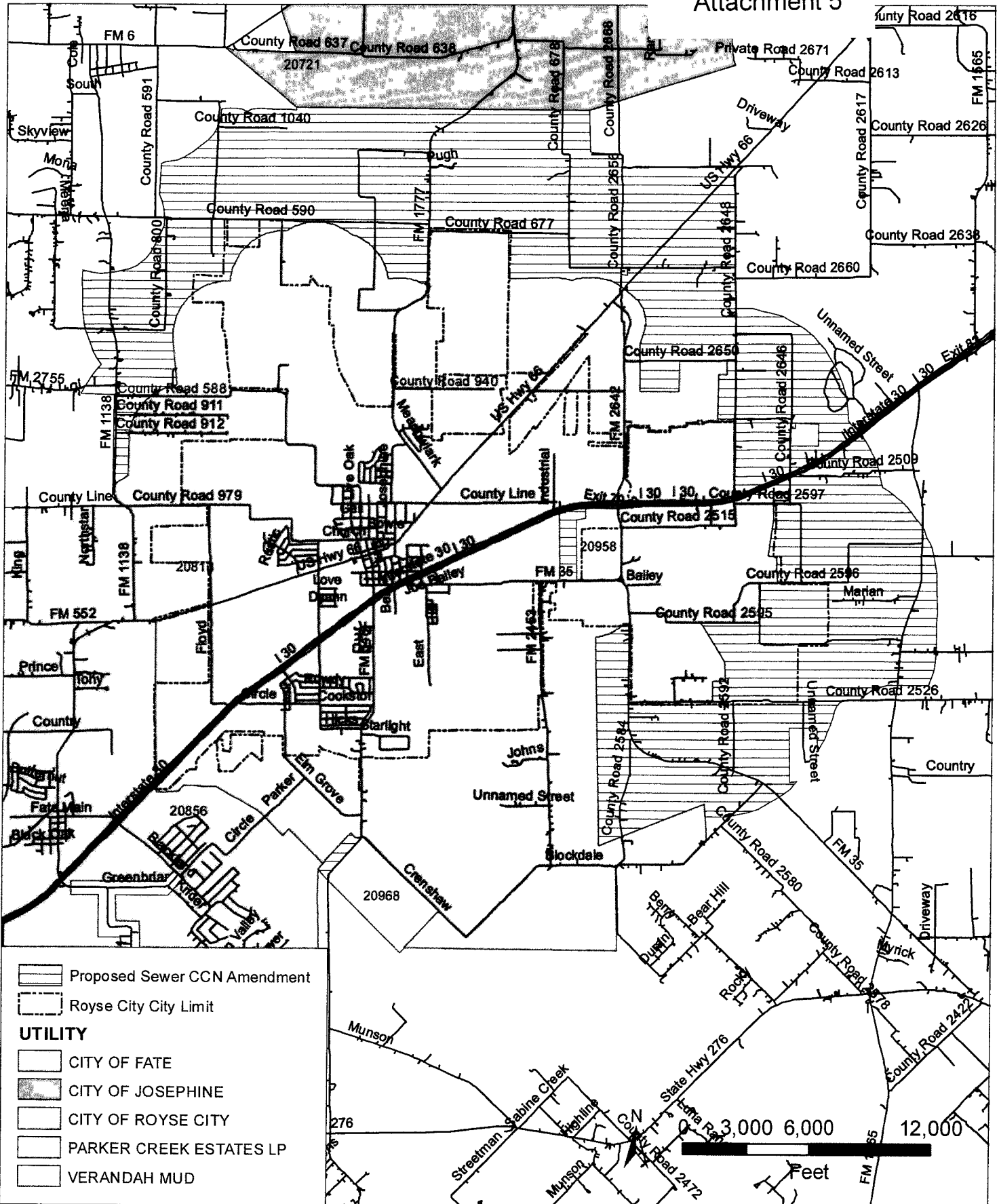


Proposed Sewer CCN Amendment
 With Opt-outs and Exclusions
 City of Royle City

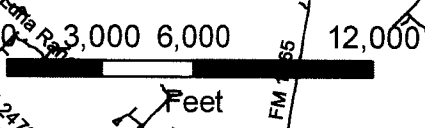

December 2014

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- Proposed Sewer CCN Amendment
- Roysie City City Limit
- UTILITY**
- CITY OF FATE
- CITY OF JOSEPHINE
- CITY OF ROYSIE CITY
- PARKER CREEK ESTATES LP
- VERANDAH MUD

Harkins Engineering, Inc.

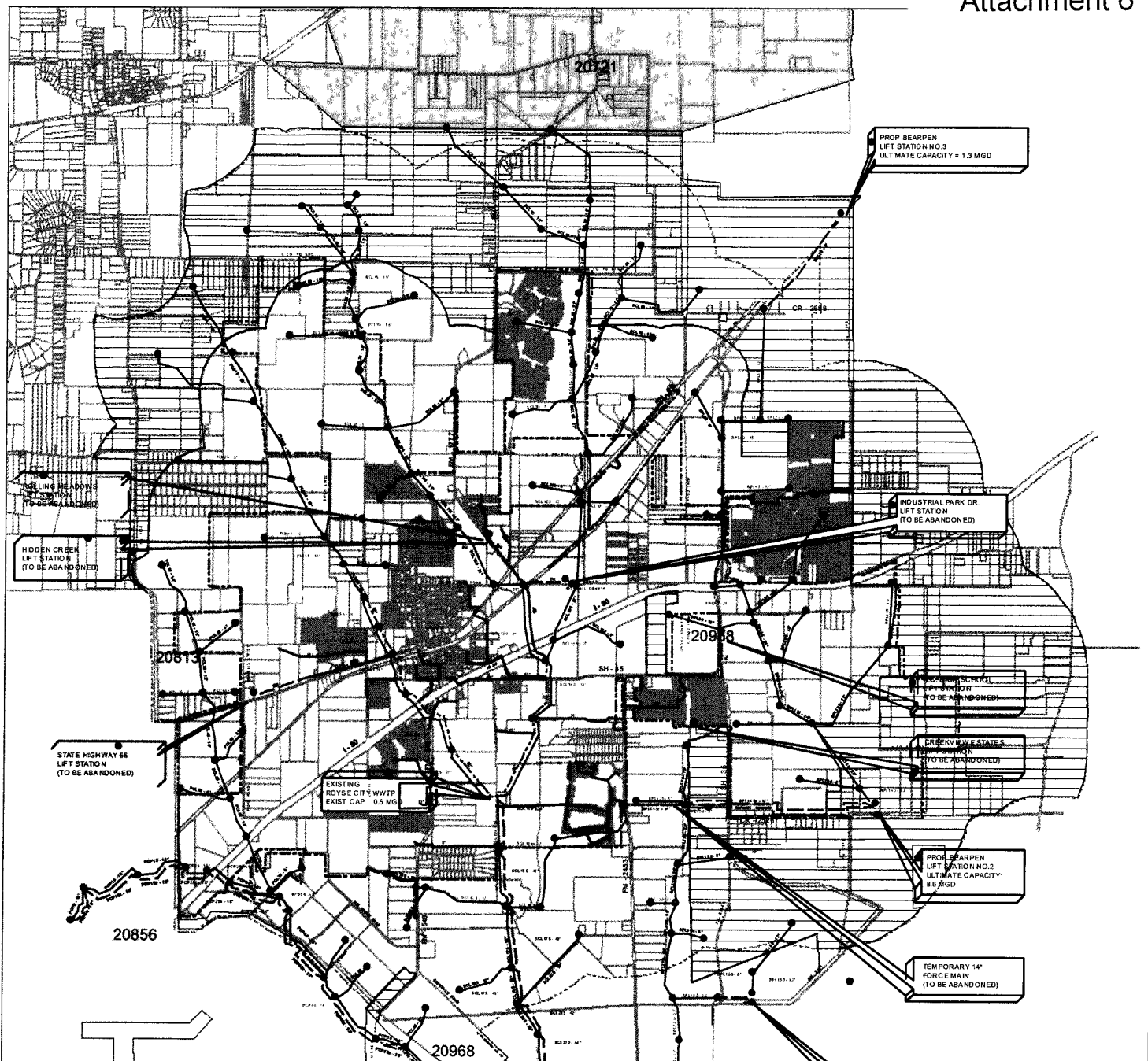





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REVISED ATTACHMENT E
Proposed Sewer CCN Amendment
 With Optouts
 City of Roysie City






December 2014 12077.05

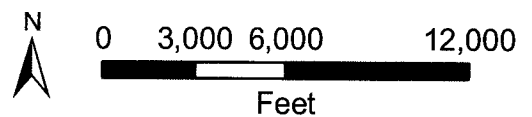
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-  Proposed Sewer CCN Amendment
-  Roysé City ETJ
-  Roysé City City Limit

UTILITY

-  CITY OF FATE
-  CITY OF JOSEPHINE
-  CITY OF ROYSÉ CITY
-  PARKER CREEK ESTATES LP
-  VERANDAH MUD



REVISED ATTACHMENT G
 Proposed Sewer CCN Amendment with Facilities
 With Optouts
 City of Roysé City

December 2014

12077 05

Attachment 7

Revised Attachment E
Wastewater CCN Map -- Digital Data (on CD)

City of Royle City Application No. 37951-C
PUC Docket No. 43082