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APPLICATION OF TRINITY SO PTN, LP §
TO OBTAIN WATER AND SEWER §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY IN HARRIS COUNTY §

PUBLIC UTILITY COMMISSION

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JOINT MOTION TO ADMIT EVIDENCE AND PROPOSED NOTICE OF APPROVAL

COME NOW, the Staff ("Staff") of the Public Utility Commission of Texas ("Commission"), and Trinity SO PTN, LP (Trinity SO), and files this Joint Motion to Admit Evidence and Proposed Notice of Approval.

I. REQUEST TO ADMIT EVIDENCE

Staff and Trinity SO jointly request to admit the following evidence into the record of this proceeding:

- A. Application of Trinity SO to obtain water and sewer Certificates of Convenience and Necessity (CCN) in Harris County, filed October 17, 2014.
- B. Trinity SO's supplemental filings, filed on January 27, 2015, April 9, 2015, July 24, 2015, December 23, 2015, February 11, 2016, March 11, 2016, April 15, 2016, May 16, 2016, and July 12, 2016.
- C. Trinity SO's Publishers Affidavit, Affidavit of Notice to Customers, and Affidavit of Notice to Neighboring Utilities and Affected Parties, filed on October 5, 2015.
- D. Staff's Recommendation on Final Disposition, filed July 8, 2016.

II. PROPOSED NOTICE OF APPROVAL

Staff and Trinity SO request that the Commission issue a notice of approval in the form of the attached Joint Proposed Notice of Approval.

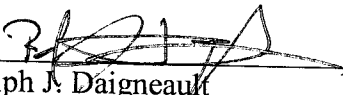
DATED: July 22, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director


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Managing Attorney



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- and -

**REPRESENTATIVE FOR TRINITY SO PTN,
LP**

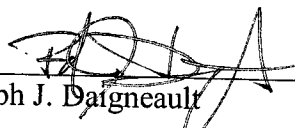


Bret W. Fenner, P. E.
913 Hyde Park Drive
Round Rock, Texas 78665

DOCKET NO. 43586

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this July 22, 2016 in accordance with 16 TAC § 22.74.



Ralph J. Daigneault

DOCKET NO. 43586

APPLICATION OF TRINITY SO PTN, LP	§	PUBLIC UTILITY COMMISSION
TO OBTAIN WATER AND SEWER	§	
CERTIFICATES OF CONVENIENCE	§	OF TEXAS
AND NECESSITY IN HARRIS COUNTY	§	

JOINT PROPOSED NOTICE OF APPROVAL

This Joint Proposed Notice of Approval addresses the application of Trinity SO PTN, LP (Trinity SO) to obtain water and sewer Certificates of Convenience and Necessity (CCN) in Harris County, Texas. Staff (Staff) of the Public Utility Commission of Texas (Commission) recommended final approval of the application. The application is approved.

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

I. Findings of Fact

Procedural History, Description and Background

1. On October 17, 2014, Trinity SO filed with the Commission an application to obtain water and sewer CCNs in Harris County, Texas.
2. On October 21, 2014, Order No. 1 was issued, requiring comments on administrative completeness of application and notice, and requesting a proposed procedural schedule.
3. On October 31, 2014, Staff filed a response to Order No. 1, requesting an extension of time to file comments on administrative completeness of application and notice, and requesting a proposed procedural schedule.
4. On November 5, 2014, Order No 2 was issued, granting Staff's request for extension of time.
5. On December 1, 2014, Staff filed a response to Order No. 2, requesting an additional extension of time to file comments on administrative completeness of application and notice, and requesting a proposed procedural schedule.
6. On December 3, 2014, Order No. 3 was issued, granting Staff's request for an extension of time.

7. On January 6, 2015, Staff filed a response to Order No. 3 recommending the application be found incomplete and deficient due to mapping deficiencies and proposing a deadline for Trinity SO to cure the deficiencies.
8. On January 8, 2015, Order No. 4 was issued, finding the application incomplete and deficient and establishing a deadline for Trinity SO to cure the deficiencies and for Staff to file a supplemental recommendation.
9. On January 27, 2015, Trinity SO filed supplemental mapping information to cure the deficiencies identified by Staff.
10. On March 6, 2015, Staff filed a response to Order No. 4 recommending the application be found incomplete and deficient due to mapping deficiencies and proposing a deadline for Trinity SO to cure the deficiencies.
11. On March 10, 2015, Order No. 5 was issued, finding the application incomplete and deficient and establishing a deadline for Trinity SO to cure the deficiencies and for Staff to file a supplemental recommendation.
12. On April 9, 2015, Trinity SO filed supplemental mapping information to cure the deficiencies identified by Staff.
13. On May 13, 2015, Staff filed a response to Order No. 5, requesting an additional extension of time to file comments on administrative completeness of application and notice, and requesting a proposed procedural schedule.
14. On May 15, 2015, Order No. 6 was issued, granting Staff's request for an extension of time.
15. On June 5, 2015, Staff filed a response to Order No. 6 recommending the application be found incomplete and deficient due to mapping deficiencies and proposing a deadline for Trinity SO to cure the deficiencies.
16. On June 9, 2015, Order No. 7 was issued, finding the application incomplete and deficient and establishing a deadline for Trinity SO to cure the deficiencies and for Staff to file a supplemental recommendation.

17. On June 29, 2015, Trinity SO filed a response to Order No. 7, requesting an extension of time to cure the deficiencies in its application.
18. On June 30, 2015, Order No. 8 was issued, granting Trinity SO's request and extending deadlines.
19. On July 24, 2015, Trinity SO filed supplemental mapping information to cure the deficiencies identified by Staff.
20. On August 24, 2015, Staff filed a response to Order No. 8, requesting an additional extension of time to file comments on administrative completeness of application and notice, and requesting a proposed procedural schedule.
21. On August 25, 2015, Order No. 9 was issued, granting Staff's request for an extension of time.
22. On August 28, 2015, Staff filed a response to Order No. 9, recommending the application be found administratively complete and accepted for filing.
23. On September 3, 2015, Order No. 10 was issued, deeming the application administratively complete, addressing notice and establishing procedural schedule.
24. On October 5, 2015, Trinity SO filed a publisher's affidavit and affidavit of notice to neighboring utilities, customers, and affected parties.
25. On October 16, 2015, Staff filed a response to Order No. 10, recommending that notice be found sufficient and updating the procedural schedule.
26. On October 19, 2015, Staff filed an amended response to Order No. 10, recommending that notice be found sufficient and updating the procedural schedule.
27. On October 20, 2015, Order No. 11 was issued adopting Staff's proposed procedural schedule.
28. On November 19, 2015, Staff filed Staff's First RFI to Trinity SO.
29. On December 16, 2015, Staff filed a response to Order No. 11, proposing a supplemental procedural schedule.

30. On December 18, 2015, Order No. 12 was issued adopting Staff's proposed supplemental procedural schedule.
31. On December 23, 2015, Trinity SO responded to Staff's First RFI to Trinity SO.
32. On February 11, 2016, Trinity SO filed updated financial information.
33. On February 19, 2016, Staff filed a response to Order No. 12, proposing a supplemental procedural schedule.
34. On February 23, 2016, Order No. 13 amending the procedural schedule.
35. On March 11, 2016, Trinity SO filed a letter regarding documentation on its wastewater permit.
36. On March 23, 2016, Staff filed a response to Order No. 13, proposing a supplemental procedural schedule.
37. On March 25, 2016, Order No. 14 was issued adopting Staff's revised procedural schedule.
38. On April 15, 2016, Trinity SO filed district overlap consent requests.
39. On May 16, 2016, Trinity SO filed district overlap consent forms.
40. On May 27, 2016, Staff filed a respond to Order No. 14, proposing a revised procedural schedule.
41. On May 31, 2016, Order No. 15 was issued, adopting Staff's proposed revised procedural schedule.
42. On July 8, 2016, Staff filed its Final Recommendation, recommending approval of the application.
43. On July 12, 2016, Trinity SO filed consent forms.
44. On July 22, 2016, Staff and Trinity SO filed a joint motion to admit evidence and proposed notice of approval. The following evidence is admitted:
 - A. Application of Trinity SO to obtain water and sewer Certificates of Convenience and Necessity (CCN) in Harris County, filed October 17, 2014.

- B. Trinity SO's supplemental filings, filed on January 27, 2015, April 9, 2015, July 24, 2015, December 23, 2015, February 11, 2016, March 11, 2016, April 15, 2016, May 16, 2016, and July 12, 2016.
- C. Trinity SO's Publishers Affidavit, Affidavit of Notice to Customers, and Affidavit of Notice to Neighboring Utilities and Affected Parties, filed on October 5, 2015.
- D. Staff's Recommendation on Final Disposition, filed July 8, 2016.

Notice

- 45. On September 10 and 17, 2015, notice was published in the *Woodlands Villager* in Harris County, Texas.
- 46. On September 15, 2015, notice was provided to customers.
- 47. On September 18, 2015, notice was provided to neighboring utilities and affected parties in Harris County, Texas.

Informal Disposition

- 48. More than 15 days have passed since completion of the notice provided in this docket.
- 49. Trinity SO and Staff are the only parties to this proceeding.
- 50. Pursuant to Order No. 11, the deadline for affected parties to intervene, file comments, or request a hearing was October 19, 2015. No party intervened.

II. Conclusions of Law

- 1. The Commission has jurisdiction over the application pursuant to Tex. Water Code §§ 13.041, 13.241, 13.244 and 13.246 (TWC).
- 2. Trinity SO is a retail public utility as defined in TWC § 13.002 (19).
- 3. Trinity SO provided notice in compliance with TWC § 13.246 and 16 Tex. Admin. Code § 24.106 (TAC).
- 4. The application was processed in accordance with the requirements of TWC § 13.244, 16 TAC §§ 24.102 and 24.105.

5. After considering the factors in TWC § 13.246(c), Trinity SO has demonstrated adequate financial, managerial and technical capability for providing continuous and adequate service to the requested area and its current service area as required by TWC § 13.241.
6. 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.
7. Approval of 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).
8. Under TWC §13.257(r) and 16 TAC § 24.106(f), Trinity SO is required to record a certified copy of the approved CCNs and maps, 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.
9. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of facts and conclusions of law, the Commission issues the following Order:

1. Trinity SO's application, as amended, is approved.
2. Trinity SO water CCN No. 13240 is approved consistent with this Notice.
3. Trinity SO sewer CCN No. 21089 is approved consistent with this Notice.
4. Trinity SO shall serve every customer and applicant for water and sewer service within the areas certified under CCN Nos. 13240 and 21089, and such service shall be continuous and adequate.
5. Trinity SO shall comply with the recording requirements in TWC § 13.257(r) for the area in Harris County, Texas affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.

6. All other motions, requests for entry of specific findings of fact or conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.

SIGNED AT AUSTIN, TEXAS the _____ day of July 2016.

PUBLIC UTILITY COMMISSION OF TEXAS

SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE