



Control Number: 43712



Item Number: 44

Addendum StartPage: 0

DOCKET NO. 43712

APPLICATION OF LAKE §
LIVINGSTON WATER SUPPLY AND §
SEWER SERVICE CORPORATION §
AND TYLER COUNTY WATER §
SUPPLY CORPORATION FOR SALE, §
TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN TYLER COUNTY (37966-S) §

PUBLIC UTILITY COMMISSION
OF TEXAS

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COMMISSION STAFF'S MOTION TO ADMIT EVIDENCE

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files this Motion to Admit Evidence. Staff request that certain evidence be admitted into the record in support of its Proposed Notice of Approval. In support of its Motion to Admit Evidence, Staff states the following:

I. Background

Lake Livingston Water Supply and Sewer Service Corporation (Lake Livingston WSC) filed an application requesting approval of the sale and transfer of its water facilities and corresponding water certificate of convenience and necessity (CCN No. 10147) for the Wayward Winds Estates subdivision in Tyler County, Texas. Lake Livingston WSC is the seller, and Tyler County Water Supply Corporation (Tyler County WSC) is the purchaser.

On May 13, 2016, Staff filed its Final Recommendation. Staff recommended that the Commission approve the application and the sale and transfer transaction between Lake Livingston WSC and Tyler County WSC.

On June 8, 2016, Staff filed its Proposed Notice of Approval.

II. Motion to Admit Evidence

In support of its Proposed Notice of Approval, Staff requests that the following evidence be admitted as evidence in the record:

- a. Exhibit 1: Lake Livingston WSC and Tyler County WSC's Application for Sale, Transfer, or Merger of a Retail Public Utility and accompanying attachments;
- b. Exhibit 2: Affidavits regarding the provision and publication of notice (filed on

44

- March 24, 2016);
- c. Exhibit 3: Affidavit regarding notice to customers, neighboring utilities and other affected parties (filed on June 3, 2015);
 - d. Exhibit 4: Staff's Recommendation and accompanying attachments (filed on May 8, 2016);
 - e. Exhibit 5: Closing documents (filed on March 3 and April 8, 2016);
 - f. Exhibit 6: Staff's Final Recommendation and accompanying attachments (filed on May 13, 2016);
 - g. Exhibit 7: Lake Livingston WSC's Consent Form (attached); and
 - h. Exhibit 8: Tyler County WSC's Consent Form (attached).

III. Conclusion

Staff requests that the evidence listed in this Motion to Admit Evidence be admitted into the record.

Date: June 8, 2016

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division



Sam Chang
State Bar No. 24078333
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7261
(512) 936-7268 (facsimile)

DOCKET NO. 43712

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on June 8, 2016,
in accordance with 16 TAC § 22.74.



Sam Chang

CONSENT FORM

Applicant's Name: **Lake Livingston Water Supply and Sewer Service Corp.**
(Seller)

Docket No.: 43712

- ☒ I concur with the map and certificate transmitted by e-mail April 29, 2016
☐ I do not concur with the map and certificate transmitted by e-mail April 29, 2016

I understand that I have 12 days from the DATE of this email to provide my response.

I am authorized by **Lake Livingston Water Supply and Sewer Service Corp.**, to sign this form.

Signature: John Sexton

Printed Name: JOHN SEXTON

Relationship to Applicant: _____

Date signed: 6-7-2016

Please mail the original and 7 copies to:

Mailing Address:

Public Utility Commission of Texas
Central Records
1701 N Congress PO Box 13326
Austin, Texas 78711-3326

Shipping / Overnight Delivery Address:

Public Utility Commission of Texas
Central Records
1701 N Congress, Suite 8-100
Austin, Texas 78701

CONSENT FORM

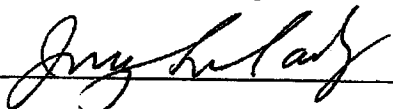
Applicant's Name: **Tyler County WSC (Purchaser)**

Docket No.: 43712

- ☒ I concur with the map and certificate transmitted by e-mail **April 29, 2016**
☐ I do not concur with the map and certificate transmitted by e-mail **April 29, 2016**

I understand that I have 12 days from the **DATE** of this email to provide my response.

I am authorized by **Tyler County WSC**, to sign this form.

Signature: 

Printed Name: **JERRY LOVELADY**

Relationship to Applicant: **TCWSC GENERAL MANAGER**

Date signed: _____

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Austin, Texas 78711-3326

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