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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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FILED

SOAH DOCKET NO. 582-12-7597  
TCEQ DOCKET NO. 2012-1196-UCR  
APPLICATION NO. 37116-C

APPLICATION OF THE CITY OF	§	BEFORE THE
LIBERTY HILL TO AMEND ITS	§	
CERTIFICATE OF CONVIENCE AND	§	TEXAS COMMISSION ON
NECESSITY NO. 10324 IN	§	
WILLIAMSON COUNTY	§	ENVIRONMENTAL QUALITY

## ORDER

An application by the City of Liberty Hill (Applicant) to amend water CCN No. 10324 in Williamson County (Application) was presented to the Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ or Commission) for approval pursuant to Section 5.122 of the Texas Water Code (Code). The Applicant provides water service in Williamson County, Texas, and is a retail public utility as defined in Section 13.002(19) of the Code.

On August 25, 2011, the Applicant filed the Application with the Commission, which was assigned Application No. 37116-C. The Applicant provided notice to the neighboring utilities, affected parties, and landowners on January 5, 2012. The Applicant also published notice on January 1 and 8, 2012, in the *Williamson County Sun*, a newspaper of general circulation in Williamson County, Texas. The notice of the CCN Application complied with the notice requirements of Title 30, Section 291.106 of the Texas Administrative Code, and was sufficient to place affected persons on notice

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regarding the Application. The ED received a request for a public hearing on the Application.

The Honorable William G. Newchurch, an administrative law judge (ALJ) of the State Office of Administrative Hearings (SOAH), conducted a preliminary hearing on September 4, 2012, in Austin, Texas. The ALJ took jurisdiction over the case and designated the following parties: (1) the Applicant, (2) the Executive Director (ED) of the TCEQ, and (3) the Office of Public Interest Counsel of the TCEQ. No protestants or other persons appeared at the preliminary hearing to seek party status. The matter was abated for 30 days to allow the Applicant to submit additional documentation to the ED. After the additional documentation was submitted to and reviewed by the ED, the Applicant filed a motion to remand the case pursuant to 30 TEX. ADMIN. CODE § 80.101 on October 4, 2012. Therefore, on October 5, 2012, the ALJ dismissed the matter from SOAH's docket and remanded it to the ED.

The Applicant is capable of rendering adequate and continuous service to every customer in the area proposed to be included in Application No. 37116-C; and the certification is necessary for the service, accommodation, convenience, or safety of the public.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

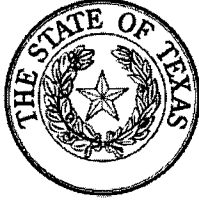
1. The Application by the City of Liberty Hill to amend water Certificate of Convenience and Necessity No. 10324 in Williamson County, Texas, as reflected in the attached copy of the official water service area map for Williamson County, Texas, is hereby approved.

2. The Chief Clerk of the Texas Commission on Environmental Quality shall forward a copy of this Order and the attached map to the parties.
3. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

ISSUE DATE: **March 29, 2013**

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

  
For the Commission



# **Texas Commission On Environmental Quality**

**By These Presents Be It Known To All That**

## **City of Liberty Hill**

having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

### **Certificate of Convenience and Necessity No. 10324**

to provide continuous and adequate water utility service to that service area or those service areas in Williamson County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application No. 37116-C are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Liberty Hill to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this **March 29, 2013**

  
For the Commission