



Control Number: 44028



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**DOCKET NO. 44028**

<b>APPLICATION OF THE CITY OF THREE RIVERS TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY IN LIVE OAK COUNTY (37900-C)</b>	<b>§ § § § §</b>	<b>2015 JUL 23 AM 10:57 PUBLIC UTILITY COMMISSION OF TEXAS</b>
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**COMMISSION STAFF'S AMENDED NOTICE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Amended Notice and would show the following:

**I. DISCUSSION**

On July 21, 2015, Commission Staff filed Response to Order No. 5 – Supplemental Recommendation on Administrative Completeness of the Application. Staff attached a Notice for Publication and a Notice to Neighboring Systems, Landowners and Cities to this July 21, 2015 pleading. Subsequently, Commission Staff noticed that the certificate of convenience and necessity (CCN) number was transposed and should read CCN No. 12642 (and not CCN No. 12462) in both the Notice for Publication and the Notice to Neighboring Systems, Landowners and Cities. Staff has amended the provided notices and has attached them to this pleading.

**II. CONCLUSION**

Staff respectfully requests that the ALJ issue an order consistent with Staff's July 21, 2015 recommendations, but orders the Applicants to use the attached and corrected notice forms.

**Dated: July 23, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director-Legal Division

Shelah J. Cisneros  
Managing Attorney-Legal Division

Maria Faconti  
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(512) 936-7235  
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Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

**DOCKET NO. 44028**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on the 23<sup>rd</sup> of July, 2015, in accordance with 16 TAC § 22.74.

Maria Faconti  
Maria Faconti

## Notice for Publication

### NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN LIVE OAK COUNTY, TEXAS

City of Three Rivers filed an application with the Public Utility Commission of Texas to Amend Certificate of Convenience and Necessity No. 12642 for the provision of water utility service in Live Oak County.

The proposed utility service area is located approximately **3.5** miles **southwest** of downtown **Three Rivers**, Texas, and is **generally** bounded on the north **by Choke Canyon Reservoir**; on the east by **FM 1545**; on the south by **Nueces River**; and on the west by **FM 1545**.

The total area being requested includes approximately **3396** acres and **37** current customers.

A copy of the proposed service area map is available at: City of Three Rivers, City Hall, 105 N. Harborth Ave., Three Rivers, TX 78071

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-936-7221

**Notice to Neighboring Systems, Landowners and Cities**

NOTICE OF APPLICATION TO AMEND CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) NO. 12642 TO PROVIDE WATER UTILITY SERVICE IN LIVE OAK  
COUNTY, TEXAS

To: \_\_\_\_\_  
(Neighboring System, Landowner or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City State Zip)

Date Notice Mailed: \_\_\_\_\_, 2015

City of Three Rivers filed an application with the Public Utility Commission of Texas to amend Certificate of Convenience and Necessity No. 12642 for the provision of water utility service in Live Oak County.

The proposed utility service area is located approximately **3.5 miles southwest** of downtown **Three Rivers**, Texas, and is **generally** bounded on the north **by Choke Canyon Reservoir**; on the east by **FM 1545**; on the south by **Nueces River**; and on the west by **FM 1545**.

**See enclosed map of the proposed service area.**

The total area being requested includes approximately **3396** acres and **37** current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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