



Control Number: 44267



Item Number: 21

Addendum StartPage: 0



JACKSON WALKER L.L.P.

125 YEARS
ATTORNEYS & COUNSELORS

2015 NOV 18 PM 2:24

Donna Brown Willis, Paralegal
(512) 236-2245 (Direct Dial)
(512) 239-2271 (Direct Fax)
dwillis@jw.com

PUBLIC UTILITY COMMISSION
FILING CLERK

November 18, 2015

Public Utility Commission
Attention: Central Records
1701 N. Congress Avenue, Suite 8-100
Austin, Texas 78711

VIA Efile and Hand Delivery

RE: Docket No. 44267; Application of Double Diamond dba The Cliffs Resort to Obtain or Amend a Water/Sewer Certificate of Convenience and Necessity in Palo Pinto County

Dear Central Records:

In accordance with Orders No. 6 and No. 7 and the PUC Staff's response to Order No. 5, I submit the original and nine copies of the following documents:

- 1) Publisher's Affidavit from the *Mineral Wells Index* for publication of the notice on November 5, 2015 and November 12, 2015, along with original tearsheets for each date of publication.
- 2) Affidavit of Notice to Neighboring Systems, Cities and Other Affected Parties and Current Customers along with:
 - a) Attachment A, a list of the Neighboring Systems, Cities and Other Affected Parties and a copy of the Notice and Proposed CCN Amendment Vicinity Map, and
 - b) Attachment B, a list of the Current Customers and a copy of the Notice, Proposed CCN Amendment Vicinity Map, and Notice to Customers of IOUs in Proposed Area,

which were mailed on November 6, 2015.

By copy of this letter, I am providing copies of these documents to the persons listed below.

Sincerely,

Donna Brown Willis
Paralegal

Page 2
November 18, 2015

Enclosures

cc: Mandeep Chatha, PUC Legal Division
Emily Sears, PUC Financial Analyst
Tracy Montes, GIS Specialist

(Via email)

(Via email)

(Via email)

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT

DOCKET NO. 44267

STATE OF TEXAS

COUNTY OF Palo Pinto

Before me, the undersigned authority, on this day personally appeared

Sharon Berry, who being by me

duly sworn, deposes and that (s)he is the Circulation Manager (TITLE)

of the Mineral Wells Index (NAME OF NEWSPAPER)

that said newspaper is regularly published in: Palo Pinto (COUNTY/COUNTIES)

and generally circulated in Palo Pinto, Texas; and (COUNTY/COUNTIES)

that the attached notice was published in said newspaper on the following date(s), to wit:

Nov. 5th + 12th, 2015 (DATES)

Sharon Berry (SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 11th day of November, 2015, to certify which witness my hand and seal of office.

Becky Harrison Notary Public in and for the State of Texas

Becky Harrison Print or Type Name of Notary Public

Commission Expires 8-22-15

Mineral Wells Index

Classifieds

Flea Market

FREE

20 Words
5 Days
Items total \$500 or less

All items must be in good condition. No cash for items. Items must be picked up by 10:00 AM on Friday. Items must be placed in front of the flea market. Call for details.

BSD BUSINESS SERVICES SPECIAL

NEW! Customer Only! You Save! Start at just 1 month for the Mineral Wells Index. The First Stopper! 100% Family & Home! (Phone 254-751-1330) Call for details.

Place a Classified

Check out Mineral Wells Classifieds at Call 940-377-0838. The First Stopper! 100% Family & Home! (Phone 254-751-1330) Call for details.

View the Classifieds Online at: www.mineralwellsindex.com

We Accept All Major Credit Cards



AUTOS

Featured Vehicles

Available in Mineral Wells, Texas. Call for details.



HOMES

Featured Homes

Available in Mineral Wells, Texas. Call for details.



JOBS

Featured Jobs

Available in Mineral Wells, Texas. Call for details.



SHOP

Featured Shop

Available in Mineral Wells, Texas. Call for details.

TELL US HOW YOU LIKE YOUR NEWS. WIN A KINDLE FIRE!

Win a Kindle Fire tablet by taking a survey about your news experience. The survey is available on our website and in our print edition. The survey is open until November 15, 2015. The survey is available in English and Spanish. The survey is available to all subscribers. The survey is available to all residents of Mineral Wells, Texas. The survey is available to all residents of the United States. The survey is available to all residents of the world.

LOCAL NEWS

Check out the latest local news in Mineral Wells, Texas. Call for details.

Community Council

Check out the latest community news in Mineral Wells, Texas. Call for details.

ADOPTION

Check out the latest adoption news in Mineral Wells, Texas. Call for details.

NOTICE FOR PUBLICATION

Check out the latest notice for publication news in Mineral Wells, Texas. Call for details.

General Help Wanted

Check out the latest general help wanted news in Mineral Wells, Texas. Call for details.

Business Opportunities

Check out the latest business opportunities news in Mineral Wells, Texas. Call for details.

Times Review

Check out the latest times review news in Mineral Wells, Texas. Call for details.

SELL YOUR VEHICLE

Check out the latest sell your vehicle news in Mineral Wells, Texas. Call for details.

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Check out the latest general help wanted news in Mineral Wells, Texas. Call for details.

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Check out the latest times review news in Mineral Wells, Texas. Call for details.

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Check out the latest sell your vehicle news in Mineral Wells, Texas. Call for details.

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**SEE PUC CENTRAL RECORDS FILE FOR
ORIGINAL NEWSPAPER TEARSHEETS**

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING SYSTEMS, CITIES,
OTHER AFFECTED PARTIES AND CURRENT CUSTOMERS
DOCKET NO. 44267

STATE OF TEXAS
COUNTY OF TRAVIS

Double Diamond dba The Cliffs Resort as provided individual notice to the following entities and customers:

See Attachment A for Service List for Notice to Neighboring Systems, Cities and Other Affected Parties
See Attachment B for Service List for Notice to Current Customers

DATE

November 6, 2015

November 6, 2015

OATH

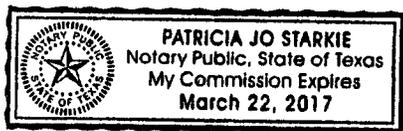
I, Donna Brown Willis, being duly sworn, file this form as a Representative of Double Diamond dba The Cliffs Resort (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set forth there are true and correct.

Donna Brown Willis

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or it's attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 18th day of November, 2015, to certify which witness my hand and seal of office.



Patricia Jo Starkie

Notary Public in and for the State of Texas.

Patricia Jo Starkie

Print or Type Name of Notary Public

Commission expires March 22, 2017

ATTACHMENT A

PUC DOCKET NO. 44267

APPLICATION OF DOUBLE	§	BEFORE THE
DIAMOND DBA THE CLIFFS	§	
RESORT TO OBTAIN OR AMEND A	§	PUBLIC UTILITY COMMISSION
WATER/SEWER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
PALO PINTO COUNTY	§	OF TEXAS

**SERVICE LIST FOR NOTICE TO NEIGHBORING SYSTEMS, CITIES AND OTHER
AFFECTED PARTIES**

Neighboring Systems, Cities, County

Possum Kingdom Water Supply
1170 Willow Road
Graford, TX 76449

Gaines Bend Utilities, Inc.
1 Gibson Drive
Graford, TX 76449

Sportsman World MUD
3138 Hells Gate Loop
Strawn, TX 76475

Brazos River Authority
P. O. Box 7555
Waco, TX 76714

Palo Pinto County WCID 1
c/o Todd McCall, President
70 Oyster Bay
Graford, TX 76449

Palo Pinto County Judge
David Nicklas
P.O. Box 190
Palo Pinto, TX 76484

Notice to Neighboring Systems, Customers and Cities

NOTICE OF APPLICATION OF DOUBLE DIAMOND DBA THE CLIFFS RESORT TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN PALO PINTO COUNTY, TEXAS

To: Possum Kingdom Water Supply
1170 Willow Road
Graford, Texas 76449

Date Notice Mailed: November 6, 2015

Double Diamond dba the Cliffs Resort has filed an application with the Public Utility Commission of Texas to amend their Certificates of Convenience and Necessity and to decertify a portion of CCN No. 12890 held by Possum Kingdom Water Supply Corporation in Palo Pinto County, Texas.

The proposed utility service area is located approximately 16 miles southwest of downtown Graford, Texas, and is generally bounded on the north by Possum Kingdom Lake; on the east by the intersection of State Highway 16 South and the Brazos River; on the south by State Highway 16 South; and on the west by Gaines Bend Drive. The total area for the water and sewer CCNs being requested includes approximately 217 acres and 20 current customers.

See enclosed map of the proposed service area.

A copy of the proposed service area map is available at The Cliffs, 160 Cliffs Drive, Graford, TX 76449, 940-779-4040.

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.

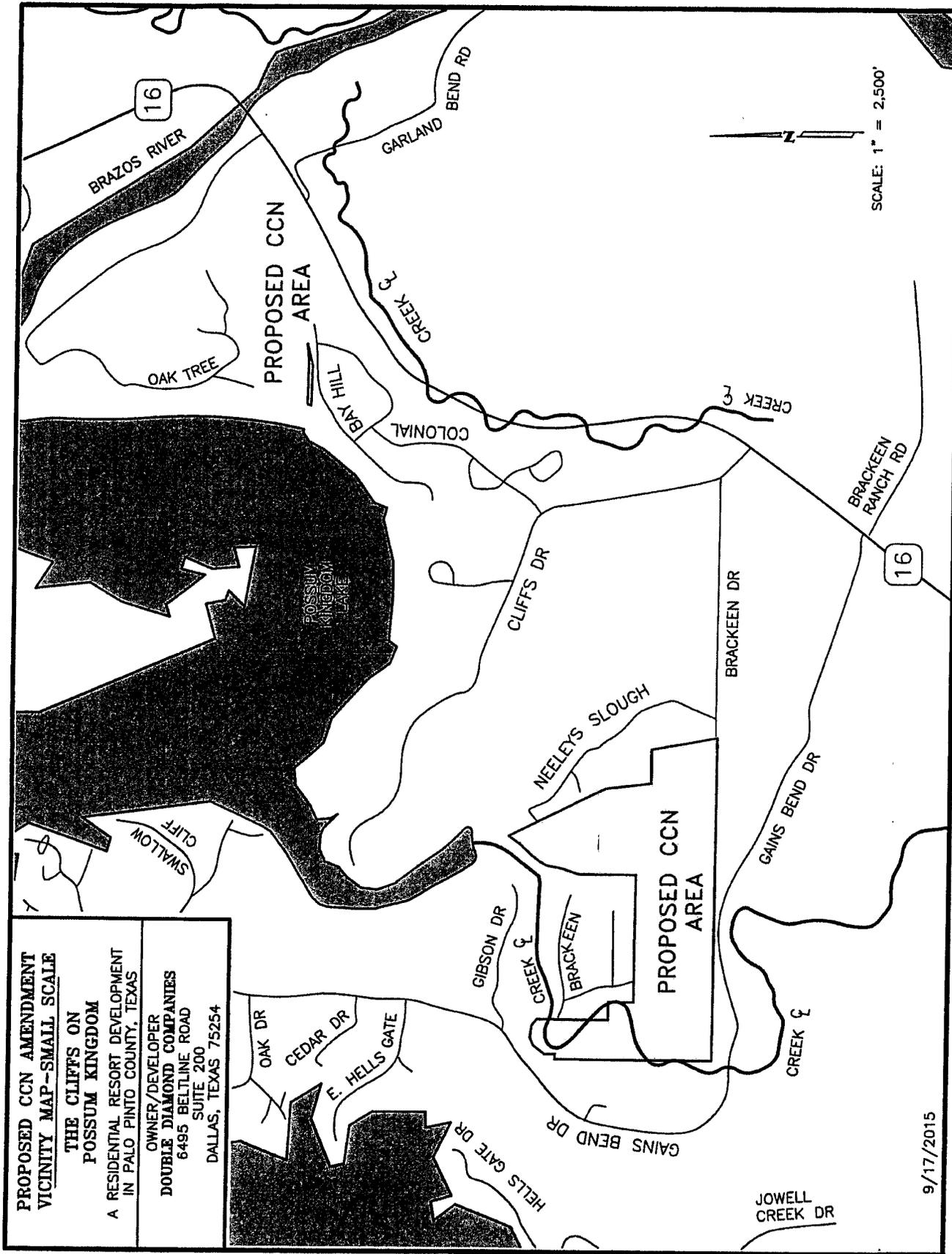
If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided 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



**PROPOSED CCN AMENDMENT
VICINITY MAP--SMALL SCALE**

**THE CLIFFS ON
POSSUM KINGDOM**

A RESIDENTIAL RESORT DEVELOPMENT
IN PALO PINTO COUNTY, TEXAS

**OWNER/DEVELOPER
DOUBLE DIAMOND COMPANIES
6495 BELTLINE ROAD
SUITE 200
DALLAS, TEXAS 75254**

SCALE: 1" = 2,500'

9/17/2015

ATTACHMENT B

PUC DOCKET NO. 44267

APPLICATION OF DOUBLE § BEFORE THE
DIAMOND DBA THE CLIFFS §
RESORT TO OBTAIN OR AMEND A § PUBLIC UTILITY COMMISSION
WATER/SEWER CERTIFICATE OF §
CONVENIENCE AND NECESSITY IN §
PALO PINTO COUNTY § OF TEXAS

SERVICE LIST FOR NOTICE TO CURRENT CUSTOMERS

Kyle Burnett
2811 Tyler St.
Southlake, Texas 76092

Ann Ziemba
1230 Spyglass Drive
Graford, TX 76449

Ted Wugofski
4828 Overton Hollow
Fort Worth, Texas 76109

Shaleen Margolese
2513 Merlin Drive
Lewisville, TX 75056

Bruce Lane
13850 Diplomat Drive
Dallas, Texas 75234

Roger Geer
6445 Elm Crest Court
Fort Worth, TX 76132

William Jackson
71 Abbey Woods Lane
Dallas, TX 75248

Mancil Baccus
16145 N, May Ave. #A
Edmond, OK 73013

Eric Howard
5502 Victor St.
Dallas, Texas 75214

Trevor Benton
55 Southern Hills Drive
Graford, TX 76449

Christian Hughes
205 Oakland Hills
Graford, Texas 76449

Owen Schmoldt
1212 McDonald Road
N. Platte, NE 69101

Judy Wilkinson
608 Lonesome Prairie Trail
Haslet, TX 76052

Albert Bazis
1214 Dartmouth Circle
Murphy, TX 75094

Tony & Lilah Andrews
2600 Sir Turquin Lane
Lewisville, TX 75056

Stephen Armond
710 Edward Ct.
Southlake, TX 76092

Stephen George
3410 Meadow Bluff Lane
Sachse, TX 75048

Michelle Gerig
5075 E. 52nd Street #H304
Odessa, TX 79762

ATTACHMENT B

William Pollard
411 Hazelwood Drive
Fort Worth, TX 76107

Harry Bauge
1208 Garden Grove
Plano, TX 75075

Notice to Neighboring Systems, Customers and Cities

NOTICE OF APPLICATION OF DOUBLE DIAMOND DBA THE CLIFFS RESORT TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN PALO PINTO COUNTY, TEXAS

To: Kyle Burtnett
2811 Tyler St.
Southlake, Texas 76092

Date Notice Mailed: November 6, 2015

Double Diamond dba the Cliffs Resort has filed an application with the Public Utility Commission of Texas to amend their Certificates of Convenience and Necessity and to decertify a portion of CCN No. 12890 held by Possum Kingdom Water Supply Corporation in Palo Pinto County, Texas.

The proposed utility service area is located approximately 16 miles southwest of downtown Graford, Texas, and is generally bounded on the north by Possum Kingdom Lake; on the east by the intersection of State Highway 16 South and the Brazos River; on the south by State Highway 16 South; and on the west by Gaines Bend Drive. The total area for the water and sewer CCNs being requested includes approximately 217 acres and 20 current customers.

See enclosed map of the proposed service area.

A copy of the proposed service area map is available at **The Cliffs, 160 Cliffs Drive, Graford, TX 76449, 940-779-4040.**

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:

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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

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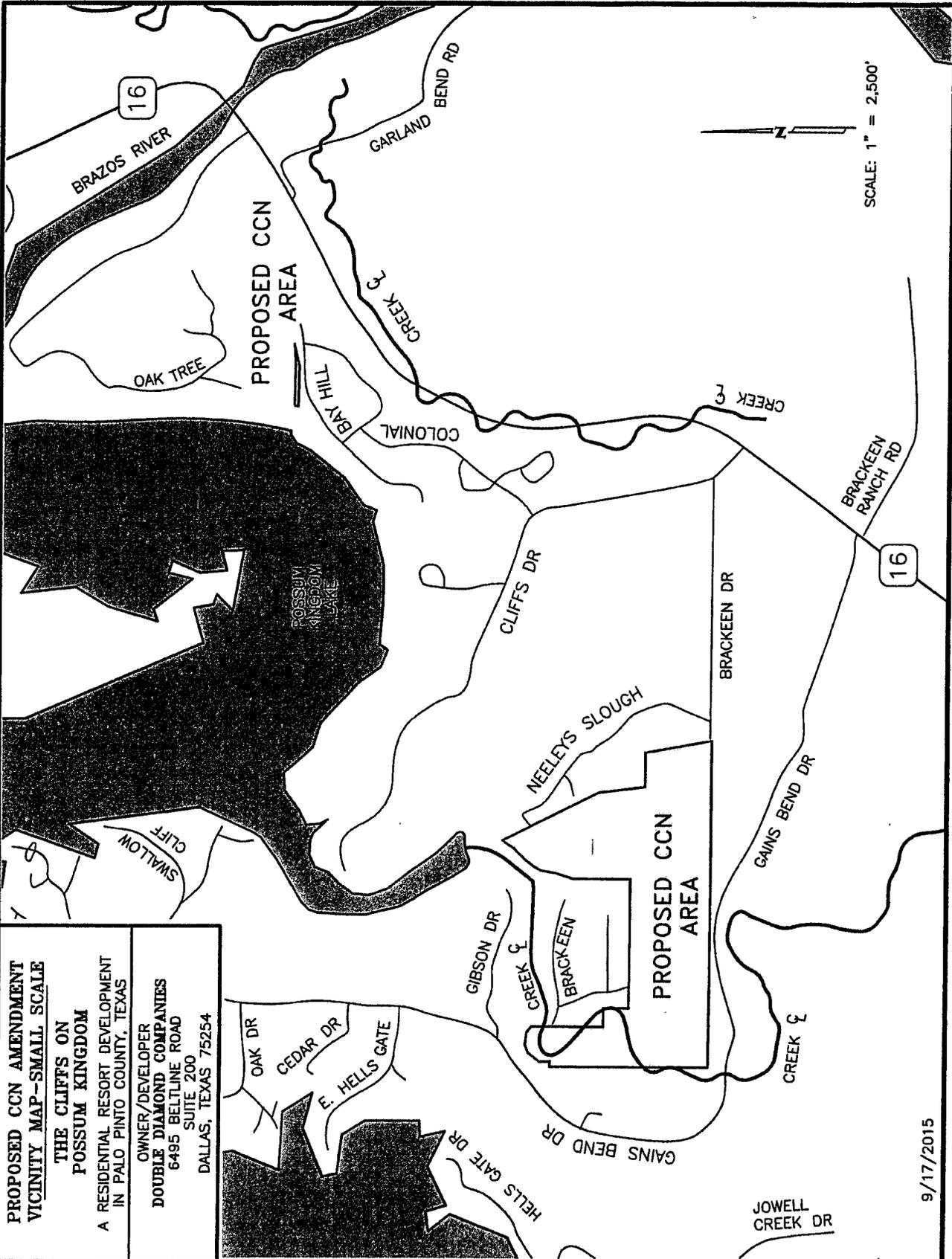
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**PROPOSED CCN AMENDMENT
VICINITY MAP - SMALL SCALE**

**THE CLIFFS ON
POSSUM KINGDOM**

A RESIDENTIAL RESORT DEVELOPMENT
IN PALO PINTO COUNTY, TEXAS

OWNER/DEVELOPER
DOUBLE DIAMOND COMPANIES
6495 BELTLINE ROAD
SUITE 200
DALLAS, TEXAS 75254



Notice to Customers of IOUs in Proposed Area

NOTICE OF APPLICATION OF DOUBLE DIAMOND DBA THE CLIFFS RESORT FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER/SEWER UTILITY SERVICE IN PALO PINTO COUNTY, TEXAS

Dear Customer: Kyle Burnnett
 2811 Tyler St.
 Southlake, Texas 76092

Date Notice Mailed: November 6, 2015

Name of Applicant: Double Diamond dba the Cliffs Resort has filed an application for a CCN to obtain or amend CCN Nos. 12087 and 20705 and to decertify a portion of CCN No. 12890 held by Possum Kingdom Water Supply Corporation with the Public Utility Commission of Texas to provide water and sewer utility service in Palo Pinto County, Texas.

The proposed utility service area is located approximately 16 miles southwest of downtown Grafard, Texas.

A copy of the proposed service area map is available at The Cliffs Resort, 160 Cliffs Drive, Grafard, TX 76449, 940-779-4040.

The current utility rates which were first effective on December 31, 2010:

<p>Monthly Flat Fee Rate of ___ per Connection -OR- Monthly Base Rate including per 0 gallons Connection for:</p> <table style="margin-left: 40px;"> <tr><td>5/8" meter</td><td><u>\$36.14</u></td></tr> <tr><td>1" meter</td><td><u>\$90.36</u></td></tr> <tr><td>1½" meter</td><td><u>\$180.72</u></td></tr> <tr><td>2" meter</td><td><u>\$289.15</u></td></tr> </table> <p>Others \$ _____</p> <p>Gallage charge of <u>\$2.60</u> per 1,000 Gallons above minimum (same for all meters sizes)</p>	5/8" meter	<u>\$36.14</u>	1" meter	<u>\$90.36</u>	1½" meter	<u>\$180.72</u>	2" meter	<u>\$289.15</u>	<p>Miscellaneous Fees</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>Regulatory Assessment</td><td style="text-align: right;"><u>1%</u></td></tr> <tr><td>Tap Fee (Average Actual Cost)</td><td style="text-align: right;"><u>\$675.00</u></td></tr> <tr><td>Reconnecting fee:</td><td style="text-align: right;"><u>\$</u></td></tr> <tr><td style="padding-left: 20px;">- Non Payment (25.00 max)</td><td style="text-align: right;"><u>\$25.00</u></td></tr> <tr><td style="padding-left: 20px;">- Transfer</td><td style="text-align: right;"><u>\$25.00</u></td></tr> <tr><td style="padding-left: 20px;">- Customer's request</td><td style="text-align: right;"><u>\$25.00</u></td></tr> <tr><td>Late Fee</td><td style="text-align: right;"><u>10%</u></td></tr> <tr><td>Returned Check charge</td><td style="text-align: right;"><u>\$30.00</u></td></tr> <tr><td>Customer Deposit (\$50 max)</td><td style="text-align: right;"><u>\$</u></td></tr> <tr><td>Meter test fee</td><td></td></tr> <tr><td style="padding-left: 20px;">(Actual Cost not Exceed \$25.00)</td><td style="text-align: right;"><u>\$25.00</u></td></tr> <tr><td>Other Fees</td><td style="text-align: right;"><u>\$</u></td></tr> </table>	Regulatory Assessment	<u>1%</u>	Tap Fee (Average Actual Cost)	<u>\$675.00</u>	Reconnecting fee:	<u>\$</u>	- Non Payment (25.00 max)	<u>\$25.00</u>	- Transfer	<u>\$25.00</u>	- Customer's request	<u>\$25.00</u>	Late Fee	<u>10%</u>	Returned Check charge	<u>\$30.00</u>	Customer Deposit (\$50 max)	<u>\$</u>	Meter test fee		(Actual Cost not Exceed \$25.00)	<u>\$25.00</u>	Other Fees	<u>\$</u>
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Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.