



Control Number: 44333



Item Number: 10

Addendum StartPage: 0

44333

## LETTER OF TRANSMITTAL

**TO:**

Public Utility Commission of Texas

1701 N. Congress

Suite 8-100 – Central Records

Austin TX 78701

**DATE:** June 6, 2015

**RE:** City of DeKalb

CCN Update

**TDA Project No.:**

**HEI Project No.: 520044**

2015 JUN 10 PM 12:17  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**WE ARE SENDING YOU :** Attached ☐ Under separate cover via \_\_\_\_\_ the following items:

- |   |   |                                       |  |                                       |
|---|---|---------------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Submittals             | <input type="checkbox"/> Samples        | <input type="checkbox"/> Report       | <input type="checkbox"/> Change Order            | <input type="checkbox"/> Test Reports |
| <input type="checkbox"/> Letter                 | <input type="checkbox"/> Drawings       | <input type="checkbox"/> Literature   | <input type="checkbox"/> Cost Estimates          |                                       |
| <input type="checkbox"/> Contracts              | <input type="checkbox"/> Specifications | <input type="checkbox"/> O & M Manual | <input type="checkbox"/> Contractors Pay Request |                                       |
| <input checked="" type="checkbox"/> Other _____ |   |                                       |  |                                       |

| COPIES | DESCRIPTION  |
|--------|--|
| 1      | Publishers Affidavit                                       |
| 1      | Notice of Publication                                      |
| 1      | Affidavit of Neighboring Utilities                         |
| 1      | Notice to Neighboring Utilities – Oak Grove WSC            |
| 1      | Notice to Neighboring Utilities – Central Bowie County WSC |

**THESE ARE BEING SENT:**

- |   |  |
|---|--|
| <input type="checkbox"/> At your request        | <input type="checkbox"/> For your information        |
| <input type="checkbox"/> Per our conversation   | <input type="checkbox"/> For your signature          |
| <input type="checkbox"/> At request of _____    | <input type="checkbox"/> For further action as noted |
| <input type="checkbox"/> Per contract           | <input type="checkbox"/> For your approval           |
| <input type="checkbox"/> For review and comment | <input checked="" type="checkbox"/> For your use     |
| <input type="checkbox"/> For _____              |  |

**REMARKS:**

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Copy to: City of DeKalb

*[Signature]*

Signed:

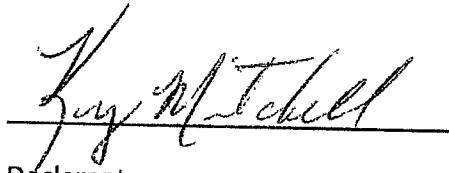
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H.B. 3674 transformed Section 132.001 of the Civil Practice and Remedies Code – a little-known provision dealing solely with the use of unsworn declarations by inmates (since they have limited access to notaries) – into a provision with very broad potential implications. As passed, the amended provision allows the use of an unsworn written declaration made under penalty of perjury in lieu of a written sworn declaration, verification, certification, oath, or affidavit required by statute or required by a rule, order, or requirement adopted as provided by law. (The section does not apply to an oath of office or an oath required to be taken before a specified official other than a notary.) The new law is effective September 1, 2011.

"My name is Kenny Mitchell, my date of birth is JULY 12, 1963, and my address is 133 EN FRONT ST, NEW BOSTON, TX 75570 and, I declare under penalty of perjury that the following is true and correct.

That I am the Publisher of the BOWIE COUNTY CITIZENS TRIBUNE, newspaper published at New Boston, Texas, Bowie County, Texas: that on May 6, 2015 there was published in said newspapers a Public Notice titled Docket No. 44333 Notice for Publication Notice of Application for Certificate of Convenience and Necessity. A copy of such public notice which was published in said newspapers is attached and made a part of here of for any and all purposes.

Executed in Bowie County, State of Texas, on the 6th day of MAY, 2015.

  
Declarant

**Kenny Mitchell, Publisher**  
Bowie County Citizens Tribune  
133 E.N. Front St.  
New Boston, Texas  
903 628 5801

"This institution is an  
equal opportunity provider, and employer."

Used Oil Field Pipe, Angle Iron,  
Square Tubing For Sale

**Dunn Enterprises**

10300 Hwy 82W DeKalb 903-277-2913

M-F 8-4 • Open Saturday 9 until noon

Issued this citation at or before  
10 o'clock a.m. of the first Mon-  
day after the expiration of 42  
days from the date of issuance  
of this citation a default judge-  
ment may be taken against you.  
Your answer is due no later than  
10 o'clock a.m. on Monday, June  
22, 2015.

ISSUED AND GIVEN under my  
hand and seal of office on April  
24, 2015, New Boston,  
Bowie County, Texas, Billy Fox -  
Clerk of the 5th Judicial District  
Court, Bowie County, Texas  
By: (s) Joy Smith

Docket No. 44333

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*Notice for Publication*

**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN BOWIE COUNTY,  
TEXAS**

City of DeKalb filed an application to amend CCN No. 10524 and to obtain dual certification  
with a portion of Central Bowie County WSC, CCN No. 10525 with the Public Utility  
Commission of Texas to provide water utility service in Bowie County.

The proposed service area is located approximately 1.0 mile west of downtown DeKalb, Texas,  
and is generally bounded on the north by SW Front St.; on the east by Rutherford St.; on the  
south by 1 mile north of East Elliot Ln; and on the west by US 259.

The total area being requested includes approximately 64 acres and 0 current customers.

The proposed amendment affects customers and/or areas located in the following zip code:  
75559.

A copy of the proposed service area map is available at: City of DeKalb, City Hall, 110 East  
Grizzly drive, DeKalb, TX 75559-1800, PH No. (903)-667-2410.

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  
Water Utilities Division  
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, the 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.

**903-628-5801 • LSTEPHENSON@bowi**

and my  
penalty of perjury

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on for Certificate of  
said newspapers is

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# PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES, LANDOWNERS AND AFFECTED PARTIES  
DOCKET NO. 44333

STATE OF TEXAS  
COUNTY OF Bowie

The City of Oak has provided  
individual notice to the following entities and landowners:

Oak Grove Water Supply  
Central Bowie Co., WSC

DATE  
June 8, 2015  
June 8, 2015

## OATH

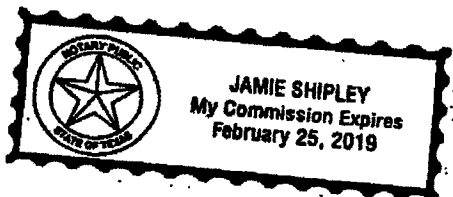
I, Abbi Capps, being duly sworn, file this form as

City Secretary (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 therein are true and correct.

Abbi Capps  
Applicant's Authorized Representative

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

Subscribed and sworn to before me this 8th day of June, 2015, to  
certify which witness my hand and seal of office.



Jamie Shipley  
Notary Public in and for the State of Texas

Jamie Shipley  
Print or Type Name of Notary Public

Commission Expires 02-25-19

*Notice to Neighboring Systems, Landowners and Cities*

**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN BOWIE COUNTY,  
TEXAS**

To: DeKalb WSC Date Notice Mailed: 2014 June 8, 2015  
(Neighboring System, Landowner or City)  
800 W. Front St.  
(Address)  
DeKalb, Tx. 75559  
(City) (State) (Zip)

City of DeKalb filed an application to amend CCN No. 10524 and to obtain dual certification with a portion of Central Bowie County WSC, CCN No. 10525 with the Public Utility Commission of Texas to provide water utility service in Bowie County.

The proposed service area is located approximately 1.0 mile west of downtown DeKalb, Texas, and is generally bounded on the north by SW Front St.; on the east by Rutherford St.; on the south by 1 mile north of East Elliot Ln; and on the west by US 259.

*See enclosed map of the proposed service area.*

The total area being requested includes approximately 64 acres and 0 current customers.

The proposed amendment affects customers and/or areas located in the following zip code: 75559.

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 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  
Water Utilities Division  
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 FOR CERTIFICATE OF CONVENIENCE AND  
NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN BOWIE COUNTY,  
TEXAS**

To: CBCWSC Date Notice Mailed: 2014 June 8, 2015  
(Neighboring System, Landowner or City)  
P.O. Box 300  
(Address)  
New Boston, Tx. 75574  
(City) State Zip

City of DeKalb filed an application to amend CCN No. 10524 and to obtain dual certification with a portion of Central Bowie County WSC, CCN No. 10525 with the Public Utility Commission of Texas to provide water utility service in Bowie County.

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