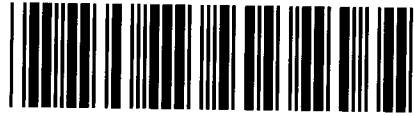


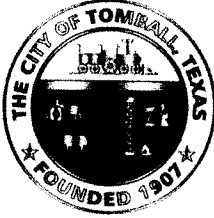


Control Number: 44534



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City of Tomball

Gretchen Fagan
Mayor

George Shackelford
City Manager

2015 JUL 27 AM 9:23

July 16, 2015

Public Utility Commission of Texas
Attention: Filing Clerk
1701 North Congress Avenue
Austin, Texas 78711-3326

Public Utility Commission of Texas
Attention: Filing Clerk
P.O. Box 13326
Austin, Texas 78711-3326

RE: Protest and Request for Public Hearing
CCN application No. 13203 and 21065 – water and sewer service

Protestor / Requestor of Public Hearing:

City of Tomball
David Esquivel, PE – Director of Public Works
501 James Street
Tomball, Texas 77375
281-290-1415 office
817-774-6313 cell
desquivel@tomballtx.gov

CCN Applicant:

Aqua Texas, Inc.
CCN Application – 13203 & 21065
Docket No. - 44534
Located in Harris County, Texas

I, David Esquivel, on behalf of the City of Tomball request a public hearing regarding the application for CCN (Certificate of Convenience and Necessity) by Aqua Texas, Inc. (CCN Numbers 13203 and 21065). The City of Tomball and its rate payers will be adversely affected with the approval of this application as presented. Approximately 126 acres of the proposed CCN permit numbers 13203 and 21065 encompass area within the City of Tomball's ETJ (extraterritorial jurisdiction). The City of Tomball provides utilities including water, sewer and natural gas; our rates as well as our impact fee structure are based and guided by the current and projected areas served. The City's master plans and projections must take into account the areas that are undeveloped within the City limits and the areas that lie within the ETJ. Projections for population growth, development, and the type of development including how to get the utilities to these areas are critical in setting the financial strategies in order to properly construct them. Requirements on developers to dedicate Right-of-Way (ROW) and follow infrastructure sizing guidelines are predicated by the long range Master Plan of the City based on service area. Changes within the service area will dramatically change the priority and selection of projects within the Capital Improvement Program (CIP) therefore changes the funds allotted for these facilities.

The approval and issuance of these CCN's will change and alter many years of the City's planning and capital expenditures that are spent which include these areas for service. The City of Tomball respectfully requests these applications to be tabled and a public hearing be held. The City of Tomball will withdraw the request for a public hearing if the CCN area is reduced and exclude areas located within the City of Tomball ETJ.

If you have any questions please do not hesitate to contact me at (281) 290-1415 or (817) 774-6313.





Sincerely,

David Esquivel, PE
Director of Public Works
City of Tomball

Attachment: CCN encroachment map, copy of notice letter & map



Legend

-  Encroachment 126 Acres
-  Proposed CCN
-  Tomball City Limits
-  City of Tomball ETJ