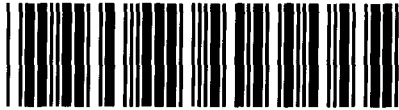


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2016 OCT 28 PM 3: 27

APPLICATION OF CITY OF HEATH TO
AMEND A CERTIFICATE OF
CONVENIENCE AND NECESSITY AND
TO DECERTIFY A PORTION OF
FORNEY LAKE WATER SUPPLY
CORPORATION'S SERVICE AREA IN
ROCKWALL COUNTY

§
§
§
§

BEFORE THE STATE OFFICE
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

CITY OF HEATH'S STATUS REPORT

TO THE HONORABLE JUDGE SARAH G. RAMOS:

COMES NOW the City of Heath ("Heath") and files this status report as required by Order No. 3, and in support thereof will show the following:

The City of Heath and Forney Lake Water Supply Corporation are making progress in memorializing an agreement pursuant to Texas Water Code §13.255. Forney Lake's agreement on compensation was subject to its ability to reduce its take or pay obligation under its contract with North Texas Municipal Water District ("NTMWD") by an amount commensurate with the number of customers to be transferred to Heath. Forney Lake has informed Heath that it has secured NTMWD's commitment to reduce the take or pay obligation if Heath's water provider, the City of Rockwall, will agree to accept the assignment of this take or pay obligation. Rockwall has advised Heath that this will require an amendment of the Rockwall/Heath Water Purchase Agreement.

Heath's water provider, the City of Rockwall, has now agreed to accept the assignment of that portion of Forney Lake's take or pay obligation to NTMWD associated with the transfer of the 839 Forney Lake customers within Heath's corporate limits. The parties can now turn their attention to memorializing their agreement pursuant to §13.255.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jim Mathews", with a stylized flourish at the end.

Jim Mathews

State Bar No. 13188700

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Attorneys for the City of Heath

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this City of Heath's Status Report was served on all parties of record in this proceeding on this 28th day of October, 2016, by hand-delivery, facsimile, electronic mail, and/or First Class Mail.

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