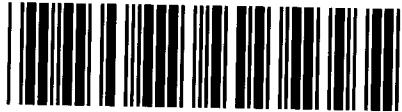




Control Number: 44843



Item Number: 18

Addendum StartPage: 0

DOCKET NO. 44843

RECEIVED

2016 MAY 19 PM 12:32

PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF CHILDRESS CREEK
WATER SUPPLY CORPORATION TO
AMEND ITS WATER CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
BOSQUE COUNTY BY DECERTIFYING
THE VM NEIGHBORS WATER GROUP
TRACTS

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PUBLIC UTILITY COMMISSION OF
TEXAS

APPLICANT'S RESPONSE TO COMMISSION ORDER NO. 6

Comes now, applicant Childress Creek Water Supply Corporation (Childress), and would show the following in response to Orders No. 6 of the Public Utility Commission (Commission):

I. BACKGROUND

On June 16, 2015, Childress filed an application with the Commission to decertify a portion of the area served by its certificate of convenience and necessity (CCN) No. 11000 in Bosque County, Texas. On April 15, 2016, Commission Staff recommended that the Commission deem the application administratively complete and recommended procedures for Childress to provide notice and proof of notice to specific entities. Staff also recommended a procedural schedule with a deadline of May 20, 2016 for Childress to provide proof of the provision and publication of notice. On April 20, 2016, the Commission deemed the application administratively complete and adopted Staff's proposed procedural schedule.

II. PROOF OF NOTICE

As requested by Commission Staff in its April 14, 2016 Interoffice Memorandum, attached hereto please find copies of the actual notice issued to Bosque County (Exhibit A), the Brazos River Authority (Exhibit B), and the Middle Trinity Groundwater Conservation District

(Exhibit C), including the maps issued with the mailed notices; tear sheets of the newspaper notice (Exhibit D), and the signed affidavits indicating notice was given (Exhibits E and F).

III. PRAYER

Childress respectfully requests that the Commission grant its request to decertify the VM Neighbors tracts from its certificated area and award it all other relief to which it is entitled.

Respectfully Submitted,

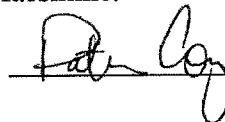
PATRICIA COY
State Bar No. 06918400
Attorney for Childress Creek Water Supply
Corporation
Patricia Coy & Associates, LLC
815 West 5th Street
Clifton, Texas 76634
(254) 675-8663
(254) 675-4567 fax
pcoy@bosquelaw.com



PUC Docket No. 44843

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record in this proceeding on the 19th day of May, 2016 by facsimile.



BRANSCOMB | PC

Susana Canseco
E-mail: scanseco@branscombpc.com
Direct Line: (210) 598-5416

April 26, 2016

Dewey Ratliff, Bosque County Judge
110 South Main, Room 100
Meridian, Texas 76665


Via Certified Mail
Return Receipt Requested

Re: Notice of Application to Amend a Certificate of Convenience and Necessity (CCN) to provide Water Utility Service in Bosque County, Texas.

Dear Judge Ratliff:

On behalf of Childress Creek Water Supply Corporation, please find the enclosed Notice of Application to Amend a Certificate of Convenience and Necessity (CCN) in Bosque County, Texas. If I can be of any further assistance, please contact me at (210) 598-5416 or scanseco@branscombpc.com.

Sincerely,



Susana Canseco

SEC/dlp
cc: Childress Creek Water Supply Corporation

A

SAN ANTONIO



AUSTIN



CORPUS CHRISTI



HOUSTON

Notice to Neighboring Systems and Cities

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

To: Dewey Ratliff, Bosque County Judge Date Notice Mailed: April 26, 2016
110 South Main, Room 100
Meridian, Texas 76665

Childress Creek Water Supply Corporation has filed an application with the Public Utility Commission of Texas to amend (decertify) a portion of its water service area under CCN No. 11000 in Bosque County.

The **proposed water service area** is located approximately 5.5 miles southeast of downtown Clifton, Texas, and is **generally** bounded on the north by **approximately 125 feet north of CR 3355**; on the east by **the intersection of CR 3360 and CR 3355**; on the south by **CR 3360**; and on the west by **CR 3350**.

The total area being requested includes approximately 100 acres.

See enclosed map of the proposed water service area.

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.

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similar to a civil trial in state district court.

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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.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dewey Ratliff
Bosque County Judge
110 South Main St., Room 100
Meridian, TX 76665



9290 9969 0099 9707 8598 79

2. Article Number (Transfer from service label)

9214 7969 0099 9790 1607 8598 62

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

[Signature]

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)**C. Date of Delivery**

- D. Is delivery address different from item 1?** ☐ Yes
If YES enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

BRANSCOMB | PC

Susana Canseco
E-mail: scanseco@branscombpc.com
Direct Line: (210) 598-5416

April 26, 2016

Brazos River Authority
Attn: Phil Ford, General Manager
P.O. Box 7555
Waco, Texas 76714

Via Certified Mail
Return Receipt Requested

Re: Notice of Application to Amend a Certificate of Convenience and Necessity (CCN) to provide Water Utility Service in Bosque County, Texas.

Dear Mr. Ford:

On behalf of Childress Creek Water Supply Corporation, please find the enclosed Notice of Application to Amend a Certificate of Convenience and Necessity (CCN) in Bosque County, Texas. If I can be of any further assistance, please contact me at (210) 598-5416 or scanseco@branscombpc.com.

Sincerely,



Susana Canseco

SEC/dlp
cc: Childress Creek Water Supply Corporation

B

SAN ANTONIO



AUSTIN



CORPUS CHRISTI



HOUSTON

Notice to Neighboring Systems and Cities

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

To: Brazos River Authority Date Notice Mailed: April 26, 2016
Attn: Phil Ford, General Manager
P.O. Box 7555
Waco, Texas 76714

Childress Creek Water Supply Corporation has filed an application with the Public Utility Commission of Texas to amend (decertify) a portion of its water service area under CCN No. 11000 in Bosque County.

The **proposed water service area** is located approximately 5.5 miles southeast of downtown Clifton, Texas, and is **generally** bounded on the north by **approximately 125 feet north of CR 3355**; on the east by **the intersection of CR 3360 and CR 3355**; on the south by **CR 3360**; and on the west by **CR 3350**.

The total area being requested includes approximately 100 acres.

See enclosed map of the proposed water service area.

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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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.

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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 requests to opt out of the requested service area must include a large scale map and a metes and bounds description of the tract or land.

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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.

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Phil Ford, General Manager/CEO
The Brazos River Authority
P. O. Box 7555
Waco, TX 76714



9290 9969 0099 9707 8599 23

2. Article Number (Transfer from service label)

9214 7969 0099 9790 1607 8599 14

COMPLETE THIS SECTION ON DELIVERY**A. Signature**☒ *Nirna Patterson*

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)*Nirna Patterson***C. Date of Delivery***4-29-16*

- D. Is delivery address different from Item 1?** ☐ Yes
If YES enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

BRANSCOMB | PC

Susana Canseco
E-mail: scanseco@branscombpc.com
Direct Line: (210) 598-5416

April 26, 2016

Middle Trinity Groundwater Conservation District
Attn: Joe B. Cooper, General Manager
930 N. Wolfe Nursery Rd.
Stephenville, Texas 76401

Via Certified Mail
Return Receipt Requested

Re: Notice of Application to Amend a Certificate of Convenience and Necessity (CCN) to provide Water Utility Service in Bosque County, Texas.

Dear Mr. Cooper:

On behalf of Childress Creek Water Supply Corporation, please find the enclosed Notice of Application to Amend a Certificate of Convenience and Necessity (CCN) in Bosque County, Texas. If I can be of any further assistance, please contact me at (210) 598-5416 or scanseco@branscombpc.com.

Sincerely,


Susana Canseco

SEC/dlp
cc: Childress Creek Water Supply Corporation

C

SAN ANTONIO



AUSTIN



CORPUS CHRISTI



HOUSTON

711 Navarro, Suite 500 | San Antonio, Texas 78205 | 210-598-5400 Fax 210-598-5405 | www.branscombpc.com

Notice to Neighboring Systems and Cities

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

To: Middle Trinity Groundwater Conservation District Notice Mailed: April 26, 2016
Attn: Joe B. Cooper, General Manager
930 N. Wolfe Nursery Rd.
Stephenville, Texas 76401

Childress Creek Water Supply Corporation has filed an application with the Public Utility Commission of Texas to amend (decertify) a portion of its water service area under CCN No. 11000 in Bosque County.

The **proposed water service area** is located approximately 5.5 miles southeast of downtown **Clifton**, Texas, and is **generally** bounded on the north by **approximately 125 feet north of CR 3355**; on the east by **the intersection of CR 3360 and CR 3355**; on the south by **CR 3360**; and on the west by **CR 3350**.

The total area being requested includes approximately 100 acres.

See enclosed map of the proposed water service area.

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.

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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.

[illegible][illegible]

SHEET NO.

CONTRACT NO.
644436


NOTE: THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF INTERNAL
REVIEW UNDER THE
AUTHORITY OF:
Kirk Raymond, R.P.S.
CNO3-15-18. IT IS NOT TO
BE USED FOR BIDDING,
CONSTRUCTION, PERMITTING
OR ANY OTHER USE
REQUIRING "FINAL SEALED"
DOCUMENTS.



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 A PROFESSIONAL
 ADVICE. WITHOUT WRITING
 CONSENT FROM
 GOOD MIX - LABILE, INC.

DATE	NO.	DATE	ISSUED FOR
	1		
	2		
	3		
	4		

D:\644\844436\644436-Exhibit_Removed Ex Area.dig

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Joe B. Cooper, General Manager Middle Trinity Groundwater Conservation Dist. 930 N. Wolfe Nursery Rd. Stephenville, TX 76401</p>		<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>9214 7969 0099 9790 1607 8599 61</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt

Notice for Publication

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

Childress Creek Water Supply Corporation has filed an application with the Public Utility Commission of Texas to amend (decertify) a portion of its water service area under CCN No. 11000 in Bosque County.

The proposed water service area is located approximately 5.5 miles southeast of downtown Clifton, Texas, and is generally bounded on the north by approximately 125 feet north of CR 3355; on the east by the intersection of CR 3360 and CR 3355; on the south by CR 3360; and on the west by CR 3350.

The total area being requested includes approximately 100 acres.

A copy of the proposed water service area map is available at:

711 Navarro ST STE 500, San Antonio TX 78205-1889; 210-598-5400
(Utility Address and Phone Number):

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

COURTESY PHOTO / THE CLIFTON RECORD
ttille Wenzel-Knust at the 1955 groundbreaking ceremony in Womack. Now, the pride of
ie prairie - the Zion United Church at Womack - celebrates 125 years.

Notice for Publication

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711 Navarro ST STE 500, San Antonio TX 78205-1889; 210-598-5400
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Si desea informacion en Espanol, puede llamar al 1-512-936-7221

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT
DOCKET NO. 44843

STATE OF TEXAS
COUNTY OF

Bosque

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

Laura Yeakey

, who being by me

duly sworn, deposes and that (s)he is the office assistant in charge of tearsheets
(TITLE)

of the Clifton Record

(NAME OF NEWSPAPER)

that said newspaper is regularly published in:

Bosque County

(COUNTY/COUNTIES)

and generally circulated in

Bosque County

(COUNTY/COUNTIES)

, Texas; and

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

4/27/16, 5/4/16

(DATES)

Laura Yeakey
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 13th day of May, 2016,
to certify which witness my hand and seal of office.

Kristina D. Taylor

Notary Public in and for the State of Texas

Kristina D Taylor

Print or Type Name of Notary Public

Commission Expires

March 04, 2017



E

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NOTICE NEIGHBORING SYSTEMS AND CITIES

STATE OF TEXAS
COUNTY OF

DOCKET NO. 44843

Bosque

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

Calvin Rueter

, who being by me

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

President

(TITLE)

of the

Childress Creek Water Supply Corporation

(NAME OF UTILITY)

that the attached notice was provided to customers and other affected parties by

Certified Mail, Return Receipt Requested

(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit:

April 26, 2016

(DATE)

Calvin Rueter

(SIGNATURE OF UTILITY OFFICIAL)

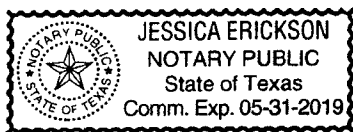
Subscribed and sworn to before me this
to certify which witness my hand and seal of office.

27th

day of

April

, 2016.



Jessica Erickson

Notary Public in and for the State of Texas

Jessica Erickson

Print or Type Name of Notary Public

Commission Expires

5/31/19

F

