



Control Number: 44992



Item Number: 10

Addendum StartPage: 0

RECEIVED

APPLICATION OF TEXAMERICA CENTER AND RIVERBEND WATER RESOURCES DISTRICT FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BOWIE COUNTY	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS 2015 SEP 15 PM 1:45 PUBLIC UTILITY COMMISSION FILING CLERK
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COMMISSION STAFF'S RESPONSE TO ORDER NO. 2

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Response to Order No. 2. In support thereof, Staff shows the following:

I. BACKGROUND

On July 30, 2015, TexAmerica Center (TexAmerica) and Riverbend Water Resource District (Riverbend) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Bowie County (Application). TexAmerica currently possesses retail water Certificate of Convenience and Necessity (CCN) No. 13210 and sewer CCN No. 21067. Riverbend seeks to purchase the water and sewer facilities from TexAmerica.

On September 2, 2015, the Administrative Law Judge (ALJ) issued Order No. 2 deeming the application complete and requiring Applicants to file Affidavits of Notice. Order No. 2 also required Staff to file an additional procedural schedule with hard deadlines by October 16, 2015. Therefore, this pleading is timely filed.

II. PROPOSED PROCEDURAL SCHEDULE

Applicants filed the Affidavit of Notice on October 16, 2015.¹ Staff has reviewed the Affidavit of Notice and recommends that it is sufficient. The Affidavit of Notice indicates that the Applicant mailed the last notice to current customers and affected municipalities on September 23, 2015.

Event	Date
Date the last notice was mailed	September 23, 2015

¹ Applicants mailed the Affidavit of Notice directly to Staff, and Staff received it on September 28, 2015. Staff advised Applicants to file it with the Commission. Staff also has attached a copy as Attachment A.

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Proposed Procedural Schedule	Date
Deadline for parties other than the Commission Staff to file comments, intervene, or request a hearing on the merits	October 23, 2015
Deadline for Commission Staff to request a hearing or file a recommendation on final disposition	December 7, 2015
Expiration of the 120-day deadline for Commission action pursuant to 16 TAC § 24.109(e)	December 31, 2015

III. CONCLUSION

Staff respectfully requests that the ALJ issue an order consistent with this Response.

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

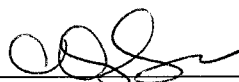


Christina R. Switzer
Attorney-Legal Division
State Bar No. 24066171
(512) 936-7216
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

DOCKET NO. 44992

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 16, 2015, in accordance with 16 TAC § 22.74.



Christina R. Switzer

Attachment A

2015 SEP 23 AM 9:47
LEGAL DIVISION



CS

September 23, 2015

Christina R. Switzer
Attorney-Legal Division
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Re: DOCKET NO. 44992

Dear Ms. Switzer:

I am sending you this letter in response to the requirement for the Riverbend Water Resources District ("RWRD") to provide notice to all required entities, including neighboring systems and cities, and current customers of the current CCN holder TexAmericas Center ("TAC"). Notice has been sent to all required persons and entities and the Affidavit of Notice is attached here with a list of those who were provided notice.

In the original filing of the application, RWRD incorrectly listed the number of connections for all past and present customers in the TAC system. Although notice was provided to ALL past and current customers of TAC as of September 9, 2015, the current number of customers receiving water and wastewater systems as of September 9, 2015 is as follows:

28 water 29 wastewater

If you have any further questions or comments, please do not hesitate to contact me on my cell at (303) 888-7353.

Sincerely,

Elizabeth A. Fazio, JD, LLM
Chief Operating Officer

Riverbend Water Resources District
3930 Galleria Oaks
Texarkana, TX 75503

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
DOCKET NO. 44992

STATE OF TEXAS
COUNTY OF Bowie

The Riverbend Water Resources District (RWPD) has provided
individual notice to the following entities:

See attached.

DATE
09.14.2015
09.18.2015
09.23.2015

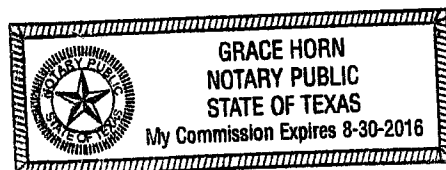
OATH

I, Elizabeth Fazio, being duly sworn, file this form as
Chief Operating Officer of RWPD (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 for therein are true and correct.

[Signature]
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 21 day of September, 2015, to
certify which witness my hand and seal of office.



[Signature]
Notary Public in and for the State of Texas

Grace Horn

Print or Type Name of Notary Public

Commission Expires 08-30-2016

APPLICANT: RIVERBEND WATER RESOURCES DISTRICT, DOCKET NO. 44992

TAC CURRENT Customer List As of 09.08.2015				Wastewater Connections		Entity Name:		Address 1		Address 2		Notice Mailed	
Customer #	Water Connections	Customer #											
1	1					AEP		212 East 6th Street		Tulsa, OK 74119		09.14.2015	
2	1	1				BAE Systems-Bldg 318, Attn: Accounts Payable		P.O. Box 15512		York, PA 17408		09.14.2015	
3	1	2				Cherokee Nation Red Wing, LLC		P.O. Box 691270		Tulsa, OK 74169-1270		09.14.2015	
4	1	3				Col Grubbs		20 Circle Drive		New Boston, Texas 75570		09.23.2015	
5	1	4				Control Concepts, Inc.		4223 Genoa Rd		Texarkana, AR 71854		09.14.2015	
6	1	5				Corps of Engineers		P.O. Box 3919		Ft. Polk, LA 71459		09.14.2015	
		6				Day & Zimmermann (2 1/2", 3", 4", 6", Boiler Houses; Footprint)		Highway 82 West		Texarkana, TX 75505-9100		09.14.2015	
7	2					Excel Utility Construction Inc. (Hydrant #5 and #1)		4158 FM 2087 S		Kilgore, TX 75662		09.14.2015	
8	1	7				Four Thirteen Inc.		P.O. Box 5848		Texarkana, TX 75505		09.14.2015	
9	3	8				GCC Enterprises Inc. Office (Hydrant #3 and #2)		P.O. Box 68		Hooks, TX 75561-0068		09.14.2015	
10	1	9				Genova Products Inc. Attn: Accounts Payable		7034 E. Court Street		Davison, MI 48423-0309		09.14.2015	
	-1	10				IsoNova Technologies, LLC		P.O. Box 1359		Hooks, TX 75569		09.14.2015	
11	2	11				M2 Services Inc Bldg 123; 320 Panther		5900 S. Lake Forest Dr Suite 240		McKinney, TX 75070		09.14.2015	
12	1					Martin Marietta Materials, Inc., ATTN: Payable Processing		P.O. Box 30013		Raleigh, NC 27622		09.14.2015	
		12				MTP DriveTrain Services, LLC, Attn: Rick Rodgers		205 McDonald Drive		Many, LA 71449		09.14.2015	
		13				Murphy & Son Timber		P.O. Box 532		Maud, TX 75567		09.14.2015	
13	4	14				Oak Grove Golf Course (Maint Shop; Bldg #56; Pro Shop; #9)		Oak Grove Circle		New Boston, TX 75570		09.14.2015	
14	16	15				Oak Grove Land Company (Apts 700 - 704; 705 A&B; 707 A&B; 708; 710; 715; 717; Bldg 57; 54; 40)		3402 Texas Boulevard		Texarkana, TX 75503		09.14.2015	
15	2	16				Quail Tools (North and South)		1000 North Boundary Road		New Boston, TX 75570		09.14.2015	
16	2	17				Ralph Fellers (House and Sprinkler)		13 Oak Grove Place		New Boston, TX 75570		09.14.2015	
17	2	18				Ray Johnston (House and Sprinkler)		29 Oak Grove Place		New Boston, TX 75570		09.14.2015	
18	2	19				Ron Deaver		11 Oak Grove Place		New Boston, TX 75503		09.14.2015	
19	2	20				RR Biodiesel (North and South) (same as REG New Boston c/o US Energy Services)		416 S. Bell Avenue		Ames, IA 50010		09.14.2015	
20	1	21				TexAmericas Center Enterprise (Maint; General Fund; East Maint)		107 Chapel Lane		New Boston, TX 75570		09.14.2015	
21	1	22				Texarkana College @ TexAmericas Center		2500 N. Robinson Rd		Texarkana, TX 75599		09.14.2015	
22	1	23				URS Attn: Jeri Cripe		9400 Arnsberger, Bldg B		Austin, TX 78729		09.14.2015	
23	1	24				VSE Corporation		6348 Walker Lane		Alexandria, VA 22310		09.14.2015	
24	4	25				VW Williams		895 W. Goodale Blvd		Columbus, OH 43212-3870		09.14.2015	
25	2	26				William J Pass (House and Sprinkler)		#12 Oak Grove Place		New Boston, TX 75570		09.14.2015	
26	2	27				William J Pass (Father) (House and Sprinkler)		#6 Oak Grove Place		New Boston, TX 75570		09.14.2015	
27	1	28				Wyle Laboratories, INC Richard Jackson		P.O. Box 11640		Huntsville, AL 35814		09.14.2015	
28	3	29				Red River Army Depot (North and South) BB, BB		100 James Carlow Drive Attn: AMST-		Texarkana, TX 75507		09.14.2015	
						Minus 2 for the addition of Col Grubbs and MR2 (added after original list sent.							
TAC PAST Customer List As of 09.08.2015													
	1					HEC Environmental		409 Hazel Street		Texarkana, AR 71854		09.14.2015	
	1					2PSwansons Services LLC		77 South County Road 4223		Simms, TX 75574		09.14.2015	

APPLICANT: RIVERBEND WATER RESOURCES DISTRICT, DOCKET NO. 44992

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APPLICANT: RIVERBEND WATER RESOURCES DISTRICT, DOCKET NO. 44992

	Bowie County Cities, and Entities	Contact	Address 1	Address 2	Notice Mailed
	Entity Name				
1	Bowie County	Bowie County Judge James Carlow	710 James Bowie Drive	New Boston, Texas 75570	09.14.2015
2	Bowie County	Bounty Clerk Tina Petty	710 James Bowie Drive	New Boston, Texas 75570	09.14.2015
3	Burns-Redbank WSC		P.O. Box 907	Hooks, Texas 75561	09.14.2015
4	Central Bowie WSC		P.O. Box 306	New Boston, Texas 75570	09.14.2015
5	City of Annona, TX	Honorable	P.O. Box 107	Annona, Texas 75550	09.14.2015
6	City of Avery, TX	Honorable	P.O. Box 35	Avery, Texas 75554	09.14.2015
7	City of DeKalb	Honorable Dennis Wandry, Mayor	City Hall, 110 South East Front Street	DeKalb, Texas 75559	09.14.2015
8	City of Hooks	Honorable Michael Babb, Mayor	City Hall, P.O. Box 37	Hooks, Texas 75561	09.14.2015
9	City of Leary, TX	Honorable James Palma, Mayor	125 Shiloh Road	Hooks, Texas 75561	09.14.2015
10	City of Maud, TX	Honorable Dwight Butler, Mayor	City Hall, P.O. Box 100	Maud, Texas 75567-0100	09.14.2015
11	City of Nash, TX	Honorable Robert Bunch, Mayor	City Hall, P.O. Box 520	Nash, Texas 75569	09.14.2015
12	City of New Boston, TX	Honorable Johnny Branson, Mayor	City Hall, P.O. Box 5	New Boston, Texas 75570	09.14.2015
13	City of Red Lick, TX	Honorable Shella Kegley, Mayor	P.O. Box 870 Nash, Texas 75569	Nash, Texas 75569	09.14.2015
14	City of Redwater, TX	Honorable Robert Lorange, Mayor	P.O. Box 209	Redwater, Texas 75573-0209	09.14.2015
15	City of Texarkana, TX	Honorable Bob Bruggeman, Mayor	City Hall, P.O. Box 1967	Texarkana, Texas 75504	09.14.2015
16	City of Wake Village, TX	Honorable Jim Roberts, Mayor	P.O. Box 3776	Wake Village, Texas 75501	09.14.2015
17	Cody's Mobile Home Park		2693 FM 991E	Texarkana, Texas 75501	09.14.2015
18	El Chaparral MHP		2810 Jonathan	Texarkana, Texas 75501	09.14.2015
19	Federal Correction Inst.		P.O. Box 7000	Texarkana, Texas 75505	09.14.2015
20	Macedonia-Eylau MUD #1		RT 11, Box 228-C	Texarkana, Texas 75501	09.14.2015
21	Oak Grove WSC		18742 US Highway 82 West	Avery, Texas 75554	09.14.2015
22	Park Terrace MHP		117 Parkway Drive	Texarkana, Texas 75501	09.14.2015
23	Red River Authority of Texas		P.O. Box 240	Wichita Falls, Texas 76307	09.14.2015
24	Red River Redevelopment Authority		1404 E. Main Street	Clarksville, Texas 75426	09.14.2015
25	Sulphur River Basin Authority		911 N Bishop, Suite C-104	Wake Village, Texas 75501	09.14.2015
26	TexAmericas Center	Scott Norton, Executive Director/CEO	701 Chapel Lane	New Boston, Texas 75570	09.18.2015
27	Texarkana Water Utilities	Bill King	801 Wood Street	Texarkana, Texas 75501	09.18.2015
28	Woodlands Estates		3601 South Kings Highway	Texarkana, Texas 75501	09.14.2015