



Control Number: 45272



Item Number: 19

Addendum StartPage: 0

**PUC DOCKET NO. 45272**

**APPLICATION OF ZIPP ROAD  
UTILITY COMPANY, LLC TO  
OBTAIN A CERTIFICATE OF  
CONVENIENCE AND NECESSITY  
IN GUADALUPE COUNTY**

§  
§  
§  
§  
§

**BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS**

RECEIVED

2016 MAY 12 PM 3:11

PUBLIC UTILITY COMMISSION CLERK

**GUADALUPE-BLANCO RIVER AUTHORITY'S  
MOTION TO INTERVENE AND REQUEST FOR A PUBLIC HEARING**

On behalf of the Guadalupe-Blanco River Authority (GBRA), I am filing this motion to intervene and request for a public hearing on Zipp Road Utility Company LLC's Application for Certificate of Convenience and Necessity (CCN) to Provide Sewer Service in Guadalupe County Texas, Docket No. 45272. I am the attorney representing GBRA in this matter and my name and address are as follows:

Emily W. Rogers  
Bickerstaff Heath Delgado Acosta LLP  
3711 S.MoPac Expressway, Bld. 1, Suite 300  
Austin, TX 78746  
Phone: (512) 472-8021  
Fax: (512) 320-5638  
[erogers@bickerstaff.com](mailto:erogers@bickerstaff.com)

GBRA is authorized by its enabling legislation to develop the collection, transportation, treatment, disposal, and handling of any waste. Pursuant to this legislative authority, GBRA, which holds Sewer CCN No. 20892, is a regional sewer service provider in Guadalupe County and has sewer collection facilities immediately adjacent to the proposed CCN area. GBRA's Sewer CCN No. 20892 abuts the area Zipp Road has requested be certificated to it. GBRA has capacity to serve the proposed area and is willing to serve. As a retail public utility immediately adjacent to the proposed area, GBRA will be negatively affected by the granting of Zipp Road's application

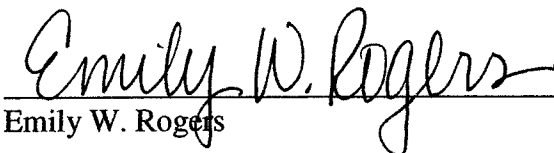
because GBRA has constructed facilities to be the regional sewer provider in the area requested by Zipp Road.

Moreover, GBRA is charged with preservation and conservation of the natural resources within the boundaries of GBRA. GBRA is concerned that the construction, operation, and maintenance of the separate sewer system by Zipp Road will not protect the natural resources in the Guadalupe River basin. Zipp Road has no history as a utility service provider or sewer system operator. Moreover, GBRA is concerned that Zipp Road does not have the technical, managerial, and financial capabilities to operate a utility system or a wastewater treatment plant.

For these reasons, GBRA has justiciable interests that will be adversely affected by this application. GBRA requests that its motion to intervene and its request for a public hearing be granted and, upon the conclusion of the hearing, the application be denied. There are no changes to this application that can be made that will satisfy GBRA's concerns.

Respectfully submitted,

Emily W. Rogers  
State Bar No. 24002863  
[erogers@bickerstaff.com](mailto:erogers@bickerstaff.com)  
Bickerstaff Heath Delgado Acosta LLP  
3711 S. MoPac Expressway  
Building One, Suite 300  
Austin, TX 78746  
Telephone: (512) 472-8021  
Facsimile: (512) 320-5638

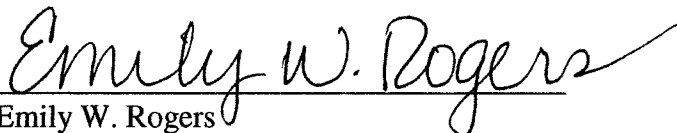
BY:   
Emily W. Rogers

**CERTIFICATE OF SERVICE**

I hereby certify by my signature below that on the 12<sup>th</sup> day of May, 2016, a true and correct copy of the above and foregoing document was forwarded via hand delivery, facsimile, U.S. mail or electronic mail to the parties below:

Randall Wilburn  
Gilbert Wilburn, PLLC  
7000 N. MoPac Expwy, Suite 200  
Austin, TX 78731  
[rbw@gwtxlaw.com](mailto:rbw@gwtxlaw.com)

Alexander Petak  
Attorney – Legal Division  
Public Utility Commission of Texas  
P.O. Box 13326  
Austin, TX 78711-3326  
1701 North Congress Ave.  
Austin, TX 78701  
Telephone: (512) 936-7377

  
Emily W. Rogers