



Control Number: 45587



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APPLICATION OF AQUA TEXAS, §  
INC. D/B/A AQUA TEXAS TO §  
AMEND ITS CERTIFICATES OF §  
CONVENIENCE AND NECESSITY IN §  
MONTGOMERY COUNTY §  
(ENCLAVE AT DOBBIN) §

BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS  
2016 JUL 27 AM 11:13  
PUBLIC UTILITY COMMISSION  
CLERK

**JOINT PROPOSED NOTICE OF APPROVAL, MOTION TO ADMIT EVIDENCE, AND MOTION FOR EXTENSION OF DEADLINE**

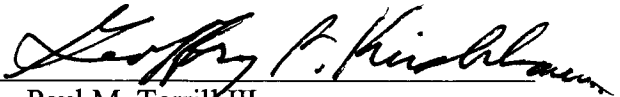
COMES NOW Staff of the Public Utility Commission (Staff), representing the public interest, together with Aqua Texas, Inc. (“Aqua Texas” or “Applicant”) (collectively “Parties”), and files this Joint Proposed Notice of Approval and Motion to Admit Evidence. In support thereof, the parties show the following:

**I. BACKGROUND**

On February 8, 2016, Aqua Texas, Inc. d/b/a Aqua Texas (Aqua Texas) filed with the Commission an application to amend its water certificate of convenience and necessity (CCN) No. 13203 and sewer CCN No. 21065 in Montgomery County, Texas, pursuant to Texas Water Code §§ 13.242-.250 and 16 Tex. Admin. Code §§ 24.101-.107. The Application was received by the Commission on February 8, 2016. On March 11, 2016, the Application was deemed sufficient for filing. The Applicant provided affidavits of notice on March 29, 2016. On April 29, 2016, the Applicant filed Supplemental Application Information. On July 18, 2016, Staff recommended approval of the Application. Order No. 3, issued on May 3, 2016, gave the Parties until July 26, 2016 to file proposed findings of fact, conclusions of law, and ordering paragraphs.

**Respectfully submitted,**

**THE TERRILL FIRM, P.C.**

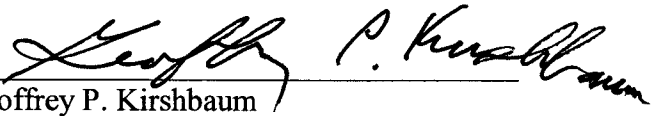
By: 

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**ATTORNEYS FOR AQUA TEXAS, INC. D/B/A  
AQUA TEXAS**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on July 27, 2016 in accordance with P.U.C. Procedural Rule 22.74.

  
Geoffrey P. Kirshbaum

4. On April 29, 2016, Aqua Texas filed Supplemental Application Information which provided the correct water utility tariff that Aqua Texas intends to implement in the amended certificated area.

5. On May 3, 2016, Order No. 3 was issued, finding the notice sufficient and adopting an updated procedural schedule.

6. On June 30, 2016, Aqua Texas submitted a signed consent form evidencing its consent to the proposed map, certificate, and revised tariff.

7. On July 18, 2016 Staff recommended that the Application be approved.

8. On July 27, 2016, the parties filed a joint proposed notice of approval and motion to admit evidence.

#### Notice

9. The Commission caused notice of this application to be published in the *Texas Register* on February 19, 2016.

10. Notice was provided by publication in the *Houston Business Journal* on March 18, 2016 and March 25, 2016.

11. A publisher's affidavit dated March 28, 2016 and signed by Kim Deshazer, the Classified Administrator of the *Houston Business Journal*, attests to this notice.

12. Aqua Texas mailed notice of the Application to neighboring systems, landowners, and cities and to neighboring utilities and affected parties on March 16, 2016.

13. An affidavit that these landowners and other entities received notice was dated March 29, 2016 and was filed with the Commission on March 29, 2016.

6. Aqua Texas demonstrated that an amendment of its water and sewer CCN Nos. 13203 and 21065 is necessary for the service, accommodation, convenience, or safety of the public, as required under TWC § 13.246(b) and 16 TAC § 24.102(c).

7. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

### III. ORDERING PARAGRAPHS

In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. Aqua Texas' Application is approved.
2. Aqua Texas' water CCN No. 13203 is hereby amended to reflect the addition of 67 acres of its service area in Montgomery County.
3. Aqua Texas' sewer CCN No. 21065 is hereby amended to reflect the addition of 67 acres of its service area in Montgomery County.
4. Aqua Texas shall comply with the recording requirements in TWC § 13.257(r) for the area in Montgomery County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
5. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the day of \_\_\_\_\_, 2016

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PUBLIC UTILITY COMMISSION OF TEXAS  
ADMINISTRATIVE LAW JUDGE