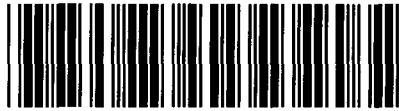




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SOAH DOCKET NO. 473-16-5296.WS
PUC DOCKET NO. 45702

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PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF THE CITY OF CIBOLO	§	BEFORE THE STATE OFFICE
FOR SINGLE CERTIFICATION IN	§	
INCORPORATED AREA AND TO	§	
DECERTIFY PORTIONS OF GREEN	§	OF
VALLEY SPECIAL UTILITY DISTRICT'S	§	
SEWER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
GUADALUPE COUNTY	§	ADMINISTRATIVE HEARINGS

AGREED STIPULATIONS

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

The City of Cibolo (the "City") files this, its Agreed Stipulations with Green Valley Special Utility District (the "District"), in accordance with the Administrative Law Judge's ("ALJ") Order No. 9 in this matter.

I. INTRODUCTION

Counsel for the City and District conducted a phone conference on February 8, 2017 to determine whether these parties could stipulate to any issues in this matter. The City and District agreed to the stipulations provided in Section II, infra (the "Stipulations"). Counsel for the City has provided these Stipulations to counsel for the Public Utility Commission ("Commission") Staff, and counsel for Commission Staff does not oppose these Stipulations. The City, District, and Commission Staff are hereby referred to as the "Parties."

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II. STIPULATIONS

The City offers the following agreed Stipulations:

1. Below is a list of the significant procedural events in this case:

<u>Date</u>	<u>Event</u>
August 18, 2015	City provided a notice to GVSUD of intent to provide sewer service
March 8, 2016	City submitted Application with the Commission
April 22, 2016	GVSUD filed motion to intervene
July 26, 2016	Matter was referred by the Commission to the State Office of Administrative Hearings ("SOAH")
August 17, 2016	Prehearing Conference held at SOAH, and discovery began
October 19, 2016	City filed direct testimony
November 2, 2016	GVSUD filed direct testimony
December 7, 2016	City filed rebuttal testimony
January 10, 2017	Commission Staff filed statement of position
January 17, 2017	Hearing on the merits held at SOAH

2. The City contends that there is no property rendered useless or valueless to GVSUD by the decertification sought by the City in this proceeding.
3. GVSUD contends that the following property is rendered useless or valueless to Green Valley by the proposed decertification sought by the City in this proceeding:
 - (a) Dollars expended by GVSUD for engineering and planning to implement GVSUD's 2006 Wastewater Master Plan allocable to the proposed decertification area:

- (b) Dollars expended by GVSUD to obtain a Texas Pollutant Discharge Elimination System permit from the Texas Commission on Environmental Quality allocable to the proposed decertification area;
 - (c) Dollars expended by GVSUD to purchase an approximate 65 acre tract of land allocable to the proposed decertification area;
 - (d) Dollars expended by GVSUD for legal fees and appraiser expenses in this docket; and
 - (e) Lost expected net revenues allocable to the proposed decertification area.
- 4. GVSUD does not have any wastewater infrastructure in the area to be decertified by the City in this proceeding.
 - 5. GVSUD has not adopted retail sewer rates.
 - 6. GVSUD has not adopted sewer impact fees.
 - 7. GVSUD does not have any retail wastewater customers in the area to be decertified by the City in this proceeding.

III. CONCLUSION AND PRAYER

The City requests that the Administrative Law Judge adopt these agreed Stipulations.

Respectfully submitted,

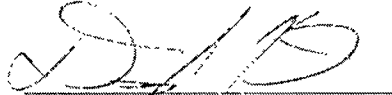
**LLOYD GOSSELINK ROCHELLE &
TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900

Austin, Texas 78701

(512) 322-5800

(512) 472-0532 (Fax)

A handwritten signature in black ink, appearing to read 'D. Klein', written over a horizontal line.

DAVID J. KLEIN

State Bar No. 24041257

dklein@lglawfirm.com

CHRISTIE DICKENSON

State Bar No. 24037667

cdickenson@lglawfirm.com

ASHLEIGH K. ACEVEDO

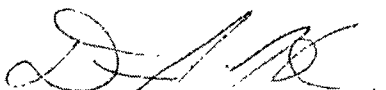
State Bar No. 24097273

aacevedo@lglawfirm.com

ATTORNEYS FOR THE CITY OF CIBOLO

CERTIFICATE OF CONFERENCE

I certify that, on February 7, 8, and 9, 2017, I conferred with counsel of record for each party about this filing and all parties do not oppose these Stipulations.



David J. Klein

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, hand-delivery and/or regular, first class mail on this 9th day of February, 2017 to the parties of record.



David J. Klein