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CITY OF CELINA'S NOTICE OF  
 INTENT TO PROVIDE WATER AND  
 SEWER SERVICE TO AREA  
 DECERTIFIED FROM AQUA TEXAS,  
 INC. IN DENTON COUNTY

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BEFORE THE PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION  
 PUBLIC UTILITY COMMISSION

COMMISSION OF TEXAS

### **AQUA TEXAS' MOTION TO INTERVENE AND NOTICE REGARDING APPRAISER**

Aqua Texas, Inc. d/b/a Aqua Texas ("Aqua") files this Motion to Intervene in the City of Celina's ("City") Notice of Intent to Provide Water and Sewer Service to Area Decertified from Aqua Texas, Inc. filed in this docket ("Application") and Notice Regarding Appraiser, and in support would show as follows.

#### **Motion for Intervention**

The Application was filed pursuant to §13.254(e) and P.U.C. SUBST. R. 24.113(i) and the compensation process set forth therein applicable when certificated service area is taken away from a CCN holder through expedited release. The Commission has taken certain property from its water and sewer CCN areas in Docket No. 45329 and Aqua is now entitled to compensation for those removals in this docket.

The procedure for the City's Application contemplates both the decertified CCN holder (here, Aqua) and the retail public utility seeking to serve the area (the City) obtaining appraisals on just compensation prior to Commission action. Aqua stands to suffer economic loss if the Commission accepts and approves the City's Application seeking the right to serve the decertified area without awarding Aqua just compensation. Thus, Aqua "(1) has a right to participate which is expressly conferred by statute, commission rule, order or other law;" and "(2) has . . . a justiciable interest which

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## **CERTIFICATE OF SERVICE**

I hereby CERTIFY that on April 22, 2016, a true and complete copy of the above was sent by the method indicated to counsel of record at the following addresses in accordance with P.U.C. PROC. R. 22.74:

Andrew Barrett  
BARRETT & ASSOCIATES, PLLC  
3300 Bee Cave Road, Suite 650 #189  
Austin, Texas 78746


*via fax to: (512) 600-3899*

### **ATTORNEY FOR CITY OF CELINA**

Erika Garcia  
Public Utility Commission of Texas  
1701 N Congress PO Box 13326  
Austin, Texas 78711-3326

*via fax to: (512) 936-7268*

### **ATTORNEY FOR COMMISSION STAFF**

  
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Geoffrey P. Kirshbaum