



Control Number: 45897



Item Number: 1

Addendum StartPage: 0



PURSUANT TO PUC SUBSTANTIVE RULE § 25.101

Application for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary Changes

Docket Number:

45897

7 copies of the application, including the original, along with one copy of the portable electronic storage medium (such as CD or DVD) containing the GIS data shall be filed with

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

RECEIVED
JUN 27 PM 3:58

No later than seven days after filing the application for the boundary change, provide a copy of each paper map and a portable electronic storage medium (such as CD or DVD) containing complete and identical data to the portable electronic storage medium submitted above to

Texas Natural Resources Information System
1700 N. Congress Ave, Room B40
Austin, Texas 78701

Part A – Applicant Information

1. Applicant

Utility name: Public Utilities Board of the City of Brownsville

Certificate number: 30021

Street address: 1425 Robin Hood Drive, Brownsville, Texas 78520

Mailing address: P. O. Box 3270, Brownsville, Texas 78523

2. Contact information

Name: Richard Crozier

Title: Attorney for Brownsville Public Utilities Board

Mailing address: 919 Congress Ave., Ste. 810, Austin, Texas 78701

Email: rcrozier@dtgrglaw.com

Phone: 512-469-6006

Alternate: John W. Davidson

Title: Attorney for Brownsville Public Utilities Board

Mailing address: 601 NW Loop 410, Suite 100, San Antonio, Texas 78216

Email: <u>j davidson@dt rglaw.com</u>	Phone: 210-349-6484
Legal counsel: Richard Crozier	Bar number: 05176500
Mailing address: 919 Congress Ave., Ste. 810, Austin, Texas 78701	
Email: <u>rcrozier@dt rglaw.com</u>	Phone: 512-469-6006
3. Other affected utility (if more than one, submit information for 3 and 4 on separate sheet labeled "Attachment A3")	
Utility name: American Electric Power	
Certificate number: 30031	
Street address: 539 N. Carancahua, Corpus Christi, Texas 78401	
Mailing address: P.O. Box 2121, Corpus Christi, Texas 78403	
4. Other affected utility contact information	
Name: Harry Gordon	Title: Vice President
Mailing address: P.O. Box 2121, Corpus Christi, Texas 78403	
Email:	Phone: 614-716-1000
Alternate:	
Title:	
Mailing address:	
Email:	Phone:
Legal counsel: Jerry N. Huerta	Bar number: 24004709
Mailing address: 400 West 15 th Street, Ste. 1520, Austin, Texas 78701	
Email: <u>jnhuerta@aep.com</u>	Phone: 512-481-3323

Part B – Effects

1. Counties

List all counties involved in the proposed boundary change: **Cameron County**

2. Municipalities

List all municipalities involved in the proposed boundary change. Attach a copy of the franchise, permit, or other evidence (labeled "Attachment B2") of the city's consent held by the utility. **If franchise, permit, or other evidence of the city's consent has been previously filed, provide only the docket number of the application in which the consent was filed: All of the proposed area is within the corporate limits of the City of Brownsville. Franchise or other consent is not applicable as applicant is owned by the City of Brownsville.**

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3. Affected utilities

Identify any other utility providing electric service whose existing certificated service area boundary would be affected by the proposed change. State whether the applicant(s) has obtained the agreement of the other affected utilities. Attach a copy of any written agreements with the applicant(s) and other affected utilities (labeled "Attachment B3"): **Public Utilities Board of the City of Brownsville (BPUB) and Central Power and Light Company (CP&L). On February 23, 1982, the City of Brownsville, Texas acting by and through the Public Utilities Board and CP&L entered into an agreement, a copy of which is attached hereto, whereby CP&L agreed not to contest or oppose applications by the City for dual or multiple certification to be granted by the Public Utility Commissions to the City in areas within the city limits of the City of Brownsville, Texas. The agreement between BPUB and CP&L meets all the requirements set out in Tex. Util. Code § 37.061 regarding Existing Service Area Agreements. See Attachment B3.**

Identify any other utility serving the proximate area and the effect on that utility of granting the certificate to the recipient of the certificate: **Magic Valley Electric Cooperative has been given notice and is not impacted by the granting of this application. American Electric Power Company has been given notice and by agreement will not contest or oppose this application.**

4. §37.056 Criteria

Describe the effect of the proposed boundary change on the community values, recreational and park areas, historical and aesthetic values, and environmental integrity. Describe the effect of the proposed boundary change as it relates to the improvement of service or the lowering of cost to consumers in the affected area: **BPUB asserts that community values will be positively affected because the Public Utilities Board Consumer Advisory Panel (PUBCAP) provides for direct input by the citizens and ratepayers of the City of Brownsville concerning the decisions made by the BPUB regarding its operation. PUBCAP was organized in 1983 to better inform Board officials and staff as to the needs and concerns of its customers. PUBCAP is comprised of ten members representing a cross-section of the system's service area and one representative from BPUB.**

There are no recreational, park areas or historical sites within the areas requested. Also, no negative environmental impact is anticipated.

Part C – Need and Costs

1. Justifications

State the reasons why the proposed boundary change is being requested, including a description of new loads to be served and new facilities to be constructed if the application is granted: **Brownsville Public Utilities Board (BPUB) received a letter from Mr. Rafael Chacon, Owner of a new business, requesting electric utility service to a proposed office building in Brownsville located on a 0.87 acre tract of land conveyed from the Veteran's Land Board of Texas to Harold H. Slack by deed dated December 4, 1973 and recorded in Volume 979, Page 704 of the Cameron County Deed Records. This tract is located at 3000 West Alton Gloor Blvd. in Brownsville, Texas; the property is not developed at this time. BPUB is requesting authorization to provide electric service to the 0.87 acre tract of land that is singly certificated to American Electric Power Company ("AEP") formerly known as CP&L. AEP and BPUB have existing overhead electric distribution lines across the highway from the property. BPUB is proposing to extend overhead primary to the property and an underground service within the property. BPUB will serve this project with water and wastewater. AEP, by agreement, will not oppose BPUB's application for certification of this area.**

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2. Reasons

Describe the existing service in the area affected by the application and explain the need for additional service: Mr. Rafael Chacon has requested that BPUB provide electric service to a proposed office building in Brownsville located at 3000 West Alton Gloor Blvd., Brownsville, Texas. There are no other property owners. BPUB is requesting authorization to provide electric service to this 0.87 acre tract of land that is presently singly certificated to American Electric Power Company ("AEP") formerly known as CP&L. AEP has agreed not to contest the requested change in certification. If the application is granted, the area will be dually certificated for electric service by BPUB and AEP.

3. Estimated costs

State the amount of money expected to be expended on new facilities if the application is granted: It is estimated to cost BPUB \$14,637.60 to provide service to this proposed area.

Part D – Maps

1. Paper maps

Base maps (labeled "Attachment D1") shall be a full scale (one inch = one mile) highway map of the county or counties involved, a USGS 7-minute topographical map, subdivision plat map, or other map of comparable scale with sufficient cultural and natural features to permit location of the proposed service area amendment in the field. Show all existing boundaries and the proposed boundaries affected by this application. Show any existing or proposed distribution or transmission lines affected by this application.

2. GIS maps

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Two portable electronic storage media (such as CDs or DVDs) containing complete and identical data shall be submitted with this application.

All shapefiles shall contain at least four files including, at a minimum:

- .shp – shape format; the feature geometry itself;
- .shx – shape index format; a positional index of the feature geometry to allow seeking forwards and backwards quickly;
- .dbf – attribute format; columnar attributes for each shape in dBase IV format; and
- .prj – projection format; the coordinate system and projection information as a plain text file describing the projection using well-known text format.

Service area boundaries shall be submitted as a **polygon**. Polygons shall be closed without breaks. Intersecting polygons shall be snapped at the intersection without gaps or overshoots. Polygons with common borders shall share a border line to avoid slivers and gaps between polygons.

All files shall have **projection information** embedded in the file. This information is stored in the .prj file. The projection file provides a mathematical process that transforms feature locations from the earth's curved surface to a map's flat surface. The projected coordinates system employs a projection to transform locations expressed as latitude and longitude values to X,Y coordinates. Without the projection information, the files may not overlay accurately.

All data shall be provided in a **scale** of 1:24,000 and shall conform to the accuracy standards described in USGS Fact Sheet FS-171-99 or successor Map Accuracy Standards.

Shapefiles shall contain the appropriate attribution to allow the layer to be symbolized according to what the layer is and what it represents. A service area boundary shapefile that is supposed to represent a utility's service territory shall have the appropriate attributes in the file to see the utility's name, for example. The other attributes shall also be included in the file. ***The following attributes for service territory boundaries are required and shall follow these naming conventions exactly, minus the information in the parentheses.***

- Utility name
- Type of utility (investor-owned utility/municipally-owned utility/electric cooperative [whichever term applies])
- RTO/ISO (whichever RTO or ISO applies)
- Customers (the total number of customers the utility serves)
- Counties (list all the counties the utility serves, wholly or in part)

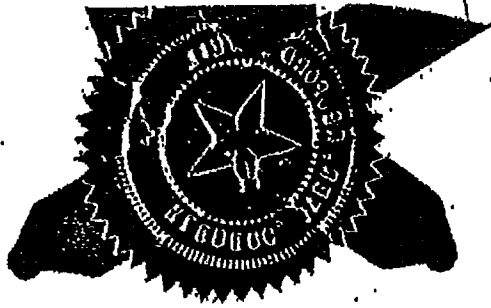
Part E – Affidavit

Affidavit

Attach a sworn affidavit (labeled "Attachment E") from a qualified individual authorized by the applicant to verify and affirm that, to the best of his/her knowledge, all information provided, statements made, and matters set forth in this application and attachments are true and correct. The affidavit shall also confirm that the paper map and portable electronic storage medium containing the GIS data were sent to TNRS.

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ATTACHMENT B3



BROWNSVILLE CERTIFICATION OF
SERVICE AREA AGREEMENT

WHEREAS, both Central Power and Light Company (Company) and the City of Brownsville, Texas, operating by and through the Public Utilities Board of the City of Brownsville, Texas (City), generate, transmit and distribute electricity to citizens of the City of Brownsville and ratepayers outside of the city limits of the City of Brownsville but adjacent thereto pursuant to certificates of convenience and necessity issued by the Public Utility Commission of Texas (PUCT); and

WHEREAS, Company and City have heretofore entered into a Compromise Settlement Agreement dated January 6, 1982, whereby Company has agreed, in part, not to contest applications of City for dual or multiple certification by the PUCT of areas within the current or future city limits of the City of Brownsville certificated for service by Company, and Company and City have agreed as to Company's rights under Section 53 of the PURA and PUCT Rules pertinent to the same (grandfather rights) along Company's facilities in the Brownsville area; and

WHEREAS, the City has, in the past, made application to the PUCT for the right to provide service to areas both within and adjacent to the City of Brownsville, which applications have been vigorously contested by Company in those areas where Company was certificated to provide electric

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WHEREAS, the cost and expense of pursuing, through administrative proceedings, the right to provide service in new areas and the cost and expense of contesting these applications has been incurred by both systems; and

WHEREAS, Company recognizes that City claims a legitimate interest in providing electric service to retail customers located within the present and future city limits of the City of Brownsville; and

WHEREAS, Company and City both believe that the Agreement as outlined below is in the public interest and further recognize that applications by City for dual or multiple certification must be approved by the PUCT under the provisions of Section 54 of the Public Utility Regulatory Act; and

WHEREAS, the Company and City desire to clarify the terms of such agreement between the parties;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein, the parties agree as follows:

I.

CERTIFICATION

1.01 Company agrees not to contest or oppose applications of City for dual or multiple certification to be granted by the Public Utility Commission to the City in areas within the city limits of the City of Brownsville, Texas, as they currently exist or as they may hereafter be extended by annexation or otherwise.

1.02 Nothing contained herein shall be construed as in any manner limiting or restricting Company's right to contest any application by City seeking certification in areas outside the city limits of the City of Brownsville, Texas, or applications, if any, of City to have Company certification to serve any area withdrawn.

II.

DOCKET NO. 3860

2.01 The right of Company to serve customers within a 200 foot corridor of a distribution line traversing the City of Brownsville has been made the subject of Docket No. 3860, presently pending before the Public Utility Commission. Company and City agree to file a Joint Motion for an agreed Order in Docket No. 3860 under the terms of which Order Company will retain the right to provide retail service to two residential customers and the Channel 23 TV Station in the City of Brownsville which are currently being provided retail service by Company. The remainder of such line, from and to points at or within the present limits of City, to be identified in such Joint Motion, will be an express feeder line from which Company will have no right to serve customers by direct drop or otherwise, except as may be permitted by paragraph 2.02.

2.02 Nothing contained herein shall be construed as preventing Company from providing service from such line to laterals presently or in the future necessary to serve

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customers in areas certificated for service by Company.

III.

COMPANY'S SECTION 53 GRANDFATHER RIGHTS

3.01 City recognizes Company's "grandfather rights" (TEX. REV. CIV. STAT. ANN. art. 1446c, sec. 53) as to all other Company facilities now or in the future located within areas singly certificated for service by City. With reasonable dispatch, City and Company agree to define with certainty those rights by inspecting Company's facilities with City and Company personnel and reviewing records and maps relevant thereto.

IV.

APPROVAL BY PUOT

4.01 This agreement is made pursuant to the provisions of Section 56 of the PURA. Both City and Company recognize that the PUOT must approve any application for amended Certificates of Convenience and Necessity in accordance with the provisions and requirements of the Public Utility Regulatory Act, and this Agreement is not intended, nor shall it be construed, as interfering with the PUOT's jurisdiction to make that determination on all applications submitted by City.

EXECUTED in multiple originals this 23 day of

February, 1982.

ATTEST:

Florine Dupont
Assistant Secretary FLORINE DUPONT

CENTRAL POWER AND LIGHT COMPANY

By: [Signature]
President and
Chief Executive Officer
WILLIAM PERCHETT

CITY OF BROWNSVILLE, TEXAS
Acting by and through the
PUBLIC UTILITIES BOARD OF THE
CITY OF BROWNSVILLE, TEXAS

ATTEST:

W. Hernandez
Secretary

By: *W. D. Miller*
Chairman of the Board

ATTEST:

CITY OF BROWNSVILLE, TEXAS

Mary Bennett
City Secretary

By: *Carolina A. Dumas*
Mayor

2/2/2016

John S. Bruciak, P.E.
General Manager & CEO
Brownsville Public Utilities Board
P.O. Box 3270
Brownsville, Texas 78523

Re: Request for electric service: 3000 W. Alton Gloor Blvd. (Location)

Dear Mr. Bruciak:

My property is located within the corporate limits of the City of Brownsville, and I would like to request that the Brownsville PUB provide electric service to my development described above.

I understand that my property is in AEP's certified area. It is also my understanding that AEP, by agreement, will not oppose BPUB's application for certification to this area. I believe that it would be in my best interest to have electric service provided by BPUB for both economic and convenience reasons since I will be using BPUB water and wastewater services.

Please notify me as soon as possible if BPUB will be able to provide electric service to this property.

Sincerely,

(Company) Sonora Development, LP

(Signor) _____

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DAVIDSON
TROILO
REAM &
GARZA PC
ATTORNEYS AT LAW

JOHN W. DAVIDSON ARTHUR TROILO CHEREE TULL KINZIE R. GAINES GRIFFIN RICHARD E. HETTINGER
PATRICK W. LINDNER RICHARD D. O'NEIL J. MARK CRAUN LEA A. REAM FRANK J. GARZA JAMES C. WOO
DAVID R. RANGEL RICHARD L. CROZIER R. JO RESER PAUL M. GONZÁLEZ KEITH A. KENDALL STEVEN M. PEÑA
JESSIE LOPEZ RICHARD E. LINDNER BRYAN M. KORRI ASHLEY L. WHITE NEYMA E. FIGUEROA
OF COUNSEL TERRY TOPHAM BETSY J. JOHNSON

April 27, 2016

Mr. Rafael Chacon, Manager
Sonora Development, LP
7097 N. Expressway 77, Suite 7
Olmito, Texas 78575

RE: Notice of Application for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary Changes in Cameron County, Texas Filed with Public Utility Commission of Texas (property is a proposed office building in Brownsville which will be built at 3000 W. Alton Gloor Boulevard in Brownsville, Texas.)


Dear Mr. Chacon:

Please take notice that the Public Utilities Board of the City of Brownsville ("BPUB") has filed an application at the Public Utility Commission of Texas for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary Changes.

You have requested electric service from BPUB for a 0.87 acre tract of land in Brownsville and within the corporate limits of the City of Brownsville. BPUB is requesting dual certification to provide electric service to this commercial site that is located within the corporate limits of the City of Brownsville and currently in American Electric Power Company's certificated service area. After the Public Utility Commission of Texas approves this application, BPUB will be authorized to provide the electric service to this commercial site. A vicinity map showing the area that is the subject of BPUB's application is attached hereto. A map of the area has been filed with the Public Utility Commission and a copy is kept at BPUB's offices at 1425 Robinhood Drive, Brownsville, Texas 78520.

If you have any questions about his project, please contact James McCann, Brownsville Public Utilities Board, at (956) 983-6203.

Sincerely yours,


Richard Crozier
For the Firm















Enclosure
cc: James McCann

000013

LEGAL DESCRIPTION

BEING A 0.87 ACRE TRACT OF LAND, MORE OR LESS, OUT OF SHARE 12 OF THE ESPIRITU SANTO GRANT IN THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS AND BEING THAT PORTION OF A 27.48 ACRE TRACT CONVEYED FROM THE VETERAN'S LAND BOARD OF TEXAS TO HAROLD H. SLACK BY DEED DATED DECEMBER 4, 1973 AND RECORDED IN VOLUME 979, PAGE 704 OF THE CAMERON COUNTY DEED RECORDS LYING SOUTH OF F.M. 3248.

LEGEND

-  PROPOSED BM / AEP CERTIFIED AREA
-  EXISTING BM (BPUB CERTIFIED AREA)
-  EXISTING MVEC CERTIFIED AREA
-  EXISTING AEP CERTIFIED AREA
-  EXISTING BM / AEP CERTIFIED AREA
-  EXISTING MVEC / AEP CERTIFIED AREA
-  EXISTING BM/ MVEC / AEP CERTIFIED AREA
-  EXISTING MVEC TRANSMISSION LINE
-  EXISTING MVEC DISTRIBUTION LINE
-  EXISTING AEP TRANSMISSION LINE
-  EXISTING AEP DISTRIBUTION LINE
-  EXISTING BM TRANSMISSION LINE
-  PROPOSED BM DISTRIBUTION LINE
-  EXISTING BROWNSVILLE CITY LIMITS

DWN BY: Y. LOPEZ

DATE: 03/18/2016

SCALE: 1" = 300'

BM/AEP

PROJECT LOCATION PROPOSED BM & AEP
CERTIFICATION MODIFICATION FOR:
PLAZA PITAYA
(REFERENCE LEGAL DESCRIPTION)
0.87 ACRE TRACT OF LAND

AEP

ALTON GLOOR RD.

AEP

BM/AEP

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DAVIDSON
TROILO
REAM &
GARZA PC
ATTORNEYS AT LAW

JOHN W. DAVIDSON ARTHUR TROILO CHEREE TULL KINZIE R. GAINES GRIFFIN RICHARD E. HETTINGER
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JESSIE LOPEZ RICHARD E. LINDNER BRYAN M. KORRI ASHLEY L. WHITE NEYMA E. FIGUEROA
OF COUNSEL TERRY TOPHAM BETSY J. JOHNSON

April 27, 2016

Cameron County Commissioners
Cameron County Courthouse
964 E. Harrison Street
Brownsville, Texas 78520

RE: Notice of Application for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary Changes in Cameron County, Texas Filed with Public Utility Commission of Texas (property is a proposed office building in Brownsville which will be built at 3000 W. Alton Gloor Boulevard in Brownsville, Texas.)

Dear Commissioners:

Please take notice that the Public Utilities Board of the City of Brownsville ("BPUB") has filed an application at the Public Utility Commission of Texas for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary changes to include the below-described area that is within the city limits of the City of Brownsville, Texas. The area is currently certificated to American Electric Power Company ("AEP"), and is set out on a map filed with the Commission, a copy of which is kept at BPUB's office at 1425 Robinhood Drive, Brownsville, Texas. In addition, a vicinity map is attached to this letter showing the geographic location of the proposed area.

BPUB has received a request from Mr. Rafael Chacon, Manager for Sonora Development, LP, to provide electric utility service to the property located in Brownsville. BPUB is seeking the right to provide electric service to 0.87 acre tract of land. The land is currently in AEP's service area.

BPUB and AEP have existing electric distribution lines along the property's northern and eastern boundary line. BPUB is proposing to extend an overhead primary to the property and an underground service line into the property. BPUB will also serve this project with water and wastewater. Sonora Development, LP is the only property owner that will be affected by this application and thus no additional notice to other landowners is necessary. Notice of this application has also been provided to AEP, Magic Valley Electric Cooperative, and Mr. Rafael Chacon.

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If you have any questions about this project, please contact James McCann, Brownsville Public Utilities Board, at (956) 983-6204.

Sincerely yours,


Richard Crozier
For the Firm

ATTORNEYS FOR THE PUBLIC
UTILITIES BOARD OF THE CITY
OF BROWNSVILLE, TEXAS

Enclosure
cc: Mr. James McCann

000016

LEGAL DESCRIPTION

BEING A 0.87 ACRE TRACT OF LAND, MORE OR LESS, OUT OF SHARE 12 OF THE ESPIRITU SANTO GRANT IN THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS AND BEING THAT PORTION OF A 27.48 ACRE TRACT CONVEYED FROM THE VETERAN'S LAND BOARD OF TEXAS TO HAROLD H. SLACK BY DEED DATED DECEMBER 4, 1973 AND RECORDED IN VOLUME 979, PAGE 704 OF THE CAMERON COUNTY DEED RECORDS LYING SOUTH OF F.M. 3248.

LEGEND

- PROPOSED BM / AEP CERTIFIED AREA
- EXISTING BM (BPUB CERTIFIED AREA)
- EXISTING MVEC CERTIFIED AREA
- EXISTING AEP CERTIFIED AREA
- EXISTING BM / AEP CERTIFIED AREA
- EXISTING MVEC / AEP CERTIFIED AREA
- EXISTING BM/ MVEC / AEP CERTIFIED AREA
- EXISTING MVEC TRANSMISSION LINE
- EXISTING MVEC DISTRIBUTION LINE
- EXISTING AEP TRANSMISSION LINE
- EXISTING AEP DISTRIBUTION LINE
- EXISTING BM TRANSMISSION LINE
- PROPOSED BM DISTRIBUTION LINE
- EXISTING BROWNSVILLE CITY LIMITS



DWN BY: Y. LOPEZ DATE: 03/18/2016 SCALE: 1" = 300'

BM/AEP

PROJECT LOCATION PROPOSED BM & AEP
CERTIFICATION MODIFICATION FOR:
PLAZA PITAYA
(REFERENCE LEGAL DESCRIPTION)
0.87 ACRE TRACT OF LAND

AEP

ALTON GLOOR RD.

AEP

BM/AEP



DAVIDSON
TROILO
REAM &
GARZA PC
ATTORNEYS AT LAW

JOHN W. DAVIDSON ARTHUR TROILO CHEREE TULL KINZIE R. GAINES GRIFFIN RICHARD E. HETTINGER
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JESSIE LOPEZ RICHARD E. LINDNER BRYAN M. KORRI ASHLEY L. WHITE NEYMA E. FIGUEROA
OF COUNSEL TERRY TOPHAM BETSY J. JOHNSON

April 27, 2016

Mr. Harry R. Gordon
Vice President, Corpus Christi Distribution Region
American Electric Power Company
P.O. Box 2121
Corpus Christi, Texas 78403

RE: Notice of Application for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary Changes in Cameron County, Texas Filed with Public Utility Commission of Texas (property is a proposed office building in Brownsville which will be built at 3000 W. Alton Gloor Boulevard in Brownsville, Texas.)

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BPUB has received a request from Mr. Rafael Chacon, Manager for Sonora Development, LP, to provide electric utility service to the property located in Brownsville. BPUB is seeking the right to provide electric service to a 0.87 acre tract of land. The land is currently in AEP's service area.

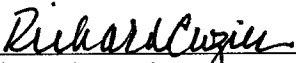
BPUB and AEP have existing overhead electric distribution lines across the highway from the property. BPUB is proposing to extend overhead primary to the property and an underground service within the property. Sonora Development, LP is the only property owner that will be affected by this application and thus no additional notice to other landowners is necessary. Notice of this application has also been provided to Magic Valley Electric Cooperative, Cameron County Commissioners, and Mr. Rafael Chacon.

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Mr. Harry R. Gordon
Vice President
American Electric Power Company
April 27, 2016
Page 2

If you have any questions about this project, please contact James McCann, Brownsville Public Utilities Board, at (956) 983-6204.

Sincerely yours,



Richard Crozier
For the Firm

ATTORNEYS FOR THE PUBLIC
UTILITIES BOARD OF THE CITY
OF BROWNSVILLE, TEXAS
















Enclosure
cc: James McCann

000019

LEGAL DESCRIPTION

BEING A 0.87 ACRE TRACT OF LAND, MORE OR LESS, OUT OF SHARE 12 OF THE ESPIRITU SANTO GRANT IN THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS AND BEING THAT PORTION OF A 27.48 ACRE TRACT CONVEYED FROM THE VETERAN'S LAND BOARD OF TEXAS TO HAROLD H. SLACK BY DEED DATED DECEMBER 4, 1973 AND RECORDED IN VOLUME 979, PAGE 704 OF THE CAMERON COUNTY DEED RECORDS LYING SOUTH OF F.M. 3248.

LEGEND

-  PROPOSED BM / AEP CERTIFIED AREA
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-  EXISTING AEP CERTIFIED AREA
-  EXISTING BM / AEP CERTIFIED AREA
-  EXISTING MVEC / AEP CERTIFIED AREA
-  EXISTING BM / MVEC / AEP CERTIFIED AREA
-  EXISTING MVEC TRANSMISSION LINE
-  EXISTING MVEC DISTRIBUTION LINE
-  EXISTING AEP TRANSMISSION LINE
-  EXISTING AEP DISTRIBUTION LINE
-  EXISTING BM DISTRIBUTION LINE
-  EXISTING BM TRANSMISSION LINE
-  PROPOSED BM DISTRIBUTION LINE
-  EXISTING BROWNSVILLE CITY LIMITS

DWN BY: Y. LOPEZ

DATE: 03/18/2016

SCALE 1" = 300'

BM/AEP

PROJECT LOCATION PROPOSED BM & AEP
CERTIFICATION MODIFICATION FOR:
PLAZA PITAYA
(REFERENCE LEGAL DESCRIPTION)
0.87 ACRE TRACT OF LAND

AEP

ALTON GLOOR RD.

AEP

BM/AEP

000020



DAVIDSON
TROILO
REAM &
GARZA PC
ATTORNEYS AT LAW

JOHN W. DAVIDSON ARTHUR TROILO CHEREE TULL KINZIE R. GAINES GRIFFIN RICHARD E. HETTINGER
PATRICK W. LINDNER RICHARD D. O'NEIL J. MARK CRAUN LEA A. REAM FRANK J. GARZA JAMES C. WOO
DAVID R. RANGEL RICHARD L. CROZIER R. JO RESER PAUL M. GONZÁLEZ KEITH A. KENDALL STEVEN M. PEÑA
JESSIE LOPEZ RICHARD E. LINDNER BRYAN M. KORRI ASHLEY L. WHITE NEYMA E. FIGUEROA
OF COUNSEL TERRY TOPHAM BETSY J. JOHNSON

April 27, 2016

John Herrera, General Manager
Magic Valley Electric Cooperative
P.O. Box 267
Mercedes, Texas 78570

RE: Notice of Application for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary Changes in Cameron County, Texas Filed with Public Utility Commission of Texas (property is a proposed office building in Brownsville which will be built at 3000 W. Alton Gloor Boulevard in Brownsville, Texas.)

Dear Mr. Herrera:

Please take notice that the Public Utilities Board of the City of Brownsville ("BPUB") has filed an application at the Public Utility Commission of Texas for an Amendment to Certificate of Convenience and Necessity for Service Area Boundary changes to include the below-described area that is within the city limits of the City of Brownsville, Texas. The area is currently certificated to American Electric Power Company ("AEP"), and is set out on a map filed with the Commission, a copy of which is kept at BPUB's office at 1425 Robinhood Drive, Brownsville, Texas. In addition, a vicinity map is attached to this letter showing the geographic location of the proposed area.

BPUB has received a request from Mr. Rafael Chacon to provide electric utility service to the property located in Brownsville. BPUB is seeking the right to provide electric service to a 0.87 acre tract of land. The land is currently in AEP's service area.


BPUB and AEP have existing overhead electric distribution lines across the highway from the property. BPUB is proposing to extend overhead primary to the property and an underground service within the property. Sonora Development, LP is the only property owner that will be affected by this application and thus no additional notice to other landowners is necessary. Notice of this application has also been provided to AEP, Cameron County Commissioners, and Mr. Rafael Chacon.

000021

Mr. John Herrera
General Manager, Magic Valley Electric Cooperative
April 27, 2016
Page 2

If you have any questions about this project, please contact James McCann, Brownsville Public Utilities Board, at (956) 983-6204.

Sincerely yours,


Richard Crozier
For the Firm

ATTORNEYS FOR THE PUBLIC
UTILITIES BOARD OF THE CITY
OF BROWNSVILLE, TEXAS
















Enclosure
cc: Mr. James McCann

000022

LEGAL DESCRIPTION

BEING A 0.87 ACRE TRACT OF LAND, MORE OR LESS, OUT OF SHARE 12 OF THE ESPIRITU SANTO GRANT IN THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS AND BEING THAT PORTION OF A 27.48 ACRE TRACT CONVEYED FROM THE VETERAN'S LAND BOARD OF TEXAS TO HAROLD H. SLACK BY DEED DATED DECEMBER 4, 1973 AND RECORDED IN VOLUME 979, PAGE 704 OF THE CAMERON COUNTY DEED RECORDS LYING SOUTH OF F.M. 3248.

LEGEND

-  PROPOSED BM / AEP CERTIFIED AREA
-  EXISTING BM (BPUB CERTIFIED AREA)
-  EXISTING MVEC CERTIFIED AREA
-  EXISTING AEP CERTIFIED AREA
-  EXISTING BM / AEP CERTIFIED AREA
-  EXISTING MVEC / AEP CERTIFIED AREA
-  EXISTING BM/ MVEC / AEP CERTIFIED AREA
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-  EXISTING BM DISTRIBUTION LINE
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DWN BY Y. LOPEZ

DATE: 03/18/2016

SCALE: 1" = 300'

BM/AEP

PROJECT LOCATION PROPOSED BM & AEP
CERTIFICATION MODIFICATION FOR:
PLAZA PITAYA
(REFERENCE LEGAL DESCRIPTION)
0.87 ACRE TRACT OF LAND

AEP

ALTON GLOVER RD.

AEP

BM/AEP

000023
















ATTACHMENT D1

000024

LEGAL DESCRIPTION

BEING A 0.87 ACRE TRACT OF LAND, MORE OR LESS, OUT OF SHARE 12 OF THE ESPIRITU SANTO GRANT IN THE CITY OF BROWNSVILLE, CAMERON COUNTY, TEXAS AND BEING THAT PORTION OF A 27.48 ACRE TRACT CONVEYED FROM THE VETERAN'S LAND BOARD OF TEXAS TO HAROLD H. SLACK BY DEED DATED DECEMBER 4, 1973 AND RECORDED IN VOLUME 979, PAGE 704 OF THE CAMERON COUNTY DEED RECORDS LYING SOUTH OF F.M. 3248.

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DWN BY: Y. LOPEZ

DATE: 03/18/2016

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PROJECT LOCATION PROPOSED BM & AEP
CERTIFICATION MODIFICATION FOR:
PLAZA PITAYA
(REFERENCE LEGAL DESCRIPTION)
0.87 ACRE TRACT OF LAND

AEP

ALTON GLOOR RD.

AEP

BM/AEP

000025

OVERSIZED MAP(S)

TO VIEW OVERSIZED MAP(S),
PLEASE GO TO
CENTRAL RECORDS.

(512) 936-7180

000026

ATTACHMENT E

000027

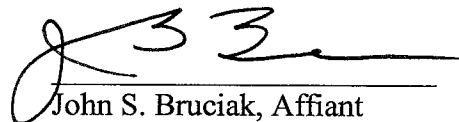
Application For An Amendment to Certificate of Convenience and Necessity
For Service Area Boundaries

OATH

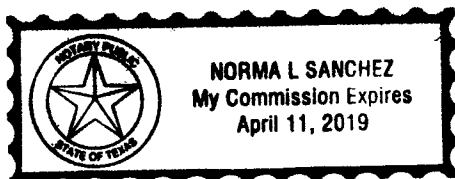
STATE OF TEXAS

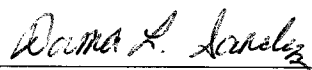
COUNTY OF CAMERON

I, John S. Bruciak, being duly sworn, file this application as General Manager & CEO of the Public Utilities Board of the City of Brownsville; that in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps filed with this application, and have complied with all requirements contained in the application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith; that notice of its filing was given to affected neighboring utilities and to the County Commission of Cameron County; and that this application does not duplicate any filings presently before the Commission.


John S. Bruciak, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State and County above names, this 18th day of April 2015.




Notary Public, State of Texas

000028

Application For A Certificate of Convenience and Necessity
For Service Area Boundaries

OATH


STATE OF TEXAS

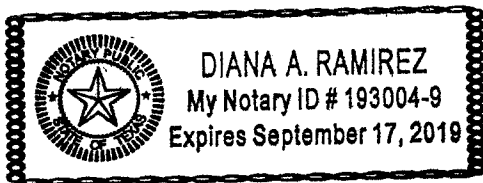
COUNTY OF TRAVIS

I, Richard L. Crozier, being duly sworn, file this application as attorney for the Public Utilities Board of the City of Brownsville; that in such capacity, I am qualified and authorized to confirm that the paper map and portable electronic storage medium containing the GIS data were sent to the Texas Natural Resources Information System at 1700 N. Congress Avenue, Room B40, Austin, Texas 78701, no later than seven days after filing the application for the boundary change to the best of my knowledge.


Richard L. Crozier, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State and County above names, this 19 day of April 2016.


Notary Public, State of Texas



000029