



Control Number: 45988



Item Number: 17

Addendum StartPage: 0

RECEIVED

APPLICATION OF OLD TAMINA §  
WATER SUPPLY CORPORATION TO §  
OBTAIN A SEWER CERTIFICATE OF §  
CONVENIENCE AND NECESSITY IN §  
MONTGOMERY COUNTY (37616-C) §

2017 JAN 31 AM 11:06  
PUBLIC UTILITY  
COMMISSION  
OF TEXAS  
PUBLIC UTILITY COMMISSION  
CLERK

**OLD TAMINA WATER SUPPLY CORPORATION'S RESPONSE TO ORDER NO. 6**

**NOW COMES** Old Tamina Water Supply Corporation (Old Tamina WSC) and hereby files this Response to Order No. 6.

**I. Background**

On May 15, 2013, Old Tamina WSC filed an application to amend its water Certificate of Convenience and Necessity (CCN) No. 12289 for a dual certification with the City of Shenandoah (Shenandoah) and to obtain a new sewer CCN in Montgomery County with the Texas Commission on Environmental Quality (TCEQ). On May 27, 2016, the Administrative Law Judge (ALJ) issued Order No. 1 granting Old Tamina WSC's Motion to Sever the application to obtain a sewer CCN from the water CCN application for dual certification.

On June 23, 2016, the ALJ issued Order No. 2 requiring Old Tamina WSC to amend its application to cure deficiencies identified by the Staff (Staff) of the Public Utility Commission (Commission). On August 26, 2016, the ALJ issued Order No. 3 extending the deadline for Old Tamina WSC to amend its application. On September 23, 2016, Old Tamina WSC filed its Response to Order No. 3, which served to amend its application. On November 10, 2016, the ALJ issued Order No. 4 Finding Application Incomplete and Requiring Response. In Order No. 4, the ALJ required that Old Tamina WSC amend its application to cure the deficiencies noted by Commission Staff. The Order also required that Old Tamina WSC respond to Commission Staff's

motion to consolidate Old Tamina WSC's water CCN application in Docket No. 45552 and Old Tamina WSC's sewer CCN application in Docket No. 45988.

On December 7, 2016, the ALJ issued Order No. 5 Granting the Motion for Extension which required Old Tamina WSC to respond on or before December 30, 2016. On December 30, 2016, Old Tamina WSC filed a Response to Order No. 5 and a Motion for Extension, opposing Staff's motion to consolidate. On January 9, 2017, the ALJ issued Order No. 6 Granting the Motion for Extension and requiring that Old Tamina respond on or before January 31, 2017. Therefore this response is timely filed.

## **II. Old Tamina's Response To Mapping Deficiencies**

In compliance with Staff's recommendations regarding deficiencies in the previous mapping, Old Tamina submits the following:

- 1) Large scale (detailed) maps showing the accurate location of the entire property subject to the Conroe Independent School District's (CISD) opt-out request in reference to surrounding verifiable man-made and/or natural landmarks.
- 2) Digital mapping data (on CD) for the entire property subject to CISD's opt-out request in the format(s) recommended by Staff.

## **III. Old Tamina's Response to Staff's Request for Written Consent for Dual Certification and Staff's Recommendation to Consolidate**

Old Tamina representatives met with City of Shenandoah representatives on the morning of January 30, 2017, to continue discussions regarding settlement of the lawsuit between the two parties. The parties agreed that Shenandoah City Council will vote on a settlement proposal submitted by Old Tamina at the City Council Meeting scheduled for February 8, 2017. If approved, the settlement will include written authorization and support from Shenandoah for Old

Tamina's CCN applications, including dual certification with Shenandoah.

Given the progress on both the mapping and the negotiations with Shenandoah, Tamina maintains its opposition to consolidation and abatement of its sewer application at this time.

Respectfully submitted,

OLD TAMINA WATER SUPPLY CORPORATION

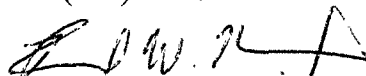
RAMOND W. HOWARD, P.C.

1303 Turtle Creek Dr.

Missouri City, TX 77489

Tel. (281) 437-5900

Fax. (281) 416-9517



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Richard W. Howard

State Bar No. 24099848

Ramond W. Howard

Texas Bar No. 10076800

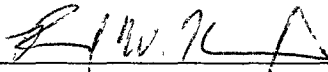
Email: [barlife@aol.com](mailto:barlife@aol.com)

Attorney for

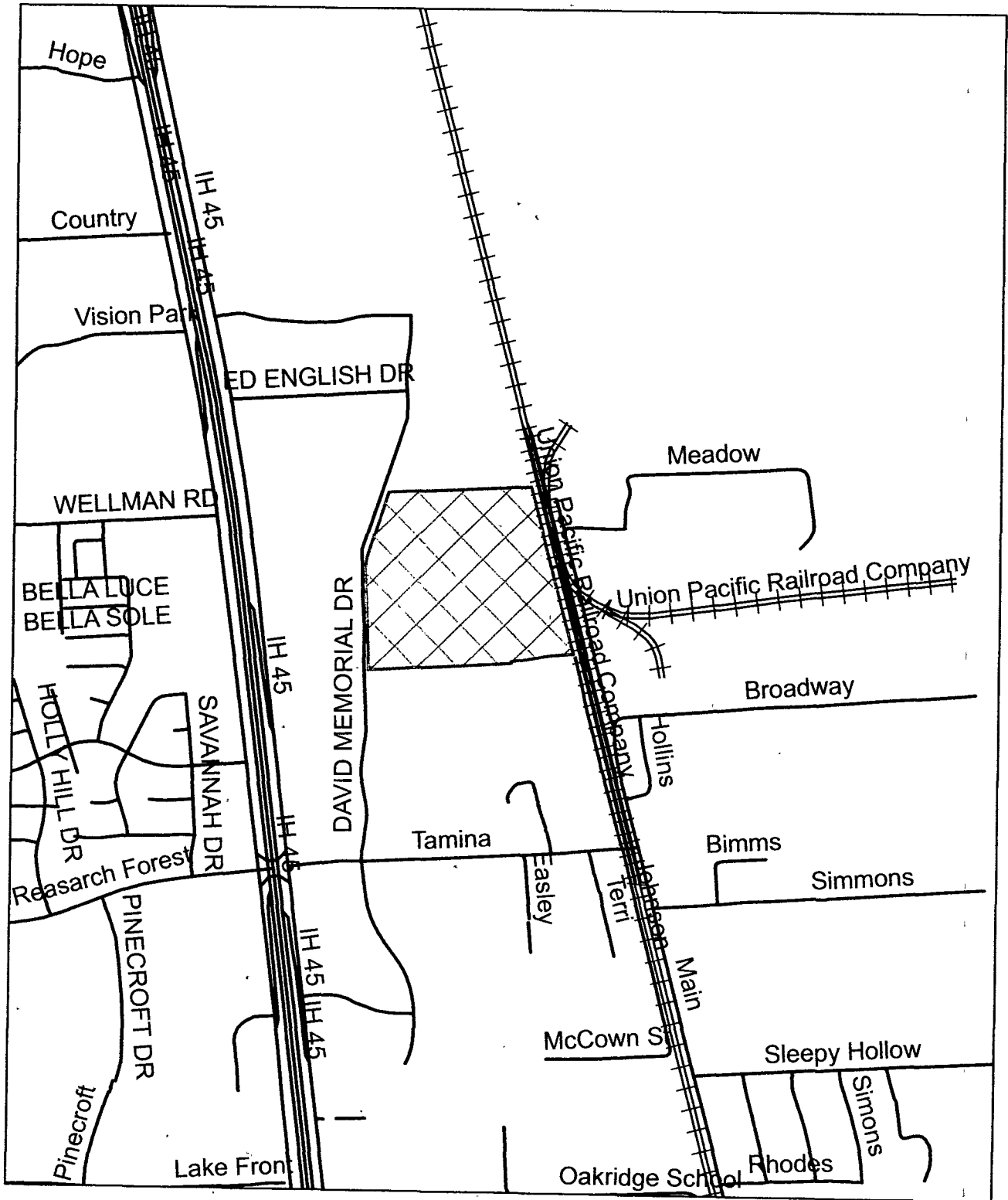
Old Tamina Water Supply Corporation

**CERTIFICATE OF SERVICE**





I certify that on January 30, 2017 a true and correct copy of the foregoing was served on General Counsel for the Public Utility Commission of Texas electronically through the electronic filing manager.

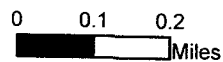
  
Richard W. Howard

# PUC Docket 45988 - Landowner Map



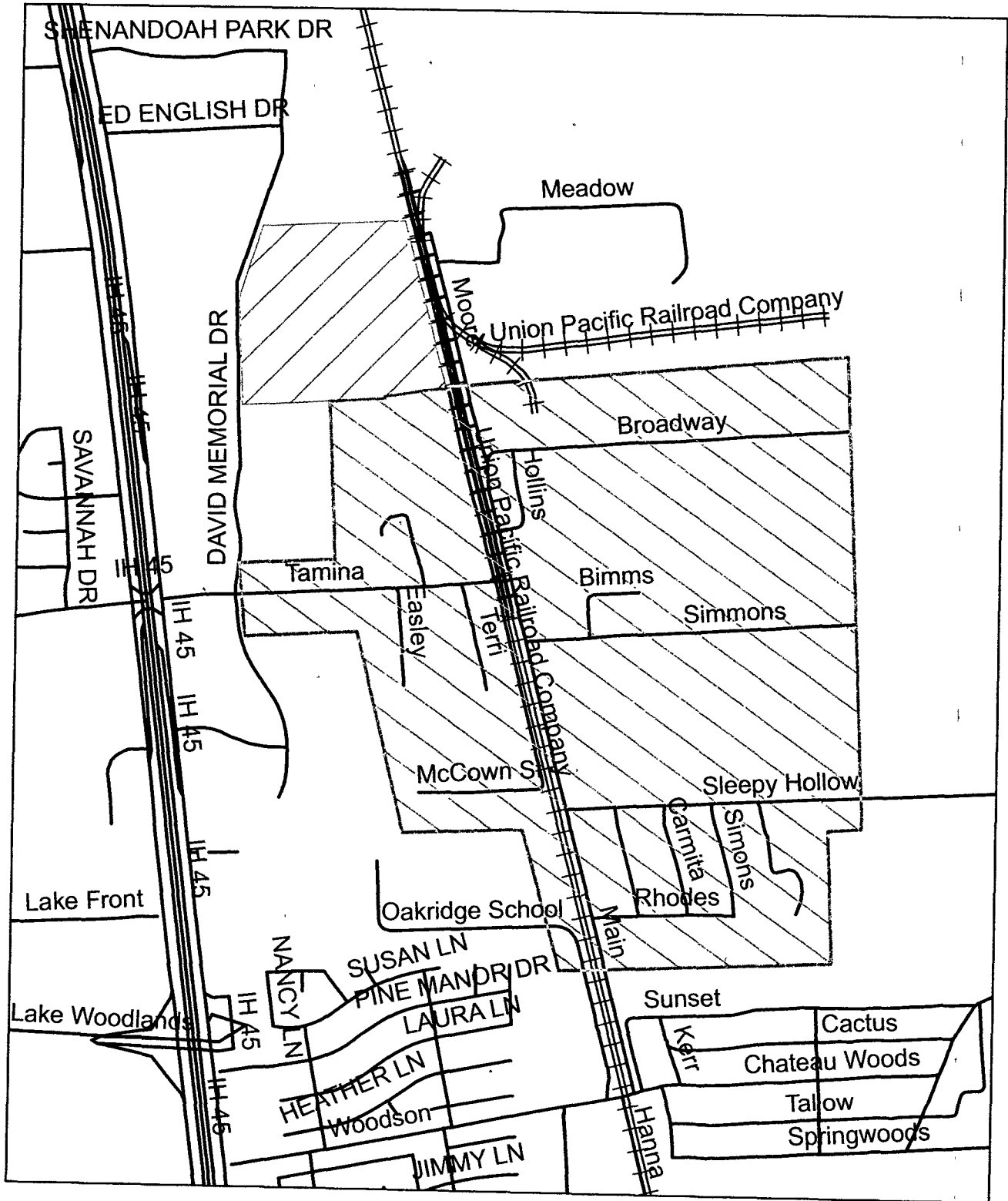
## Conroe ISD's Opt - Out Request

-  Conroe ISD 60 Opt Out Property
-  R311500 Montgomery County Parcel
-  Railroads\_TxDOT
-  Roadways\_TxDOT







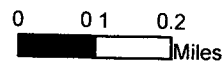
Map by: Phyllis Brown  
Date created: January 24, 2017

# PUC Docket 45988 - 60 Acre Overlap

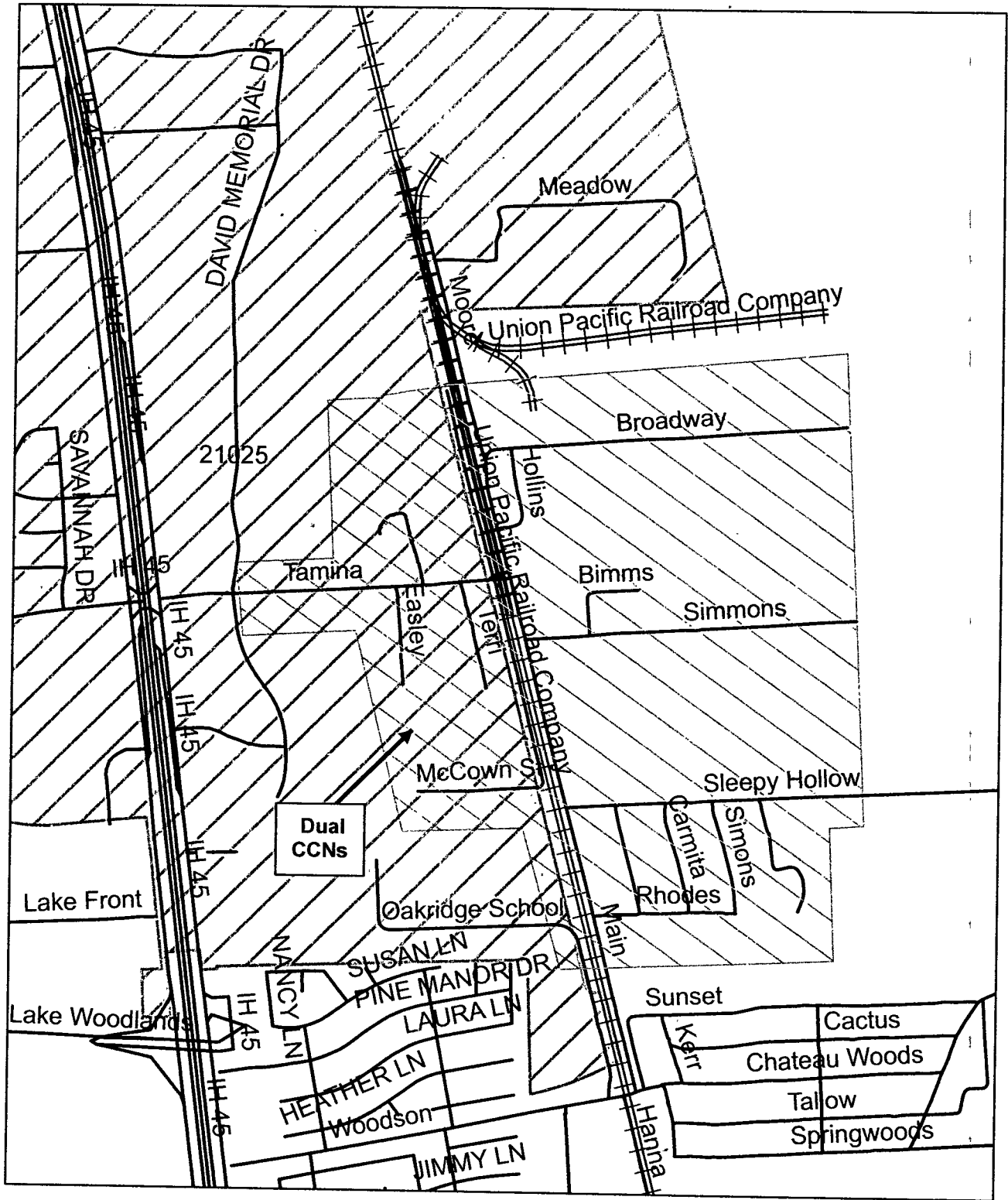


## 60 Acre Overlap





-  Old Tamina Proposed Sewer
-  Conroe ISD 60 Opt Out Property
-  Roadways\_TxDOT
-  Railroads\_TxDOT

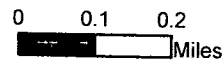


# PUC Docket 45988 - Dual Sewer CCN Map



## Dual CCN Overlap

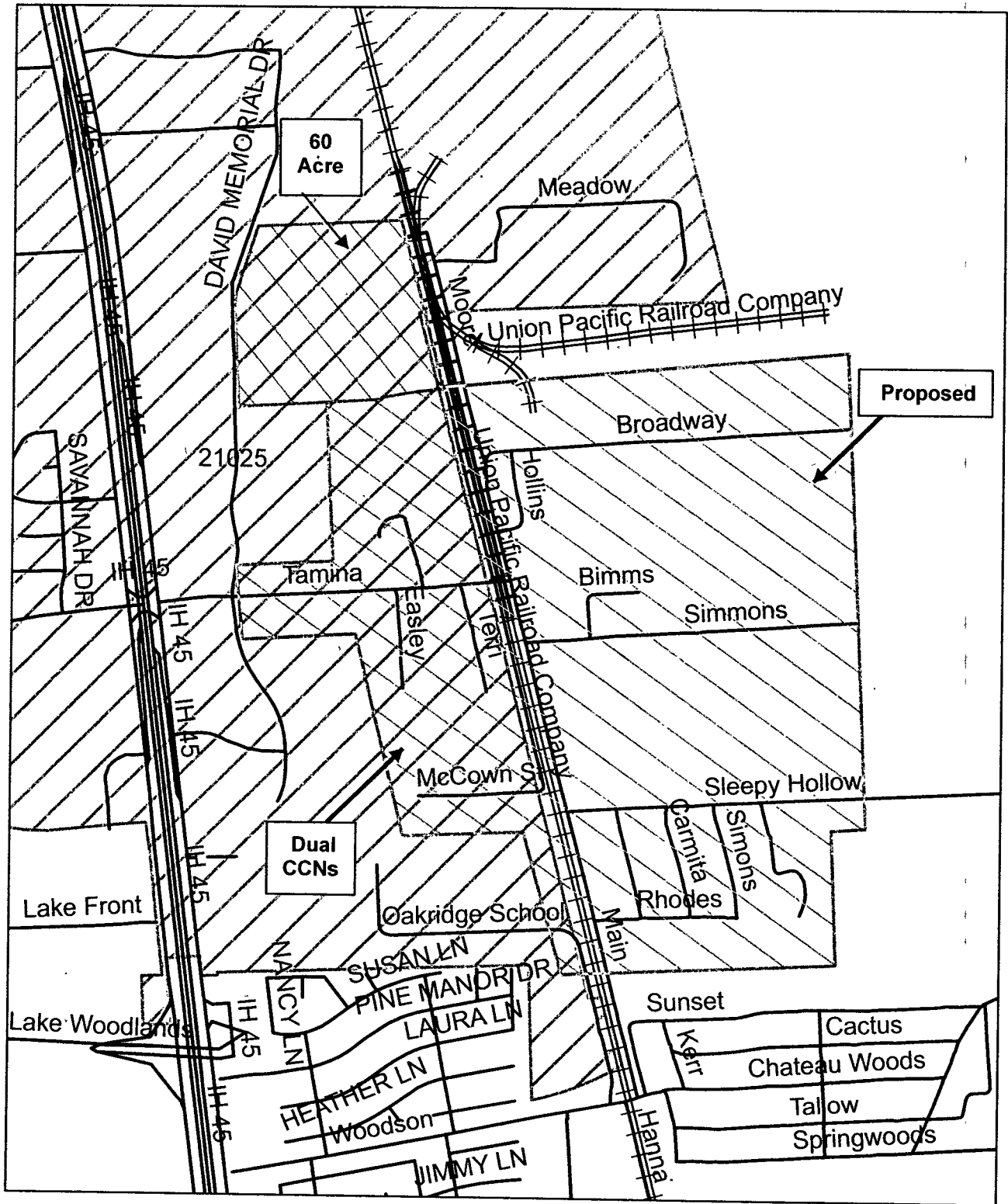
-  Old Tamina Proposed Sewer
-  SHENANDOAH SEWER CCN # 21025
-  Railroads\_TxDOT
-  Roadways\_TxDOT








Map by: Phyllis Brown  
Date created: January 24, 2017

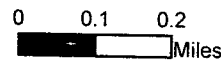


# PUC Docket 45988 - 60 Acre, Proposed, Dual



## 60 Acre, Proposed, Dual CCNs

-  Old Tamina Proposed Sewer
-  Conroe ISD 60 Opt Out Property
-  SHENANDOAH SEWER CCN # 21025
-  Roadways\_TxDOT
-  Railroads\_TxDOT



Map by: Phyllis Brown  
Date created: January 24, 2017

# CD ATTACHED

PLEASE SEE CENTRAL RECORDS

FOR ANY QUESTIONS

PLEASE CALL **CR** MAIN LINE

(512) 936-7180