

Control Number: 45988



Item Number: 24

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RECEIVED

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

2017 MAY 18 AM 10:14  
PUBLIC UTILITY  
COMMISSION  
OF TEXAS  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**OLD TAMINA WATER SUPPLY CORPORATION'S RESPONSE TO ORDER NO. 8**

**NOW COMES** Old Tamina Water Supply Corporation (Old Tamina WSC) and hereby files this Response to Order No. 8.

**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. On January 30, 2017, Old Tamina WSC filed a Response to Order No. 6 which included revised maps recommended by Staff and which restated and explained Old Tamina WSC's opposition to Staff's recommendation to consolidate Old Tamina WSC's water and sewer CCN applications.

On February 24, 2017, the ALJ issued Order No. 7 requiring Old Tamina WSC to provide written consent from Shenandoah for dual certification with areas overlapping Old Tamina WSC's proposed sewer CCN service area, and to respond on or before March 6, 2017. On March 2, 2017, Olds Tamina WSC filed a response which included written consent from Shenandoah for dual certification.

On April 19, 2017, the ALJ issued Order No. 8 requiring Old Tamina WSC to provide revised digital mapping data to accurately remove the overlap with Chateau Wood MUD's existing sewer CCN No. 20937, and to clarify the total acreage requested for Old Tamina WSC's proposed sewer CCN service area. Order No. 8 required that Old Tamina WSC respond on or before May 18, 2017. Therefore, this response is timely filed.

**II. Old Tamina WSC's Response to Request for Revised Digital Data and  
Clarification of Total Acreage Requested or Proposed Sewer CCN Service Area**

The GIS mapping specialist engaged by Old Tamina WSC has determined that the amended total acreage requested for the proposed sewer CCN area is 502 acres. A copy of the letter from the GIS mapping specialist is included with this filing as "Exhibit 1."

The revised digital mapping data is provided on the CD included in this filing as "Exhibit 2".

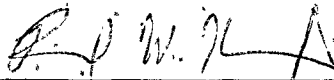
**III. Old Tamina WSC's Request for Expedited Review**

There remains an imminent risk of the de-obligation of a \$2.2 million USDA Rural Development Loan and Grant package that was awarded to Old Tamina WSC for its sewer project. Loss of the funding for the project would do great harm to the citizens of the Community of Tamina, Texas, and would be detrimental to the interests of the State of Texas. Old Tamina WSC respectfully requests that Staff's review of administrative completeness be expedited, if at all possible.

Respectfully submitted,

OLD TAMINA WATER SUPPLY CORPORATION

RAMOND W. HOWARD, P.C.  
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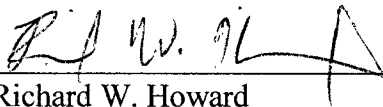


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Attorney for  
Old Tamina Water Supply Corporation

**CERTIFICATE OF SERVICE**

I certify that on May 18, 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.

A handwritten signature in black ink, appearing to read "R. W. Howard", is written over a horizontal line.

Richard W. Howard

EXHIBIT 1

COMMUNITIES  
Unlimited

May '17, 2017

Public Utility Commission of Texas  
Water Utility Division  
Attention: Mapping Staff  
P.O. Box 13326  
Austin, TX 78711-3326

RE: Docket # 45988 Old Tamina WSC Sewer CCN Amendment

The enclosed CD contains the revised data to resolve the overlap of the CCN # 10351 Boundary for Chateau Woods MUD.

The amended acreage is 502 acres for Docket # 45988 Old Tamina WSC Sewer CCN Amendment.

Thank you,



Phyllis Brown  
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*Helping people build secure and sustainable futures*

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EXHIBIT 2

(CD containing digital mapping data.)