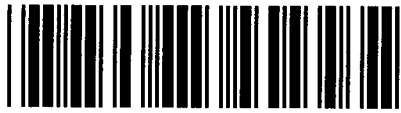




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DOCKET NO. 46157

2016 SEP 27 AM 10:45

QUADVEST L.P.'S NOTICE OF
INTENT TO SERVE AREA
DECERTIFIED FROM PINEHURST
DECKER PRAIRIE WATER SUPPLY
CORPORATION IN MONTGOMERY
COUNTY

§
§
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§
§
§

BEFORE THE PUBLIC UTILITY COMMISSION
FILING CLERK

PUBLIC UTILITY COMMISSION
OF TEXAS

**JOINT MOTION FOR ADMISSION OF EVIDENCE AND ADOPTION OF PROPOSED
NOTICE OF APPROVAL**

COMES NOW, Quadvest, L.P., (Quadvest), on behalf of itself and Pinehurst Decker Prairie Water Supply Corporation (Pinehurst) (collectively, the Parties), and files this Joint Motion for Admission of Evidence and Adoption of Proposed Notice of Approval. In support thereof, the Parties show the following:

I. BACKGROUND

On July 13, 2016, Quadvest, L.P. (Quadvest) filed a notice of intent, pursuant to Tex. Water Code § 13.254 (TWC) and 16 Tex. Admin. Code § 24.113, to provide retail water service to the area decertified from Pinehurst's water certificate of convenience (CCN) No. 11768 in Montgomery County, Texas.

On August 17, 2016, Quadvest filed an affidavit from the President of Pinehurst, Sharon McClure, confirming adequate compensation for any property rendered useless or valueless as a result of the decertification of real property owned by LGI Homes from Pinehurst's CCN. The Parties have agreed that the compensation is reasonable and that there is no other property at issue as a result of the decertification.

On September 9, 2016, the CADM issued Order No. 1 providing for notice and requiring that the Parties file a list of items for admission into evidence and a joint proposed order, including findings of fact, conclusions of law, and ordering paragraphs, by September 27, 2016. Therefore, this pleading is timely filed.

II. JOINT MOTION TO ADMIT EVIDENCE

The Parties move to admit the following evidence into the record of this proceeding:

4

- a. Quadvest's June 30, 2016 Notice of Intent to Provide Water and Sewer Service (Commission's automated interchange system (AIS) Item 1, filed July 13, 2016);
- b. Quadvest's July 15, 2016 Notice Regarding Compensation (AIS item 2, filed July 15, 2016);
- c. Quadvest's August 17, 2016 Notice Regarding Confirmation of Compensation (AIS Item 4, filed August 17, 2016); and
- d. Public Utility Commission of Texas Notice of Intent to Serve Decertified Area (AIS Item 6, filed September 9, 2016).

III. JOINT MOTION FOR ADOPTION OF PROPOSED NOTICE OF APPROVAL

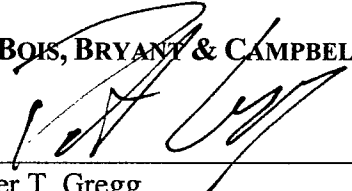
The attached Proposed Notice of Approval would approve the agreement regarding compensation between the Parties and close this docket.

IV. CONCLUSION

Pinehurst has authorized Quadvest to file this pleading on their behalf. Therefore, the Parties respectfully request that the Commission grant the joint motion to admit the evidence specified above and adopt the attached proposed Notice of Approval.

Respectfully Submitted,

DUBOIS, BRYANT & CAMPBELL, LLP



Peter T. Gregg
State Bar No. 00784174
303 Colorado, Suite 2300
Austin, Texas 78701
pgregg@dbcllp.com
(512) 457-8000
(512) 457-8008 (fax)

Attorneys for Quadvest, L.P.

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 27, 2016 in accordance with 16 Tex. Admin. Code § 22.74.

Sharon McClure, President
Pinehurst Decker Prairie WSC
PO Box 681005
Houston, TX 77258-1005

A handwritten signature in black ink, appearing to read 'Peter T. Gregg', written over a horizontal line.

Peter T. Gregg

Attachment

Notice of Approval

DOCKET NO. 46157

QUADVEST L.P.'S NOTICE OF	§	BEFORE THE
INTENT TO SERVE AREA	§	
DECERTIFIED FROM PINEHURST	§	PUBLIC UTILITY COMMISSION
DECKER PRAIRIE WATER SUPPLY	§	
CORPORATION IN MONTGOMERY	§	OF TEXAS
COUNTY	§	

NOTICE OF APPROVAL

This Notice addresses Quadvest, L.P.'s ("Quadvest") notice of intent to provide water service to an area decertified from Pinehurst Decker Prairie Water Supply Corporation's ("Pinehurst") water certificate of convenience (CCN) No. 11768 in Montgomery County, Texas.¹ Quadvest and Pinehurst agreed to compensation for the property rendered useless or valueless as a result of the decertification. The agreement between Quadvest and Pinehurst is approved.

The Public Utility Commission of Texas ("Commission") adopts the following findings of fact, conclusions of law and ordering paragraphs.

I. Findings of Fact

Procedural History

1. On July 13, 2016, Quadvest filed a notice of intent to provide retail water service to the property decertified under PUC Docket No. 45661.
2. On August 17, 2016, Quadvest filed a notice regarding confirmation of compensation that included, as Exhibit A, the affidavit of Sharon McClure, President of Pinehurst, affirming adequate compensation for the property rendered useless or valueless as a result of the decertification of real property owned by LGI Homes from Pinehurst's CCN No. 11768.
3. There is no other property that is useless or valueless regarding PUC Docket No. 45661.
4. Quadvest did not in any way render retail water service directly or indirectly to the public in the decertified area prior to providing compensation.

¹ *Petition By LGI Homes To Amend Pinehurst Decker Prairie Water Supply Corporation's Certificate Of Convenience And Necessity In Montgomery County By Expedited Release* (PUC Docket No. 45661)

5. On September 9, 2016, the Commission provided notice to the public of Quadvest's notice of intent to provide service to the area decertified from Pinehurst.

6. The monetary amount of compensation was made at the time Quadvest sought to provide water service to the decertified area.

7. The agreement between Quadvest and Pinehurst regarding compensation for the property rendered useless or valueless as a result of the decertification is reasonable.

Evidence

8. Quadvest's July 13, 2016 Notice of Intent to Provide Water and Sewer Service; Quadvest's July 15, 2016 Notice Regarding Compensation; Quadvest's August 17, 2016 Notice Regarding Confirmation of Compensation, including Exhibit A; and the Commission's Notice of Intent to Serve Decertified Area have been admitted into evidence.

II. Conclusions of Law

1. Quadvest and Pinehurst are public utilities as defined in Tex. Water Code § 13.002(19).

2. The Commission has jurisdiction and authority over this docket pursuant to Tex. Water Code §§ 13.041 and 13.254(d)-(e) and 16 Tex. Admin. Code § 24.113.

3. Pursuant to Tex. Water Code § 13.254(d), Quadvest did not in any way render retail water service directly or indirectly to the public in the decertified area prior to providing compensation.

4. Pursuant to Tex. Water Code § 13.254(e), the amount of compensation was determined at the time Quadvest sought to provide service to the decertified area and before service is to be provided.

5. The requirements for informal disposition under 16 Tex. Admin. Code § 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

1. The agreement between Quadvest and Pinehurst regarding compensation for the property rendered useless or valueless as a result of the decertification in PUC Docket No. 45661 is approved. Quadvest does not owe any further compensation to Pinehurst and may provide retail water service to the property.

2. All other motions, requests for entry of specific findings of fact or conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.

SIGNED AT AUSTIN, TEXAS the _____ day of _____, 2016.

ADMINISTRATIVE LAW JUDGE