



Control Number: 46336



Item Number: 46

Addendum StartPage: 0

APPLICATION OF CITY OF §
TOMBALL TO OBTAIN WATER AND §
SEWER CERTIFICATES OF §
CONVENIENCE AND NECESSITY IN §
HARRIS AND MONTGOMERY §
COUNTIES §

PUBLIC UTILITY COMMISSION

OF TEXAS

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PUBLIC UTILITY COMMISSION
FILING CLERK

**ORDER NO. 9
REQUIRING CLARIFICATION**

In the initial application, the City of Tomball requested certificates of convenience and necessity for areas in Harris and Montgomery Counties. Tomball proposed a water service area of approximately 12,100 acres and a sewer service area of approximately 12,800 acres¹. One landowner filed a request to opt-out affecting approximately 71 acres in Harris County. The application drew protest from Undine Texas, LLC and Quadvest, L.P.

Tomball, Undine, Quadvest, and Commission Staff came to a resolution of issues in dispute and on June 6, 2017, filed proposed findings of fact, including a finding which read as follows:

On June 6, 2017, Tomball filed revised water and sewer boundary maps, excluding the property as requested by the DeNina Family Partnership and per the parties' agreement regarding all of the requested certificated service area in Montgomery County.

This proposed finding suggests that none of the area in Montgomery County originally requested is to be included in the certificates issued to Tomball. On August 17, 2017, Commission Staff recommended Tomball be approved for a water certificate covering 10,697 acres and a sewer certificate covering 10,998 acres. However, the certificates provided by Commission Staff contain a reference to both Harris and Montgomery Counties. The related service area maps provided show two small areas proposed for certification just across the county line into Montgomery County.

¹ Application to Obtain a Water and Sewer Certificate of Convenience and Necessity (CCN), Appendix B Map Requirements (Sep. 1, 2016).

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On or before September 14, 2017, the parties shall clarify whether any area in Montgomery County is to be included in the service area approved for Tomball and, if appropriate, provide revised certificates and maps.

SIGNED AT AUSTIN, TEXAS the 5th day of September 2017.

PUBLIC UTILITY COMMISSION OF TEXAS



IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT

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