



Control Number: 46452



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**SOAH DOCKET NO. 473-17-2085.WS
PUC DOCKET NO. 46452**

RECEIVED

**APPLICATION OF ALTOGA WATER §
SUPPLY CORPORATION AND NORTH §
COLLIN SPECIAL UTILITY DISTRICT §
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN COLLIN COUNTY §**

BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
2017 JAN 25 PM 4:03
PUBLIC UTILITY COMMISSION
FILING CLERK

CITY OF PRINCETON'S MOTION TO INTERVENE AND LIST OF ISSUES

COMES NOW the City of Princeton, Texas ("City" or "Princeton") and files this Motion to Intervene ("Motion") and List of Issues in this docket regarding the Application of Altoga Water Supply Corporation ("Altoga") and North Collin Special Utility District ("SUD") for Sale, Transfer, or Merger of Facilities and Certificate Rights in Collin County, Texas. In support of the City's Motion, the City would respectfully show as follows:

I. Introduction

Pursuant to 16 TAC §§ 22.101-22.104, Princeton seeks to intervene in this proceeding. As set forth below, Princeton has a justiciable interest that may be adversely affected by the outcome of this proceeding.

II. Motion to Intervene

The City sent a timely letter of protest of the application seeking a contested case hearing and participation in the proceeding pursuant to the mandated PUC notice. Order No. 2 in this docket indicated that a Motion to Intervene may be needed. Although the City asserts that its protest letter which conformed to the PUC notice mandates was seeking party status and was a motion to intervene, Princeton files this motion out of an abundance of caution. To the extent the protest letter, which conformed to PUC notice requirements, is not considered a motion to intervene, the City of Princeton requests leave for good cause to consider this motion as the City conformed to the requirements of the PUC mandated notice.

The City holds the water CCN immediately to the south of the Altoga water CCN. Further, the City holds the sewer CCN that covers approximately two-thirds of the Altoga water CCN. The City is concerned with the capability of the SUD to provide continuous and adequate service to the Altoga area.

The area covered by the Altoga CCN is within the City's extraterritorial jurisdiction. The City continues to receive information requests for development within the Altoga CCN. Thus, the City will be serving the area with utilities in the future. It is vitally important to the City that a safe, reliable water supply serve the Altoga area to ensure that growth in the area continues and/or is not stymied by a water system that does not meet state minimum standards.

As the application will presumably necessitate an examination of the acquiring utility, the City is concerned with the SUD's ability to provide the technical, managerial, and financial capability to provide continuous and adequate retail water service to the Altoga CCN area. The City believes that the City is in a better position to provide such a service to the area. Finally, the area in question is the subject of a CCN application which will be filed shortly by the City of Princeton. Princeton, thus, has a justiciable interest in this proceeding.

III. Authorized Representative

Arturo D. Rodriguez, Jr., pursuant to PUC Proc. R. 22.101(a) hereby enters an appearance as counsel on behalf of the City in this docket. Accordingly, documents filed in this case, orders, service, and correspondence to the City of Princeton should be directed to:

Arturo D. Rodriguez, Jr.
Russell & Rodriguez, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)
Email: arodriguez@txadminlaw.com

IV. List of Issues

The City seeks the following list issues to be considered in this case:

1. Does SUD possess adequate financial, managerial, and technical capability to provide continuous and adequate service to the requested area?
2. Does the SUD need to provide financial assurance in order to serve the requested area?
3. Does the SUD have a history of noncompliance with the requirements of the TCEQ, the commission, or the Department of State Health Services?
4. Does the SUD have a history of mismanagement or misuse of revenues as a utility service provider?
5. Does the proposed transfer serve the public interest?
6. Does the application comply with PUC Rule §§ 24.109, 24.114, and 24.117?

V. Conclusion and Prayer

The City respectfully requests the Commission:

- (1) Grant the City of Princeton's Motion to Intervene and recognize it as a full party to this proceeding.
- (2) Grant the City all other and further relief to which it is justly entitled.

Respectfully submitted,

Russell & Rodriguez, L.L.P.
1633 Williams Drive, Building 2, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
State Bar No. 00791551

**ATTORNEY FOR THE CITY OF
PRINCETON**

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January, 2017, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel of record:

Via Electronic Mail & Facsimile

Jacob Lawler
Attorney – Legal Division
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, TX 78701
(512) 936-7261 Fax
jacob.lawler@puc.texas.gov

Via Electronic Mail & Facsimile

Stephen Mack
Attorney – Legal Division
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, TX 78701
(512) 936-7261 Fax
stephen.mack@puc.texas.gov

Via Electronic Mail & USPS 1st Class Mail

Billy Boone, President
Altoga Water Supply Corporation
4365 FM 75
P.O. Box 547
Princeton, TX 75407
bpboone@sbcglobal.net

Via Electronic Mail & Facsimile

Maria Huynh
John Rapier
Gay, McCall, Isaaks & Roberts, PC
777 E. 15th Street
Plano, TX 75074
(972) 424-8501
(972) 422-9322 Fax
mhuynh@gmigr.com
jrapier@gmigr.com
Attorneys for Applicant,
North Collin Special Utility District

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.