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Item Number: 20

Addendum StartPage: 0

P.U.C. DOCKET NO. 46452  
SOAH DOCKET 473-17-2085.WS

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PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF ALTOGA WATER	§	
SUPPLY CORPORAITON AND NORTH	§	BEFORE THE
COLLIN SPECIAL UTILITY DISTRICT	§	
FOR SALE, TRANSFER, OR MERGER OF	§	PUBLIC UTILITY COMMISSION
FACILITIES AND CERTIFICATE RIGHTS	§	
IN COLLIN COUNTY	§	OF TEXAS
	§	

**APPLICANTS' LIST OF ISSUES**

**TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:**

COMES NOW, North Collin Special Utility District ("North Collin SUD") and Altoga Water Supply Corporation ("Altoga WSC") and file this List of Issues and would respectfully show the following:

**INTRODUCTION**

This Docket relates to Application of Altoga WSC and North Collin SUD (collectively, the "Applicants") for approval of the sale, transfer or merger of facilities and certificate rights in Collin County from Altoga WSC to North Collin SUD (the "STM Application"). By correspondence dated December 15, 2016, the City of Princeton, Texas ("Princeton") requested a contested case hearing on the STM Application because "the City believes that the City is in a better position to provide [retail water service] to Altoga WSC's CCN area." On January 11, 2017, the Public Utility Commission issued an Order of Referral referring the docket to the State Office of Administrative Hearings. The Order directs Altoga WSC and North Collin SUD to file a List of Issues to be addressed in this Docket by January 25, 2017,

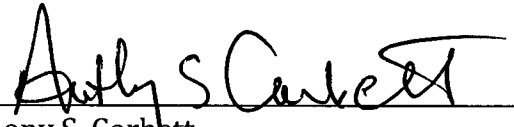
and further provides that the Commission staff, and any interested party, may file a List of Issues by that date. Applicants timely file this List of Issues.

#### **LIST OF ISSUES TO BE ADDRESSED**

1. ***Whether the relief sought by Princeton (for the City of Princeton to provide retail water service to Altoga WSC's certificated area) may be granted in this proceeding.***
2. ***Whether the proper mechanism for Princeton to seek certification of Altoga WSC's certificated area is to file an application for single certification of such area under Texas Water Code §13.255.***
3. ***Whether Princeton may file an application for single certification of Altoga WSC's certificated area under Texas Water Code §13.255 regardless of the PUC's decision regarding the STM Application.***
4. ***Whether a contested case hearing should be conducted in response to Princeton's request if Princeton cannot secure the relief that it seeks in this proceeding and can otherwise secure such relief by filing an application for single certification of Altoga WSC's certificated area under Texas Water Code §13.255 at any time.***
5. ***Whether North Collin SUD has adequate financial, managerial and technical capability for providing continuous and adequate service to the area that is the subject of the STM Application and any currently certificated areas. (Texas Water Code §13.301(b); 16 TAC 24.109(g)):***
  - a. ***Whether North Collin SUD has a TCEQ-approved public water system that is capable of providing drinking water that meets the requirements of Texas Health and Safety Code, chapter 341, TCEQ rules, and the Texas Water Code; and***
  - b. ***Whether North Collin SUD has access to an adequate supply of water or a long-term contract for purchased water with an entity whose system meets the requirement of paragraph (1)(A) above;***
6. ***Whether the transaction that is the subject of the STM Application will serve the public interest after consideration of the following factors (Texas Water Code §13.301(d) and (g); 16 TAC 24.109(j)(5)):***
  - a. ***Whether Altoga WSC or North Collin SUD has failed to substantially comply with any PUC or TCEQ order; judicial decree; compliance agreement or other enforcement order;***
  - b. ***The adequacy of service currently provided to Altoga WSC's certificated area;***

- c. The need for additional service in the certificated area;*
  - d. The effect of approving the transaction on North Collin SUD, Altoga WSC and any retail public utility of the same kind already serving the area within two miles of the boundary of the certificated area;*
  - e. The ability of the North Collin SUD to provide adequate service;*
  - f. The feasibility of obtaining service from an adjacent retail public utility;*
  - g. The financial stability of North Collin SUD, including, if applicable, the adequacy of the debt-equity ratio of North Collin SUD if the transaction is approved;*
  - h. Environmental integrity; and*
  - i. The probable improvement of service or lowering of cost to consumers in the certificated area resulting from approving the transaction.*
7. *The effect of denial of the STM Application on the public interest.*

Respectfully submitted,

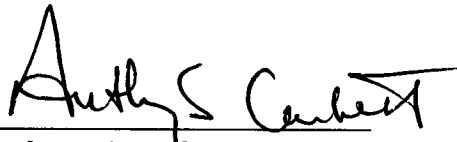
By:   
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ATTORNEYS FOR NORTH COLLIN  
SPECIAL UTILITY DISTRICT

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on this the 25th day of January, 2017, via electronic mail, to the persons referenced on the mailing list set forth below.

  
Anthony S. Corbett

## MAILING LIST

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