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State Office of Administrative Hearings (SOAH)

P.U.C DOCKET NO. 46782

SOAH DOCKET NO. 473-17-4909.WS

APPLICATION OF KAMIRA PROPERTY OWNERS ASSOCIATION, INC
DBA KAMIRA WATER SYSTEM TO AMEND CERTIFICATE OF
CONVENIENCE AND NECESSITY IN KERR COUNTY

LIST OF ISSUES

Kamira Water System (KWS) service area lies within two counties, Kerr and Gillespie counties.

Legal notices have not been filed in the Gillespie County newspaper, The Harper News.

The service area lies on two sides of Harper Road (FM 783), (KWS on the west side, Box S Drive N water well is located on the east side of Harper Road).

KWS acquired the Box S well and connected the two wells via a pipeline under Harper Road (FM 783)(Ranch Road 783).

All current 34 customers have an expensive problem to cure and any solution is going to cost us all dearly. We choose to keep it as it stands now, at 34 customers, and get the decertification denied.

KWS is simply trying to get out of paying any of the cost of fixing the Box S well to cure the Radium and Gross Alpha problems.

Kamira side of Harper Road is a gated community of expensive homes, whereas the Box S side of Harper Road is not gated and homes are more modest. Most of Box S residents are retired and on a fixed income.

If Box S is severed from KWS only 19 users would pay expenses, the Box S side would incur a much greater expense, and would present a much more onerous financial burden on Box S people.

Decertification is not in the Public Interest of Box S customers.

It is highly unlikely that the Box S side could get service connections down to 14 users so as to not be under the auspices of PUC rules (as the Kamira side is planning on).

The Kamira development side is trying to get service connections down to 14 users to not be under the auspices of PUC rules.

I do not want to pay for drilling a well on my site, and I assume no one else here does either. Wells are expensive to drill and maintain.

I have talked to an attorney in Austin that said "the decertification is a veiled attempt to shed any legal responsibility for the problem."

KWS claims that they will continue water service to us, but there is no guarantee, and they could stop at anytime if Box S residents have a separate water supply system.

Box S residents do not possess the financial, managerial, and technical capability to provide - continuous and adequate service.

The proposed decertification is clearly not in the Public Interest. The legal owner of the Box S well (KWS) is trying to shirk their legal responsibility to correct the problem.

James F. Weathersbee and Cindy L. Dix have previously planned an out of state vacation during August and September of this year and will not be able to attend any meetings or hearings during that time.
We will attend the open meeting currently scheduled for July 28, 2017.

We thank you for your help.

(signed)

James F. Weathersbee and Cindy L. Dix