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APPLICATION OF KAMIRA  
PROPERTY OWNERS ASSOCIATION,  
INC. D/B/A KAMIRA WATER SYSTEM  
TO AMEND A CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
KERR COUNTY

§ PUBLIC UTILITY COMMISSION  
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OF TEXAS

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PUBLIC UTILITY COMMISSION  
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## BRIEF IN RESPONSE TO THRESHOLD LEGAL/POLICY ISSUES

Kamira Property Owners Association, Inc., doing business as Kamira Water System ("Kamira") respectfully submits its brief in response to the Commission's Order Requesting Briefing On Threshold Legal/Policy Issues.

### ISSUES AS IDENTIFIED IN PUC ORDER OF JULY 20, 2017, REQUESTING BRIEFING ON THRESHOLD LEGAL/POLICY ISSUES

*1. Does Kamira's proposed transaction implicate the requirements of subchapter H. of the Texas Code, regarding a sale, acquisition, lease, or rental of a water system owned by an entity that is required to hold a CCN?*

#### Brief In Response to Issue # 1

Kamira's proposed transaction does not implicate the requirements of subchapter H of the Texas Code (16 TAC §§ 24.121-24.127). The provisions of subchapter H apply only to apartment houses, condominiums, multiple use facilities, and manufactured home rental communities billing for water and wastewater utility service on a submetered or allocated basis. 16 TAC § 24.121(b). Kamira's current CCN does not include any apartment houses, condominiums, multiple use facilities, or manufactured home rental communities. Nor does Kamira bill its customers on a sub-metered or allocated basis.

*2. Does Kamira's proposed transaction implicate TWC § 13.250, regarding the provision of continuous and adequate service, as well as discontinuance, reduction, or impairment of service?*

#### Brief In Response to Issue # 2

Kamira's proposed transaction will not implicate TWC § 13.250 regarding the provision of continuous and adequate service. Nor will the proposed transaction result in any discontinuance, reduction, or impairment of service. Kamira will continue to serve every

customer within its certified area and will render continuous and adequate service within its certified area. Kamira will not discontinue, reduce or impair such water service unless the provisions of TWC § 13.250(b) are satisfied. If Kamira's application is approved, the customers in Box S will continue to be served by Kamira just as they have always been served. The customers in Kamira subdivision will be served, without interruption, by Bracero Water System.

*3. Does Kamira's proposed transaction implicate TWC § 13.253, regarding actions the Commission may take to address the provision of continuous and adequate service?*

### **Brief In Response to Issue # 3**

Kamira's proposed transaction does not implicate TWC § 13.253 regarding actions the Commission may take to address the provision of continuous and adequate service. Kamira is not in an "affected county" as those terms are defined in TWC § 13.253(a)(1). Moreover, the provisions of TWC §§ 13.253(a)(2)-(4) and (b) do not apply to Kamira.

*4. If the answer to any of these issues is yes, must Kamira supplement its application?*

### **Brief In Response to Issue # 4**

Since all the answers to issues # 1-3 are no, Kamira is not required to supplement its application.

Respectfully submitted,

Kamira Property Owners Association, Inc

Doing business as Kamira Water System

By: \_\_\_\_\_

Wilmer Carroll, Manager

August 14, 2017