

Control Number: 46835



Item Number: 41

Addendum StartPage: 0

PUC DOCKET NO. 46835

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APPLICATION OF THE CITY OF PRINCETON TO AMEND ITS CERTIFICATES OF CONVENIENCE NECESSITY AND TO DECERTIFY A PORTION OF ALTOGA WATER SUPPLY CORPORATION'S WATER SERVICE AREA IN COLLIN COUNTY

BEFORE THE PUBLIC UTILITY

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COMMISSION OF TEXAS

CITY OF PRINCETON'S PROOF OF NOTICE

COMES NOW the City of Princeton, Texas ("City" or "Princeton") and files this Proof of

Notice as required by Order No. 12.

Order No. 12, issued April 10, 2018, requires Princeton to file with the Commission signed

affidavits that notice has been given to affected parties and published in a newspaper of general

circulation. The City hereby provides the following:

- 1. Exhibit No. 1 *Notice to Neighboring Systems, Cities, and Landowners* The City provides an affidavit that notice was sent to:
 - a. any districts, utilities, and cities within two (2) miles of the proposed area;
 - b. the county judge of each county and each groundwater conservation district that is wholly or partly included in the proposed area to be certified;
 - c. each city with an extraterritorial jurisdiction (ETJ) that is wholly or partly included in the proposed area to be certified; and
 - d. landowners who own a tract of land that is at least 25 acres and is wholly or partly located in the proposed area to be certified.

Exhibit A thereto is a specimen of the notice provided. Exhibit B thereto is a list of the entities or persons to whom notice was provided.

2. Exhibit No. 2 – *Publisher's Affidavit* – The City provides the publisher's affidavit and copies of the tear sheets that demonstrate that notice was published on <u>April 5, 2018</u> and <u>April 12, 2018</u>.

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Respectfully submitted,

Russell Rodriguez Hyde Bullock LLP

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 18th day of April, 2018, 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

•

Landon J. Lill Attorney – Legal Division Public Utility Commission of Texas 1701 N. Congress Avenue Austin, TX 78701 (512) 936-7268 Fax landon.lill@puc.texas.gov

Anthony S. Corbett McLean & Howard, LLP 901 South MoPac Expy, Suite 225 Austin, TX 78746 (512) 328-2409 Fax tcorbett@mcleanhowardlaw.com Representing North Collin SUD and Altoga WSC

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

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES, LANDOWNERS AND AFFECTED PARTIES DOCKET NO. <u>46835</u>

STATE OF TEXAS COUNTY OF WILLIAMSON

has provided individual notices to the following on April 12, 2018:

See Attached Exhibit B

OATH

I, <u>Arturo D. Rodriguez, Jr.</u>, being duly sworn, file this form as the Attorney of the Applicant, that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set forth therein are true and correct.

Arturo D. Rodriguez, Jr.

Subscribed and sworn to before me this 12th day of April, 2018, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Tanza L. Smith

My Commission Expires May 21, 2018



EXHIBIT 1

Notice to Neighboring Systems, Cities and Landowners NOTICE OF APPLICATION TO AMEND CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) FOR THE PROVISION OF WATER AND SEWER SERVICES IN COLLIN COUNTY, TEXAS

To: City of McKinney 222 N. Tennessee Street McKinney, TX 75069 Date Notice Mailed: April 12, 2018

The City of Princeton filed an application with the Public Utility Commission of Texas to amend its Certificate of Convenience and Necessity (CCN) Nos. 13195 and 21057 for the provision of water and sewer service in Collin County.

The requested water and sewer areas are located approximately between 2 and 6 miles north of downtown <u>Princeton, Texas</u>, and is generally bounded on the north by <u>CR 471</u>; on the east by <u>CR500</u> and <u>CR 494</u>; on the south by <u>Monte Carlo Blvd</u>; and on the west by <u>CR 409</u>, <u>FM 1827</u>, and <u>CR 406</u>. The requested water service area includes approximately <u>2633</u> acres. The requested sewer service area includes approximately <u>1636</u> acres.

See enclosed map showing the requested area.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date.

If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

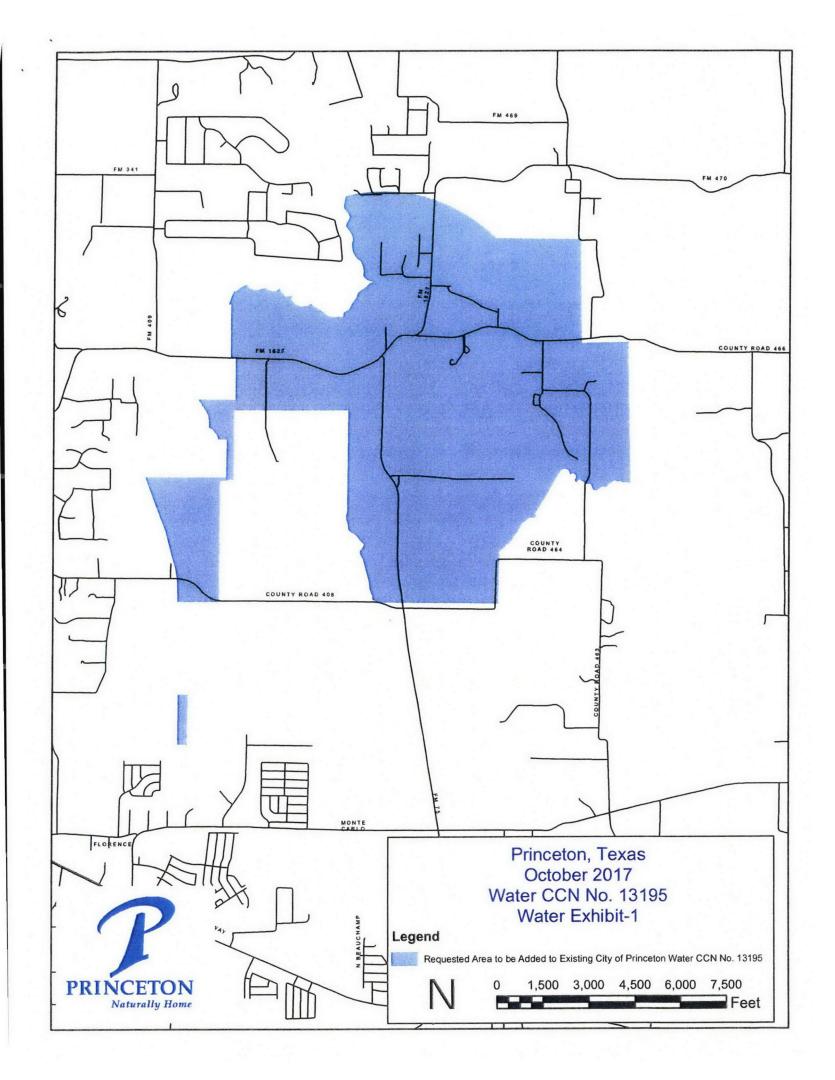
If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed service area, you may request to be excluded from the proposed service area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a large scale map and a metes and bounds description of the tract of land.

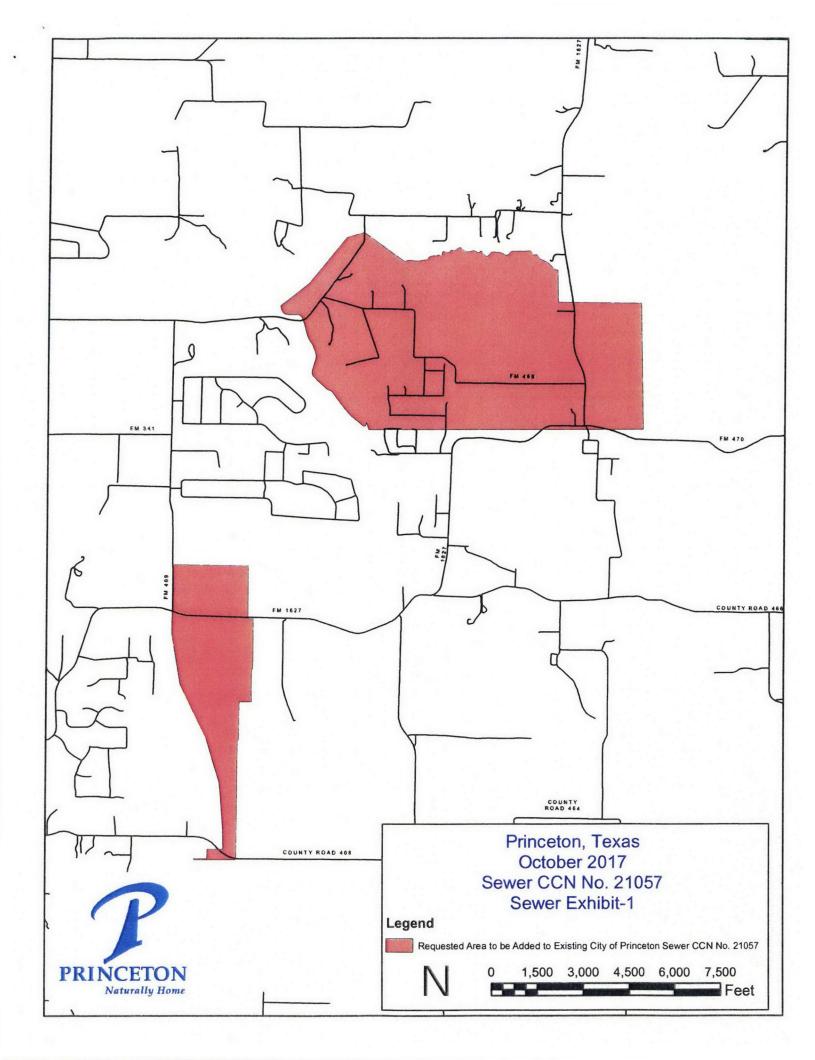
Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Public Utility Commission of Texas Central Records 1701 N. Congress, P. O. Box 13326 Austin, TX 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Exhibit A





City of McKinney 222 N. Tennessee Street McKinney, TX 75069

Collin County Judge Keith Self 2100 Bloomdale Road McKinney, TX 75071

North Texas Groundwater Conservation District Post Office Box 508 Gainesville, TX 76241

Windmill Estates Water 3001 Portside Dr Rockwall, TX 75087

Tillery William Virgil III Living Trust 3 Rockbrook Rd Augusta, GA 30909-3760

Newind LLC 3609 Matagorda Springs Dr Plano, TX 75025-6811

DR James Thompson Wilson Sr 1500 Hill St McKinney, TX 75069-3628

Griffin Legacy LP, C/O Tori Mannes 4016 Mcfarlin Blvd Dallas, TX 75205-1724

M26 Farm LLC 3405 Twin Lakes Way Plano, TX 75093-7572

Jo Ann Whitsell Etal 6187 County Road 570 Farmersville, TX 75442-5041 City of Melissa 3411 Barker Avenue Melissa, TX 75454

Milligan WSC 1400 S. Bridgefarmer Road McKinney, TX 75069

North Texas Municipal Water District Post Office Box 2408 Wylie, TX 75098

Hasan Pirkul Etal 2611 Clublake Trl McKinney, TX 75070-4007

FH Farm Venture LLC 1650 W Virgina St Ste 102 McKinney, TX 75069-7702

Walker Family Farm LTD 315 Summerwood St Beaumont, TX 77706-2705

Charles F Booher Jr Etal 8923 Carvel Ln Houston, TX 77036-6123

Hasan Pirkul Etal 2611 Clublake Trl McKinney, TX 75070-4007

Rolling Hills of Texas Development LLC 197 Lantana Vis Spring Branch, TX 78070-5662

Wayne Templeman 3034 County Road 463 Princeton, TX 75407-2224 City of New Hope Post Office Box 562 McKinney, TX 75070-8139

North Collin SUD 2333 Sam Rayburn Hwy Melissa, TX 75454

Verona WSC 408 W. FM 545, Suite 400 Blue Ridge, TX 75424

Julia Ann Tillery Living Trusts 3 Rockbrook Rd Augusta, GA 30909-3760

Larry Click White 17209 Poncho Springs Ln Austin, TX 78717-2966

Albert Nelson Jackson FLP 10509 Murray S Johnson St Denton, TX 76207-6649

Zina Thomas 5063 Fm 1827 McKinney, TX 75071-0585

M23 Family Limited Partnership Po Box 2767 McKinney, TX 75070-8176

Dean J Pogue 4231 Cannondale Ln Katy, TX 77450-8030

Norman Barch 3867 County Road 494 Princeton, TX 75407-2337

Exhibit **B**

James Cave 2620 County Road 463 Princeton, TX 75407-2220

Jo AnnWhitsell 2620 County Road 463 Princeton, TX 75407-2220

CRH Stiff Creek LLC 2355 Edmonson Dr Lucas, TX 75002-1404

Aziz Family Trust 112 Peter Coutts Cir Stanford, CA 94305-2517

Ziyad Aziz 112 Peter Coutts Cir Stanford, CA 94305-2517

Donald W Clem 8981 Fm 1377 Blue Ridge, TX 75424-6134

John R Caserotti 600 N Mcdonald St McKinney, TX 75069-2136

Russell A Mantooth 4768 County Road 465 McKinney, TX 75071-0808

James J Fowles 6570 Fm 1827 McKinney, TX 75071-0603

Roxanne P Gross 5273 County Road 412 McKinney, TX 75071-0566 James R Cave Living Trust 2620 County Road 463 Princeton, TX 75407-2220

Craft Living Trust Etal Mattie Lee Craft Trustee Po Box 556 Melissa, TX 75454-0556

Randy G Smith 7955 County Road 831 Princeton, TX 75407-2442

Shala Aziz 112 Peter Coutts Cir Stanford, CA 94305-2517

Donya Aziz 112 Peter Coutts Cir Stanford, CA 94305-2517

Jeffery D Caserotti 600 N Mcdonald St McKinney, TX 75069-2136

Lance A Caserotti 600 N Mcdonald St McKinney, TX 75069-2136

Brenda Jo Starnes 124 W Burke Ave Lufkin, TX 75904-3836

Lawson Living Trust Lawson Betty J Trustee 4006 Towngate Blvd Garland, TX 75041-4820

Ho Jui-Lien Chou C/O Gateway Investment Co 4009 19Th St Ste D Lubbock, TX 79410-1004 Carolyn Skinner 2620 County Road 463 Princeton, TX 75407-2220

Lawson Jimmy Gst Trust Jimmy Lawson, Trustee 8370 County Road 466 Princeton, TX 75407-2258

Christy L Smith 7955 County Road 831 Princeton, TX 75407-2442

Owais Aziz 112 Peter Coutts Cir Stanford, CA 94305-2517

Azre LLC, C/O Reuven Zfat 1750 Nw 124Th Way Coral Springs, FL 33071-7888

Jim L Caserotti 600 N Mcdonald St McKinney, TX 75069-2136

DSVN LLC 2218 Gathright Dr Abilene, TX 79606-3607

Paul J Fowles 6570 Fm 1827 McKinney, TX 75071-0603

Steven K Gross 5273 County Road 412 McKinney, TX 75071-0566

Melissa-TX 25 Vestors LLC 516 Windy Knoll Dr Murphy, TX 75094-5350 Suzy O Kemp 5450 County Road 412 McKinney, TX 75071-0567

Gibson Morris Braswell Sr 7853 Fm 1827 McKinney, TX 75071-0613

Christina Braswell 7853 Fm 1827 McKinney, TX 75071-0613

Estate Of C W Gray & Meda Von C/O Londa Von Hickman 3204 Caravan Dr Plano, TX 75025-5318

Harlan Properties Inc 2404 Texas Dr Ste 103 Irving, TX 75062-7011

Judith J Buckner 5274 County Road 412 McKinney, TX 75071-0649

Owner of Record 5706 FM 1827 McKinney, TX 75071 Diane Wilcox Deloach 1511 Derby Run Carrollton, TX 75007-2984

Le Rushing Terisa 7853 Fm 1827 McKinney, TX 75071-0613

Wendy K Hutchinson 6777 County Road 1038 McKinney, TX 75071-0579

Estate Of C W Gray & Meda Von C/O Beverly Jean Hendricks 3204 Caravan Dr Plano, TX 75025-5318

Barkley Wilson Properties LLC 1325 Cherryville Rd Greenwood Village, CO 80121-1221

Owner of Record 5648 FM 1827 McKinney, TX 75071

Dunn Carl Glenn & Betty J Revocable Living Trust 5706 FM 1827 McKinney, TX 75071 219 Fm 1827 Partnership 5818 Windmier Ln Dallas, TX 75252-5001

Gibson M Braswell Jr 7853 Fm 1827 McKinney, TX 75071-0613

Owens Ranches Inc Po Box 794462 Dallas, TX 75379-4462

Pensco Trust Company Fbo James Tokes Cornelius Ira Po Box 173859 Denver, CO 80217-3859

Robert L Buckner 5274 County Road 412 McKinney, TX 75071-0649

The First National Bank of Trenton 5648 FM 1827 McKinney, TX 75071

James Albert Lacy Po Box 657 McKinney, TX 75070-8141



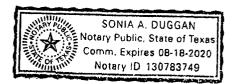
STATE OF TEXAS COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of C & S Media, dba *The Princeton Herald*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, and being in compliance with Section 2051.044, Texas Government Code (a); (1), (2), (3) and (4), who being by me duly sworn, deposed and says that the foregoing attached:

Russell, Rodriguez, Hyde, Bullock LLP Notice of Application to Amend CCN for the Provision of Water & Sewer Service – City of Princeton was published in said newspaper on the following date(s), to-wit: April 5, 2018 and April 12, 2018.

Chad Engbrock, Publisher

April ,2018 Subscribed and sworn before me on this, the $\frac{12}{2}$ day of ______ to certify which witness my hand and seal of office.



Notary Public in

The State of Texas

My commission expires

Murphy Sachse Wylie Office + 110 N. Ballard + P.O. Box 369 • Wylie T.X. 75098 • 972 442 5515 • 1ax 972-442 4318 Earmersville Trinceton Office + 110 S. Main + P.O. Box 512 • Farmersville, 1 X. 75442 • 972-784 6307 • 1ax 972 782 7023

EXHIBIT 2

4B Thursday, April 5, 2018 ssifieds & real estate classifieds@csmediatexas.com 972-442-5515 x21

C&S MEDIA PUBLICATIONS The Farmersville Times The Princeton Herald

> Call 972.442.5515 x21 to place your Classified Ad Deadline is Noon Tuesday

CITY OF FARMERSVILLE	curements to Minor- ity Business Enterprise	THE CITY OF PRINCETON	acres.	evidentiary hearing is held, SOAH will sub-	area, may file a written request with	Persons who wish to	send a copy of the opt out request to the Util
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9 **4B** Thursday, April 12, 2018 **C&S MEDIA PUBLICATIONS** ssifieds & real estate The Farmersville Times The Princeton Herald Call 972.442.5515 x21 to place your Classified Ad **Deadline** is Noon Tuesday 972-442-5515 x21 classifieds@csm Legal Notice Commission of the south by Monte proceeding is (30 days hearing. If no settleout") within (30) days intervene in the Austin THE CITY OF TX 78711-3326 Texas to amend its Cer-Carlo Blvd; and on the proceeding or ment is reached and an from the date that nofrom the PRINCETON mailing or tificate of west by CR 409, FM comment upon evidentiary hearing is tice was In addition, the 1827, and CR 406 publication of held, SOAH will subprovided by the Convenience and action sought should Necessity (CCN) Nos.

NOTICE OF **APPLICATION TO** AMEND **CERTIFICATES OF** CONVENIENCE AND NECESSITY (CCN) FOR THE **PROVISION OF** WATER AND SEWER SERVICE IN COLLIN COUNTY, TEXAS

The City of Princeton filed an application with the Public Utility

the provision of water and County. The requested water and sewer areas are located approximately north of downtown Princeton, Texas, and

circle one:

Name

Address

Citv

sewer service in Collin acres The requested sewer acres. between 2 and 6 miles A copy of the map

is generally bounded on the north by CR 471; on the east by CR500 and CR 494; on

Yes I want a yearly subscription (52 issues)

for just \$33! I will save \$6 off the newsstand price!

I prefer a two-year subscription (104 issues) for

just \$61! I will save \$17 off the newsstand price!

The Farmersville Times The Princeton Herald

Zip

State

13195 and 21057 for

The requested water service area includes approximately 2633

service area includes approximately 1636 showing the requested area is available at: 123 West

Princeton Dr. Princeton, Texas 75407. Persons who wish to

contact the Public Utility Commission, P.O. Box 13326, Austin, Texas presiding 78711-3326, or call the Public Utility Commisa letter sion at (512) 936-7120 requesting or (888) 782-8477.

Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512)

936-7136.

Office of The deadline for

SUBSCRIBE & SAVE

intervention in the

notice, whichever occurs later, unless otherwise provided by the officer). You must send

intervention to the commission which is received by that date. If a valid public hear-

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mit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt

Expires:

Utility. All opt out requests must include a large scale map and a metes and bounds description of the landowner's tract

of land. Persons who wish to request this option should file the 7221. required documents with the: **Public Utility** Commission of

Texas Central Records 1701 N. Congress, P. O. Box 13326

landowner must also send a copy of the optout request to the Utility. Staff may request additional information regarding your request. Si desea información

en español, puede llamar al 1-512-936-18-21-184li

(please give address on credit card if different than above)

U Visa

Check #

Credit Card #:

DMC

Please bill me

CALL TODAY 972-442-5515 The Farmersville Time

The Princeton Herald