



Control Number: 47008



Item Number: 11

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RECEIVED

APPLICATION OF AQUA UTILITIES,	§	BEFORE THE PUBLIC UTILITY
INC. AND CITY OF GEORGETOWN	§	
FOR APPROVAL OF SERVICE AREA	§	COMMISSION OF TEXAS
CONTRACT UNDER TEXAS WATER	§	
CODE § 13.248 AND TO AMEND	§	
CERTIFICATES OF CONVENIENCE	§	
AND NECESSITY IN WILLIAMSON	§	
COUNTY, TEXAS	§	

JOINT PROPOSED NOTICE OF APPROVAL AND MOTION TO ADMIT EVIDENCE

COME NOW Staff of the Public Utility Commission (Staff), representing the public interest, together with Aqua Utilities, Inc. (Aqua) and the City of Georgetown (the City) (collectively, the Parties), and file this Joint Proposed Notice of Approval and Motion to Admit Evidence. In support thereof, the parties show the following.

I. BACKGROUND

On March 30, 2017, Aqua Utilities, Inc. and the City of Georgetown filed with the Commission an application for approval and enforcement of a service area contract that would amend their respective certificates of convenience and necessity (CCN) Nos. 11157 and 12369 in Williamson County, Texas, pursuant to Texas Water Code § 13.248 and 16 Tex. Admin. Code § 24.117 (Application). The Application was received by the Commission on March 30, 2017. On April 20, 2017, the Application was deemed sufficient for filing. No public notice was required because there are no customers in the area proposed for transfer under the Application service area contract. On July 10, 2017, Staff recommended approval of the Application. Order No. 3, issued on July 24, 2017, gave the Parties until August 7, 2017 to file a proposed notice of approval. This pleading is timely filed.

II. JOINT MOTION TO ADMIT EVIDENCE

The Parties move to admit the following evidence into the record of this proceeding: (a) Aqua and the City's March 30, 2017 Petition (Item No. 1 filed March 30, 2017), (b) the consent

forms to the final map, certificate, and tariff, filed July 3 and 5, 2017 (Items No. 7 and 8), and (c) Commission Staff's recommendation regarding final disposition and attachments thereto (Item No. 9, filed July 10, 2017).

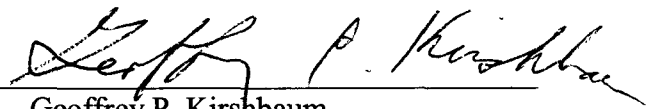
III. PROPOSED NOTICE OF APPROVAL

The attached Joint Proposed Notice of Approval would approve Aqua Utilities, Inc. and the City of Georgetown's service area contract and enforce same by approving amendments to their respective water CCN Nos. 11157 and 12369 in Williamson County, Texas.

IV. CONCLUSION

The Parties respectfully request that the Commission grant the attached Joint Proposed Notice of Approval.

Respectfully submitted,

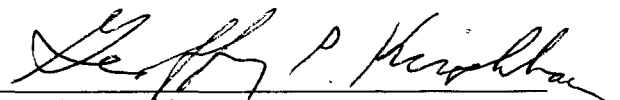
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ATTORNEYS FOR AQUA UTILITIES, INC.

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 7, 2017 in accordance with P.U.C. Procedural Rule 22.74.


Geoffrey P. Kirshbaum

PUC DOCKET NO. 47008

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AND NECESSITY IN WILLIAMSON	§	
COUNTY, TEXAS	§	

NOTICE OF APPROVAL

This Notice of Approval addresses the application by Aqua Utilities, Inc. d/b/a Aqua Texas (Aqua) and City of Georgetown (the City) (collectively, Applicants) for approval and enforcement of a service area contract that would amend their respective water certificates of convenience and necessity (CCN) Nos. 11157 and 12369 in Williamson County, Texas, pursuant to Texas Water Code § 13.248 and 16 Tex. Admin. Code § 24.117 (Application). The total area the Application proposes for transfer from the City to Aqua includes approximately 78 acres, 0 current customers, and no infrastructure. The Public Utility Commission Staff recommended approval of this Application. The Application is approved. The Commission adopts the following findings of fact and conclusions of law:

FINDINGS OF FACT

Procedural History

1. On March 30, 2017, Aqua and the City filed the Application with the Public Utility Commission of Texas (Commission) to approve and enforce a service area contract that would amend their respective water CCN Nos. 11157 and 12369 in Williamson County, Texas.
2. The total service area the Application proposes for transfer from the City to Aqua consists of approximately 78 acres, 0 current customers and no infrastructure.

3. On April 20, 2017, Order No. 2 was issued, deeming the Application sufficient for filing.

4. On July 3, 2017, Aqua submitted a signed consent form evidencing its consent to a revised CCN map, certificate, and tariff proposed by Staff.

5. On July 5, 2017, the City submitted a signed consent form evidencing its consent to a revised CCN map and certificate proposed by Staff.

6. On July 10, 2017, Staff recommended that the Application be approved with the revised CCN map, certificate, and tariff included with Staff's recommendation.

7. On August 7, 2017, the parties filed a joint proposed notice of approval and motion to admit evidence.

8. The final maps, tariff, and CCN certificate referenced in Findings of Fact No. 6 are attached to this Notice of Approval.

Notice

9. The Commission caused notice of the Application to be published in the *Texas Register* on April 3, 2017.

10. Additional notice was waived because there are no customers in the transferred service area.

Evidentiary Record

11. On August ____, 2017, Order No. 4 was issued, admitting evidence into the record of this proceeding.

Informal Disposition

12. More than 15 days have passed since completion of the notice provided in this docket.

13. There were no protests or hearing requests filed in response to the public notices.

14. No hearing is necessary.

15. The CCN certificate, map, and tariff revision as admitted are approved.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction and authority over this docket pursuant to the Tex. Water Code § 13.248 (TWC) and 16 Tex. Admin. Code § 24.117 (TAC).

2. Aqua is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(58).

3. The City is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(58).

4. Applicants have demonstrated that the Application meets the requirements set forth in TWC § 13.248 and in 16 TAC § 24.117 to be granted an amendment to their respective CCNs.

5. Applicants demonstrated that an amendment of their respective water CCN Nos. 11157 and 12639 is necessary for the service, accommodation, convenience, or safety of the public, as required under TWC § 13.246(b) and 16 TAC § 24.102(c).

6. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

III. ORDERING PARAGRAPHS

In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. The Application is approved.
2. Aqua Utilities, Inc.'s water CCN No. 11157 is hereby amended to reflect the addition of approximately 78 acres of service area in Williamson County, Texas.
3. The City of Georgetown's water CCN No. 12369 is hereby amended to reflect the removal of 78 acres of its service area in Williamson County, Texas.
4. Applicants shall comply with the recording requirements in TWC § 13.257(r) for the area in Williamson County affected by the Application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
5. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS on the ____ day of _____, 2017.

PUBLIC UTILITY COMMISSION OF
TEXAS ADMINISTRATIVE LAW JUDGE