



Control Number: 47008



Item Number: 13

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RECEIVED

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

PUBLIC UTILITY COMMISSION  
OF TEXAS

2017 AUG 15 PM 3:59  
PUBLIC UTILITY COMMISSION  
FILING CLERK

### NOTICE OF APPROVAL

This Notice addresses the application of Aqua Utilities, Inc. d/b/a Aqua Texas and the City of Georgetown for approval of a service area contract to amend their respective water certificates of convenience and necessity (CCN) in Williamson County. Commission Staff recommended approval of the application. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

#### I. Findings of Fact

##### Procedural History

1. On March 30, 2017, Aqua and Georgetown filed an application for approval of an agreement to transfer service area and amend their respective water CCNs under Texas Water Code § 13.248 (TWC)
2. Aqua holds water CCN No. 11157 and Georgetown holds water CCN No. 12369.
3. The agreement proposes to transfer a portion of Georgetown's service area to Aqua. The requested service area consists of approximately 78 acres, with 0 current customers and no infrastructure.
4. On April 20, 2017, Order No. 2 was issued, deeming the application sufficient for filing, finding that no additional notice of this application was required and establishing a procedural schedule.
5. On July 3, 2017, Aqua consented to the proposed revised CCN maps, tariff pages and certificate, as prepared by Commission Staff.

6. On July 5, 2017, Georgetown consented to the proposed revised CCN maps and certificate, as prepared by Commission Staff.
7. On July 10, 2017, Commission Staff recommended approval of the application and provided copies of the revised water service area map, CCN certificates, and tariff pages.
8. The final map, tariff pages, and CCN certificates referenced in Findings of Fact No. 5, 6 and 7 are attached to this Notice.
9. On August 7, 2017, the parties filed a joint proposed notice of approval and motion to admit evidence.
10. On August 15, 2017, Order No. 4 was issued, admitting evidence into the record of this proceeding.

**Notice**

11. On April 14, 2017, notice of the application was published in the *Texas Register*.
12. No additional notice of this application was required.

**Informal Disposition**

13. More than 15 days have passed since completion of the notice provided in this docket.
14. Georgetown, Aqua and Commission Staff are the only parties to this proceeding.
15. No protests or request for hearing were filed.
16. No issues of fact or law remain disputed by any party, therefore no hearing is necessary.

**II. Conclusions of Law**

1. The Commission has jurisdiction and authority over this docket under TWC §§ 13.041 and 13.248.
2. Aqua and Georgetown are retail public utilities, as defined in TWC § 13.002(19) and 16 Texas Administrative Code § 24.3(58) (TAC).
3. Public notice of the application was provided in compliance with TWC § 13.246 and 16 TAC § 24.106.

4. Applicants have demonstrated that the application meets the requirements set forth in TWC §§ 13.241, 13.244 and 13.246, and 16 TAC §§ 24.101-.102 and 24.104-.106 to be granted an amendment to their respective CCNs.
5. After considering the factors in TWC § 13.248, Aqua and Georgetown are entitled to approval of their agreement to transfer service area from Georgetown to Aqua and to amend their respective water CCN Nos. 11157 and 12639 to reflect that transfer, having demonstrated that Aqua has adequate financial, managerial and technical capability for providing continuous and adequate service to the transferred area and its current service area as required by TWC § 13.241(a).
6. Approval of the application 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).
7. Under TWC § 13.257(r) and 16 TAC § 24.106(e), Aqua and Georgetown are required to record a certified copy of their approved CCN and map, along with a boundary description of the service area in the real property records of each county in which the service area of a portion of the service area is located, and submit to the Commission evidence of the recording.
8. The requirements for informal disposition pursuant to 16 TAC § 22.35 have been met in this proceeding.

### **III. Ordering Paragraphs**

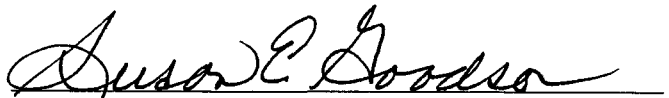
In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

1. The application is approved.
2. Aqua's water CCN No. 11157 is hereby amended to reflect the addition of approximately 78 acres of service area in Williamson County.
3. Aqua shall serve every customer and applicant for water service within the area certified under CCN No. 11157, and such service shall be continuous and adequate.

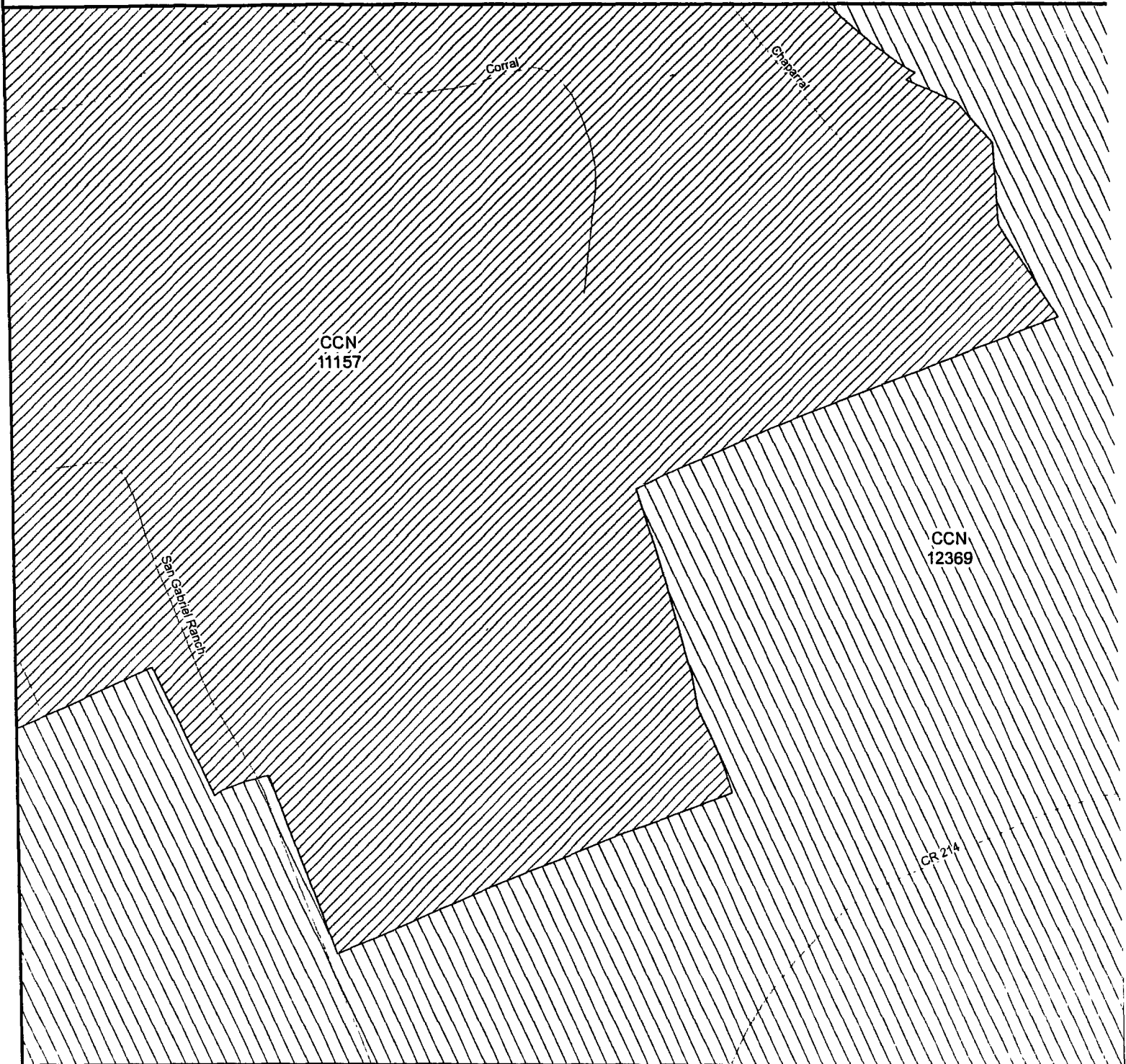
4. Aqua shall comply with the recording requirements in TWC § 13.257(r) for the area in Williamson County affected by the application and submit to the Commission evidence of the recording no later than 31 days after receipt of this Notice.
5. Georgetown's water CCN No. 12369 is hereby amended to reflect the removal of approximately 78 acres of its service area in Williamson County.
6. Georgetown 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.
7. 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 the 15<sup>th</sup> day of August 2017.

**PUBLIC UTILITY COMMISSION OF TEXAS**



  
**SUSAN E. GOODSON**  
**ADMINISTRATIVE LAW JUDGE**

Aqua Utilities, Inc.  
Portion of Water CCN No. 11157  
PUC Docket No. 47008  
13.248 Agreement Amended CCN No. 11157 and  
Decertified a Portion of City of Georgetown, CCN No. 12369 in Williamson County



Public Utility Commission of Texas  
1701 N. Congress Ave  
Austin, TX 78701

**Water CCN**

-  11157 - Aqua Utilities Inc
-  12369 - City of Georgetown

0 250 500  
Feet



Map by: Komal Patel  
Date created: June 15, 2017  
Project Path: n:\finalmapping\47008Aqua.mxd



# Public Utility Commission of Texas

**By These Presents Be It Known To All That**

**City of Georgetown**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Georgetown is entitled to this

## **Certificate of Convenience and Necessity No. 12369**

to provide continuous and adequate water utility service to that service area or those service areas in Williamson County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47008 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Georgetown to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 15<sup>th</sup> day of August 2017.



# Public Utility Commission of Texas

**By These Presents Be It Known To All That**

**Aqua Utilities, Inc.**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Aqua Utilities, Inc., is entitled to this

## **Certificate of Convenience and Necessity No. 11157**

to provide continuous and adequate water utility service to that service area or those service areas in Bandera, Bexar, Blanco, Brazoria, Burnet, Comal, Gillespie, Harris, Hays, Kendall, Kerr, Kimble, Liberty, Live Oak, Llano, Matagorda, McLennan, Medina, Montgomery, Nueces, Travis, Victoria, Williamson and Wilson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47008 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Aqua Utilities, Inc., to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 15<sup>th</sup> day of August 2017.



<b>Table A – Southwest Region</b>			
<b>System Name</b>	<b>Subdivision/ Area Served</b>	<b>PWS ID</b>	<b>County</b>
Blue Medina Water	Medina River Ranch Blue Medina	0100030	Bandera
Lakewood Water	Lakewood Water Lakewood Park	0100047	Bandera
San Julian Creek Estates	San Julian Creek Estates	0100052	Bandera
Elmwood Estates	Elmwood Estates	0100053	Bandera
Comanche Cliffs	Comanche Cliffs	0100065	Bandera
Estates Utility Co. Stonegate	Stonegate	0150431	Bexar
Gruene River Development	Gruene River	0460185	Comal
Chaparral Water System Hays	Bliss Spillar	1050029	Hays
Woodcreek Utility Co. 1	Wimberley Woodcreek Woodcreek Phase I	1050037	Hays
Woodcreek Utility Co. 2	Wimberley Woodcreek Woodcreek Phase II	1050039	Hays
Leisurewoods Water	Leisurewoods	1050043	Hays
Southwest Territory	Southwest Territory	1050058	Hays and Travis
Meadow Woods Water Supply	Meadow Woods Arroyo Ranch Dove Hollow Estates Quail Meadows Subdivision	1050077	Hays
Granite Creek WSC	Granite Creek Blanco River Crossing	1050080	Hays
Copper Hills Water System	Copper Hills	1050082	Hays
Oak Meadows	Oak Meadows	1050100	Hays
Sierra West Subdivision	Sierra West Subdivision	1050134	Hays
Stonegate Water System	Stonegate	1300032	Kendall
Walnut Hills	Walnut Hills	1300034	Kendall
Ten West Ranches	Ten West Ranches	1300036	Kendall
Kendall Pointe	Kendall Pointe	1300041	Kendall
Center Point Taylor System	Center Point Taylor	1330010	Kerr
Erlund Subdivision	Erlund Subdivision Belaire Estates Clear Spring Ranch Estates Kerrville South Ranches No.1 Loudair Hill Subdivision Mountain Top Ranchettes Mountain View Estates Terre Verde Estates Tierra Grande	1330036	Kerr
Oak Forest South Water Supply	Oak Forest South Burney Oaks Fawn Run Quail Run Estates	1330091	Kerr

**Table A – Southwest Region (Cont.)**

<b>System Name</b>	<b>Subdivision/ Area Served</b>	<b>PWS ID</b>	<b>County</b>
Nickerson Farm Water System	Nickerson Farm	1330097	Kerr
Sleepy Hollow	Sleepy Hollow	1330101	Kerr
Pecan Valley	Pecan Valley	1330107	Kerr
Center Point North Water System	Center Point North	1330111	Kerr
Four Seasons	Four Seasons Castle Estates Dewberry Hollow Estates of Turtle Creek Lamb Creek Wood Creek Woodland Trail Estates	1330113	Kerr
Horseshoe Oaks Subdivision Water System	Horseshoe Oaks Subdivision	1330118	Kerr
Northwest Hills Subdivision	Northwest Hills Subdivision	1330124	Kerr
Bear Paw Water System	Bear Paw Highlands Ranch	1330126	Kerr
Park Place Subdivision	Park Place Park Place Subdivision	1330127	Kerr
Real Oaks Subdivision	Real Oaks Subdivision	1330139	Kerr
Cherry Ridge Water	Cherry Ridge	1330147	Kerr
Falling Water Subdivision	Falling Water Subdivision Reserve at Falling Water	1330154	Kerr and Kendall
Saddlewood Subdivision	Saddlewood Subdivision	1330155	Kerr
Cypress Springs	Cypress Springs	1330156	Kerr
Lake Vista Utility Co.	Lake Vista	1490017	Live Oak
Country View Estates	Country View Estates Big Valley	1630026	Medina
Valentine Ranch	Valentine Ranch	1630040	Medina
Golden Acres Water Co.	Golden Acres	1780019	Nueces
Rivercrest Water System	Rivercrest	2270041	Travis
Bear Creek Park	Bear Creek Park	2270043	Travis
Sandy Creek Ranches Subdivision	Bluffs of Sandy Creek	2270054	Travis
Onion Creek Meadows	Onion Creek Meadows	2270059	Travis
Mooreland Subdivision	Mooreland Subdivision	2270114	Travis
Hill Country Northwest Cherry Hollow	South Cherry Hollow Estates	2270173	Travis
Shady Hollow Estates WSC	Shady Hollow Estates	2270212	Travis

<b>Table A – Southwest Region (Cont.)</b>			
<b>System Name</b>	<b>Subdivision/ Area Served</b>	<b>PWS ID</b>	<b>County</b>
Barton Creek Lakeside	Shady Creek et al Lake Side Subdivision McDaniels Tract Red Bluff Estates	2270282	Travis and Burnet
Lakecliff on Lake Travis	Travis Lakeside	2270327	Travis
Canyon Ridge Springs	Canyon Ridge Springs	2270342	Travis and Burnet
Briarcreek Subdivision	Briarcreek Manor Briarcreek Subdivision	2270354	Travis
Brentwood Subdivision	Brentwood Subdivision	2350005	Victoria
South San Gabriel Ranches	South San Gabriel Ranches	2460026	Williamson
Tal Tex	Tal Tex Tonkawa Village Great Oaks Subdivision	2460064	Williamson
Eagle Creek Ranch	Eagle Creek Ranch The Estates at Eagle Creek	2470022	Wilson

<b>Table B – Southwest Region</b>			
<b>System Name</b>	<b>Subdivision/ Area Served</b>	<b>PWS ID</b>	<b>County</b>
Stone Mountain Subdivision	Stone Mountain	0270134	Burnet
Rio Ancho Subdivision	Rio Ancho	0270141	Burnet and Williamson
Canyon Springs Water	Canyon Springs Kings Cove	0460022	Comal
Harper Road Estates	Harper Road Estates	0860005	Gillespie
Northwest Hills Water Supply	Fredericksburg	0860086	Gillespie
Deerwood Subdivision	Deerwood Subdivision	0860098	Gillespie
West Oak Heights	West Oak Heights	0860100	Gillespie
Cardinal Valley Water	Cardinal Valley	1050068	Hays and Blanco
Mountain Crest Water Company	Mountain Crest	1050111	Hays
Guadalupe Heights Utility	Guadalupe Heights	1330009	Kerr
Westcreek Estates Water System	Westcreek Estates	1330028	Kerr
Loma Vista Water System	Loma Vista Shady Grove Spanish Oaks Estates Wood Hill Estates Wood Ridge Estates	1330041	Kerr
Aqua Vista Utilities	Aqua Vista	1330062	Kerr
Pecan Utilities Oak Ridge Subdivision	Pecan Utilities Oak Ridge Estates Subdivision	1500043	Llano
Indian Springs Subdivision	Indian Springs Subdivision	2270210	Travis
San Gabriel River Ranches	San Gabriel River Ranches Hidden Creek Estates	2460046	Williamson