

Control Number: 47008



Item Number: 9

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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

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COMMISSION STAFF'S FINAL RECOMMENDATION

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Final Recommendation. In support thereof, Staff shows the following:

I. BACKGROUND

On March 30, 2017, Aqua Utilities, Inc. d/b/a Aqua Texas (Aqua) and the City of Georgetown (Georgetown) (collectively, Applicants) filed an application, pursuant to Texas Water Code § 13.248, for approval of an agreement that would amend their water certificates of convenience and necessity (CCN) in Williamson County. Aqua holds water CCN No. 11157 and Georgetown holds water CCN No. 12369. Aqua, Georgetown, and Hidden Creek Estates, LLC (Hidden Creek), the area to be transferred, agree that Aqua will provide retail water service to the proposed transfer area (Hidden Creek) and Georgetown agrees to transfer the proposed transfer area within Georgetown's CCN to Aqua within the terms of the contract. No city facilities or customers are currently located in the area proposed for transfer. Aqua and Georgetown request that the Commission approve the contract without requiring public notice. The Commission published notice of the application in the *Texas Register* on April 3, 2017.

On April 20, 2017, the Administrative Law Judge (ALJ) issued Order No. 2, instructing Staff to file a final recommendation regarding this application by July 10, 2017. Therefore, this pleading is timely filed.

II. FINAL RECOMMENDATION

Staff has reviewed the application, and as detailed in the attached memo from Jonathan Ramirez of the Commission's Water Utility Regulation Division, Staff recommends that the application be approved. Staff further recommends that the Applicants file a certified copy of the CCN maps, along with a written description of the CCN service areas, in the county clerk's office as required by Tex. Water Code § 13.257(r) and (s) (West 2016).

III. CONCLUSION

Staff respectfully requests that the ALJ issue an order consistent with Staff's recommendations.

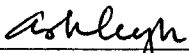
DATED: July 10, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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Division Director

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DOCKET NO. 47008

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on this the 10th of July, 2017, in accordance with 16 TAC § 22.74.



Ashley Nwonuma

Public Utility Commission of Texas

Memorandum

To: Ashley Nwonuma, Attorney
Legal Division

Thru: Tammy Benter, Director
Lisa Fuentes, Manager
Water Utilities Division

From: Jonathan Ramirez, Financial Analyst
Water Utilities Division

Date: July 10, 2017

Subject: **Docket No. 47008:** *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*

On March 30, 2017, Aqua Utilities, Inc. dba Aqua Texas (Aqua) and the City of Georgetown (Georgetown) (collectively, Applicants) filed an application for approval of a service agreement pursuant to Texas Water Code (TWC) §13.248, that would amend their water Certificates of Convenience and Necessity (CCN) in Williamson County.

The Applicants have agreed to transfer a portion of the City of Georgetown's CCN No. 12369 to Aqua, CCN No. 1157.

The application meets all of the statutory requirements of TWC Chapter 13 and 16 TAC Chapter 24 rules and regulations. Staff recommends approval of the application.

The Applicants consented to the attached maps and certificates, on July 3rd and 5th, 2017.

Based on the above information, Staff recommends that:

- Application be approved;
- The attached tariff pages with the subdivisions, maps and certificates be provided to the Applicant.

Staff further recommends that the Applicant file certified copies of the CCN maps along with a written description of the CCN service area in the county clerk's office pursuant to TWC §§ 13.257 (r)-(s).

Table A – Southwest Region

System Name	Subdivision/ Area Served	PWS ID	County
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.)

System Name	Subdivision/ Area Served	PWS ID	County
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

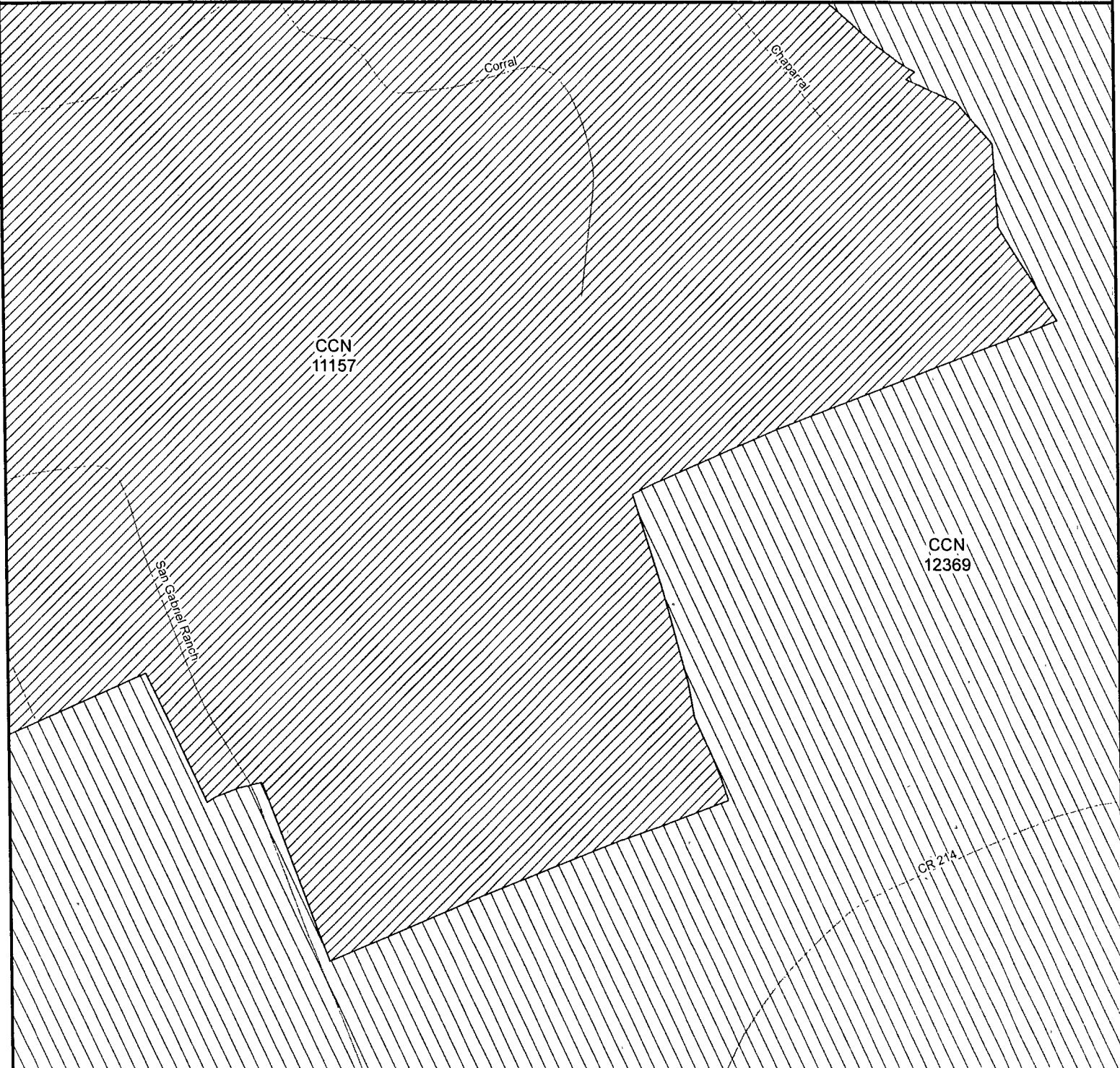
Table A – Southwest Region (Cont.)

System Name	Subdivision/ Area Served	PWS ID	County
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

Table B – Southwest Region



System Name	Subdivision/ Area Served	PWS ID	County
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

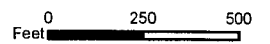
Aqua Utilities, Inc.
Portion of Water CCN No. 11157
PUC Docket No. 47008
13.248 Agreement Amended CCN No. 11157 and
Decertified a Portion of City of Georgetown, CCN No. 12369 in Williamson County



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

Water CCN

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



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

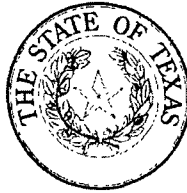
Aqua Utilities, Inc.

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 _____ day of _____ 2017.



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 _____ day of _____ 2017.