

Control Number: 47203



Item Number: 9

Addendum StartPage: 0

RECEIVED

PETITION BY PARKER AREA
INVESTMENTS, LLC TO AMEND
CITY OF ALEDO'S CERTIFICATES
OF CONVENIENCE AND NECESSITY
IN PARKER COUNTY BY
EXPEDITED RELEASE

§
§
§
§
§
§

BEFORE THE PUBLIC UTILITY COMMISSION
2017 JUL 14 AM 10:00
PUBLIC UTILITY COMMISSION
OF TEXAS

**PETITIONER'S REPLY TO CITY OF ALEDO
AND COMMISSION STAFF**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW Parker Area Investments, LLC ("Petitioner") and files this Reply to the City of Aledo ("Aledo") and to Commission Staff's ("Staff") Final Recommendation pursuant to Order No. 2, and would show the following:

I. REPLY TO CITY OF ALEDO

In its filing of June 22, 2017, Aledo stated the grounds for its opposition to the Petition. Aledo's legal arguments and policy statements provide no grounds to undercut Petitioner's decertification of Aledo's CCNs pursuant to Texas Water Code §13.254(a-5). Further, Aledo provided no actual evidence, affidavits, or verifications in support of any facts stated in its response. As such, Aledo provides no support for denial of the Petition.

Similarly, Aledo's request for a determination of useless or valueless property fails to identify any property which is entitled to compensation pursuant to the Commission's rules and is rendered useless or valueless by the decertification.¹

¹ See, 16 TAC §24.113(n).

9

II. AGREEMENT WITH COMMISSION STAFF'S FINAL RECOMMENDATION

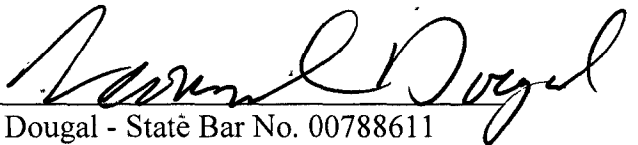
Petitioner has reviewed Commission Staff's Final Recommendation filed July 7, 2017 in this Docket. Petitioner agrees with the recommendation of Staff to decertify Aledo's CCN Nos. 10264 and 20102 in Parker County, as requested in the Petition. Further, Petitioner agrees with Staff's recommendation that the Petition be granted, that no property will be rendered useless or valueless, and that no compensation proceeding is necessary due to the recommended decertification.

III. CONCLUSION

For the reasons stated above, Petitioner respectfully requests that the Commission issue an order that (1) grants the Petition of Parker Area Investments, LLC, (2) determines that no property is rendered useless or valueless, and (3) finds that no proceeding is necessary for determining compensation to the former CCN holder, the City of Aledo.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: 

Leonard Dougal - State Bar No. 00788611

Ali Abazari - State Bar No. 00796094

100 Congress, Suite 1100

Austin, Texas 78701

E: ldougal@jw.com

E: aabazari@jw.com

T: (512) 236-2239

F: (512) 391-2197

ATTORNEYS FOR PETITIONER
PARKER AREA INVESTMENTS, LLC

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing was served as shown below on the 14th day of July, 2017.

Via Email

Frederick "Fritz" Quast

fquast@toase.com

James Donovan

jdonovan@toase.com

Taylor, Olson, Adkins, Sralla & Elam, L.L.P.

6000 Western Place, Suite 200

Fort Worth, Texas 76107

Telephone: (817) 332-2580

Facsimile: (817) 332-4740

Attorneys for the City of Aledo, Texas

Via Email

Kennedy R. Meier

kennedy.meier@puc.texas.gov

Public Utility Commission of Texas

1701 North Congress Avenue

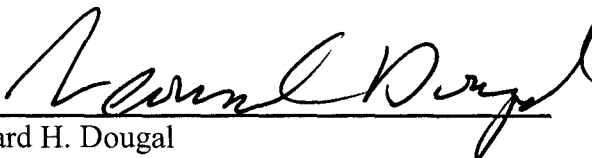
P. O. Box 13326

Austin, Texas 78711-3326

Telephone: (512) 936-7265

Facsimile: (512) 936-7268

Attorney for the Public Utility Commission Texas


Leonard H. Dougal