

Control Number: 47587



Item Number: 7

Addendum StartPage: 0

DOCKET NO. 47587

RECEIVED

APPLICATION OF CITY OF AUBREY §
TO AMEND ITS WATER AND SEWER §
CERTIFICATES OF CONVENIENCE §
AND NECESSITY AND TO §
DECERTIFY A PORTION OF §
MUSTANG SPECIAL UTILITY §
DISTRICT SERVICE AREA (AUBREY §
CREEK ESTATES) §

PUBLIC UTILITY COMMISSION

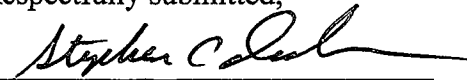
2017 OCT 25
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

CITY OF AUBREY'S NOTICE AFFIDAVITS AND DIGITAL MAP INFORMATION

Pursuant to Order No. 2 in this docket, the Applicant City of Aubrey ("Aubrey") herewith submits the following documentation of required notices and supplemental mapping information:

1. Publisher's Affidavit attesting that the attached notice was published in the Denton Record Chronicle on October 11 and October 18, 2017 (Attachment 1);
2. Affidavit of the below-signed attorney for Aubrey that notice of the CCN application along with the attached water and sewer CCN location maps were mailed to the attached list of persons and entities on October 11, 2017 (Attachment 2);
3. Updated digital mapping information for the maps filed with the Application (Attachment 3).

Respectfully submitted,



Stephen C. Dickman
State Bar No. 05836500
Law Office of Stephen C. Dickman
6005 Upvalley Run
Austin, Texas 78731
Telephone: (512) 922-7137
Facsimile: (512) 454-8495
Email: sdickmanlaw@att.net
ATTORNEY FOR CITY OF AUBREY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served on all parties of record by hand delivery of same to the PUC filing clerk on October 25, 2017.



Stephen C. Dickman

7 1

ATTACHMENT 1

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT
DOCKET NO. 47587

STATE OF TEXAS
COUNTY OF Denton

Before me, the undersigned authority, on this day personally appeared

Bill Patterson

who being by me duly sworn, deposes and that (s)he is the

Publisher of the Denton Record Chronicle
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in Denton
(COUNTY/COUNTIES)

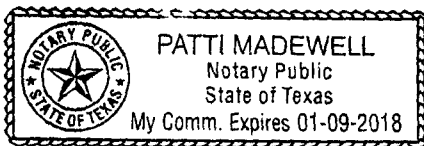
and generally circulated in Denton, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

October 11, 2017 + October 18, 2017
(DATES)

Bill Patterson
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 18th day of October, 2017
to certify which witness my hand and seal of office.



Patti Madewell
Notary Public in and for the State of Texas

PATTI MADEWELL
Print or Type Name of Notary Public

Commission Expires 1/9/18

Docent No. 47867

NOTICE FOR PUBLICATION

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

The City of Aubrey filed an application with the Public Utilities Commission of Texas to amend its Certificate of Convenience and Necessity (CCN) Nos. 11234 and 20620 for the provision water and sewer service in Denton County.

The requested area is located approximately 1 mile south-southwest of downtown Aubrey, TX, and is generally bounded on the north by Pine Ridge Lane; on the east by a line approx. 1 mile west of US 877; on the south by Woodland Drive; and on the west by US 877.

The total area being requested includes approximately 172 acres and covers 1 corner block.

The requested area overlaps the boundaries of Mustang BSA. If Mustang BSA does not request a public hearing, the Commission staff determines that Mustang BSA is consenting to the City of Aubrey's request to provide retail water and sewer utility in the requested area.

A copy of the requested area is available at the City of Aubrey, City Hall, 1001 N. Congress, Austin, TX 78711 (1-800-455-6545).

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13826, Austin, Texas 78711-8826, or call the Public Utility Commission at

(512) 685-7120 or (800) 765-9577. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 685-7138. The deadline for intervention in the proceeding is 90 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.

It is a valid public hearing in accordance with Chapter 201, Subchapter C, Section 201.001, of the State Code of Administrative Hearings (SOAH) for a hearing. If no objection is reached and an evidentiary hearing is held, SOAH will submit 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 20 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to its assistant team within 30 days from the date that notice was provided by the Utility. An opt out request must include a large scale map and a notice and bounds description of the landowner's tract of land.

Persons who wish to request the option should file the required documents with the:

Public Utility Commission
of Texas
Central Records
1701 N. Congress,
P. O. Box 13826
Austin, TX 78711-8826

In addition, the landowner must also send a copy of the opt-out request to the Utility. Staff may request additional information regarding your request.

St please inform us in an email, provide letter to (512) 685-7221 or (800-765-9577).

doc 1011 & 1019/2017

ATTACHMENT 2

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES, LANDOWNERS AND AFFECTED PARTIES

DOCKET NO. 47587

STATE OF TEXAS
COUNTY OF TRAVIS

has provided individual notice to the following:

See Attached Mailed Notice List

DATE
October 11, 2017

OATH

I, Stephen C. Dickman, being duly sworn, file this form as Attorney for City of Aubrey (indicate relationship to applicant, that is owner, member or partnership, title of officer of corporation, or other authorized representative of 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.

Stephen C. Dickman
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 25 day of October, 2017 to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas

Christopher Hix
Print or Type Name of Notary Public

Commission Expires Sept 8, 2019



CHRISTOPHER W. HIX
My Commission Expires
September 8, 2019

**Mailed Notice List
City of Aubrey Application for CCN Amendment
PUC Docket No. 47587**

City of Krugerville
5097 Highway 377, South
Krugerville, Tx. 76227

Denton County Judge Mary Horn
Courthouse on the Square
110 West Hickory St. – 2nd Floor
Denton, Tx. 76201-4168

Denton County M.U.D. No. 6
c/o COATS ROSE YALE RYMAN AND LEE PC
14755 Preston Rd., Ste. 600
Dallas, Tx. 75254-6285

Mustang Special Utility District
7985 F.M. 2931
Aubrey Tx. 76227

North Texas Groundwater Conservation District
P. O. Box 508
Gainesville, Tx. 76241

The Lakes F.W.S.D. of Denton County
c/o Kelly Hart & Hallman LLP
201 Main St., Ste. 2500
Fort Worth, Tx. 76102-3129

Upper Trinity Regional Water District
900 North Kealy Street
P.O. Box 305
Lewisville, Texas 75067

City of Denton
215 E. McKinney St.
Denton, Tx. 76201

Town of Providence Village
1745 F.M. 2931
Providence Village, Tx. 76227

Black Rock W.S.C.
5901 New Hope Rd.
Aubrey, Tx. 78227-6883

Bolivar WSC
P.O. BOX 1789
Sanger, Tx. 76206

Town of Crossroads
1401 F.M. 424
Cross Roads, Tx. 78227

Landowners:

Jack S. Hopper
5502 U.S. Highway 377 S
Aubrey, Tx. 76227-6202

Aubrey Realty and Development LLC
14801 Quorum Dr., Ste. 160
Dallas, Tx. 75254-1515

G & S Landscaping Inc.
Attn: George R. Sykes
1225 High Mesa Dr.
Brownwood, Tx. 76801-1938

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 DENTON COUNTY, TEXAS

To: See Attached Mailed Notice List Date Notice Mailed: October 11, 2017
(Name of neighboring systems, cities and landowners)

(Address)

(City State Zip)

The City of Aubrey filed an application with the Public Utility Commission of Texas to amend its Certificate of Convenience and Necessity (CCN) Nos. 11234 and 20930 for the provision of water and sewer service in Denton County.

The requested area is located approximately 1 mile south-southeast of downtown Aubrey, TX, and is generally bounded on the north by Pine Ridge Lane; on the east by a line approx. 1 mile east of US 377; on the south by Woodland Drive; and on the west by US 377.

The total area being requested includes approximately 172 acres and serves 1 current customer.

The requested area overlaps the boundaries of **Mustang SUD**. If **Mustang SUD** does not request a public hearing, the Commission shall determine that **Mustang SUD** is consenting to the City of Aubrey's request to provide retail water and sewer utility in the requested area.

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.

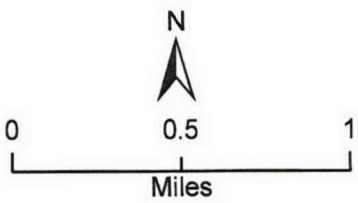
Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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.

Si desea información en español, puede llamar al 1-512-936-7221 or 888-782-8477.

City of Aubrey to AMEND Water CCN No. 11234 and DECERTIFY A PORTION of Mustang SUD CCN No. 11856 in Denton County

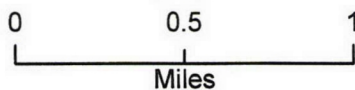


**Requested Area to be Added
for Single Certification**

 **CCN No. 11234 - City of Aubrey**

Date created: September 19, 2017

City of Aubrey to AMEND Sewer CCN No. 20491 and DECERTIFY A PORTION of Mustang SUD CCN No. 20930 in Denton County



**Requested Area to be Added
for Single Certification**

 CCN No. 20491 - City of Aubrey

Date created: September 19, 2017

ATTACHMENT 3

Aubrey CCN Mapping DK# 47587

