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# RINCON WATER SUPPLY CORPORATION



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Rincon Water Supply Corporation does not discriminate based on sex, religious belief, race, national origin, or ethnic background

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PUBLIC UTILITY COMMISSION  
FILING CLERK

October 4, 2018

Joshua Adam Barron  
Public Utility Commission of Texas  
PO Box 13326  
Austin, TX 78711-3326

Re: Rincon Water Supply Corporation request for CCN amendment - Docket NO. 47647

Dear Joshua,

Once again it would seem that the approval of Rincon Water Supply Corporation's request for CCN amendment is being delayed.

Rincon Water Supply Corporation filed application for amendment of Certificate of Public Convenience and Necessity (CCN), 11440, on September 26, 2017. The City of Taft subsequently filed an objection and request for public hearing on December 12, 2017 stating that if the amendment were granted it would interfere with the City's ability to provide water service outside of their city limit and outside their Extra Territorial Jurisdiction. However, the City did not indicate what adjustments would be needed to cause them to withdraw their request for public hearing.

Since the filing of the City's objection, Rincon Water Supply Corporation has made multiple attempts to resolve this matter with the City of Taft. On April 30, 2018, Rincon Water Supply Corporation sent a letter, via certified mail, to the City of Taft City Manager, Ms. Denise Hitt, requesting clarification of the City's objection. The letter was received and signed for by Ms. Denise Hitt on May 2, 2018. The City of Taft offered no response to the letter requesting clarification. It is also my understanding, from telephone conversations with staff of the PUC, that attempts by the PUC were made to contact the City and those attempts were unsuccessful.

Further, since the City of Taft was being unresponsive to requests from Rincon Water Supply Corporation and the PUC, on June 28, 2018 the PUC sent a letter to Judge Rodriguez indicating the City's unresponsiveness. On July 26, 2018 the Commission filed a motion with the State Office of Administrative Hearings to dismiss the City of Taft request for public hearing. Following the filing of the motion to dismiss, on August 2, 2018, the law firm of Denton, Navarro, Roach, Bernal & Zech filed their Motion to Intervene on behalf of the City of Taft. Additionally, the City's Attorney, Mr. Adolfo Ruiz, of Denton, Navarro, Rocha, Bernal & Zech, P.C., contacted me by phone on Monday August 6, 2018, requesting a copy of our proposed CCN amendment map. During our phone conversation I requested Mr. Ruiz assistance with getting information from the City as to the adjustments that need to be made to satisfy the City. I emailed an updated copy of the CCN amendment map (this map clearly shows and indicates our requested boundaries to be outside of the City ETJ) to him on Tuesday August 7, 2018, and once again requested the City provide the needed information so that Rincon Water Supply Corporation could avoid conflict.

On August 14, 2018, I followed this email request with another emailed request addressed to Mr. Ruiz requesting the needed corrections so that I could present them to my Board of Directors. Mr. Ruiz indicated he would provide the City with a copy of my request and attempt to get the City to respond. To date neither the City of Taft nor their legal counsel has offered a response to any request for clarification or any requests from Rincon Water Supply Corporation to provide information that would assist us with redrawing our requested boundaries thus eliminating the need for a public hearing.

In June 2018 Rincon Water Supply Corporation had our engineer re-draw the boundaries of the requested CCN amendment to assure there is no conflict with the City of Taft's ETJ. Further, Rincon Water Supply Corporation provided a copy of the revised map to Mr. Adolfo Ruiz and the Public Utility Commission of Texas. Rincon Water Supply Corporation has made every effort to accommodate the City of Taft and avoid a public hearing, but it would seem there is no interest in cooperation and moving forward.

The delay in processing and approval of the CCN amendment is causing difficulties for Rincon Water Supply Corporation and developers of property located within the CCN expansion areas. We have service requests in areas that we cannot legally serve since the request for CCN amendment is being delayed.

I apologize if this sounds arrogant or out of line, but I believe this has gone on long enough. We seem to be right back where we were in May and June of this year when the decision was made to move forward since the City was being unresponsive. The City of Taft is once again being unresponsive.

Sincerely,



Kenneth Johnson

General Manager

Rincon Water Supply Corporation

PO Box 7

Taft, TX 78390