



Control Number: 47744



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DOCKET NO. 47744

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APPLICATION OF SHADY SHORES §  
DEVELOPMENT DBA SHADY SHORES §  
WATER SYSTEM AND DIANA §  
SPECIAL UTILITY DISTRICT FOR §  
SALE, TRANSFER, OR MERGER OF §  
FACILITIES AND CERTIFICATE §  
RIGHTS IN MARION COUNTY §

PUBLIC UTILITY COMMISSION

OF TEXAS

PUBLIC UTILITY COMMISSION  
FILING CLERK

**COMMISSION STAFF'S CORRECTION TO THE NOTICE OF APPROVAL AND  
MOTION TO ADMIT EVIDENCE**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Correction to the Notice of Approval and would show the following:

**I. BACKGROUND**

On January 22, 2019, the Commission Administrative Law Judge (ALJ) issued a Notice of Approval in the above styled case.

Pursuant to 16 Tex. Admin. Code § 22.35(c)(1), Staff has 15 days after the issuance of the ALJ's order to file corrections to the order. This pleading is therefore timely filed.

**II. STAFF'S CORRECTION AND MOTION TO ADMIT EVIDENCE**

The Certificate of Convenience and Necessity attached to the Notice of Approval reads "Certificate of Convenience and Necessity No. 11173." It should read "Certificate of Convenience and Necessity No. 10425." Staff respectfully requests that 11173 be replaced with 10425. Staff has attached an updated Consent Form from the Diana Special Utility District consenting to the Certificate as well as a new Certificate of Convenience and Necessity. Staff moves that the attached Consent Form and Certificate of Convenience and Necessity be admitted into evidence.

**III. CONCLUSION**

Staff respectfully requests that the Commission adopt the correction proposed above.

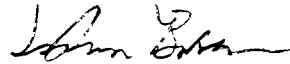
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Respectfully Submitted,

**PUBLIC UTILITY  
COMMISSION OF TEXAS  
LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

Katherine Lengieza Gross  
Managing Attorney



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(512) 936-7268 (facsimile)  
Joshua.Barron@puc.texas.gov

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 5th day of February 2019, in accordance with 16 TAC § 22.74.



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Joshua Adam Barron



# **Public Utility Commission Of Texas**

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

## **Diana Special Utility District**

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, Diana Special Utility District is entitled to this

### **Certificate of Convenience and Necessity No. 10425**

to provide continuous and adequate water, utility service to that service area or those service areas in Marion County(ies) as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 47744 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 the Diana Special Utility District, 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 \_\_\_\_\_ 2018.

**CONSENT FORM**

**Docket No. 47744**, *Application of Shady Shores Development dba Shady Shores Water System and Diana Special Utility District for sale, transfer, merger (STM) of facilities and certificate rights in Marion County*

☒ I concur with the certificate transmitted by fax on January 30, 2019.

☐ I do not concur with the certificate transmitted by fax on January 30, 2019.

I understand that I have 10 days from the date of this email to provide my response.

I am authorized by Diana SUD to sign this form.

Signature: Susan Whitfield

Printed Name: Susan Whitfield

Relationship to Applicant: General Manager

Date signed: 1/31/2019

Please mail the original and 10 copies to:

Mailing Address:

Public Utility Commission of Texas  
Central Records  
1701 N Congress PO Box 13326  
Austin, Texas 78711-3326

Shipping / Overnight Delivery Address:

Public Utility Commission of Texas  
Central Records  
1701 N Congress, Suite 8-100  
Austin, Texas 78701