



Control Number: 48060



Item Number: 19

Addendum StartPage: 0



**SouthWest
Water Company®**

SWWC Utilities, Inc.
12535 Reed Road
Sugar Land, TX 77478
Phone 281.207.5800
Fax 281.207.5940
www.swwc.com

RECEIVED

2018 NOV 14 PM 12:58

PUBLIC UTILITY COMMISSION
FILING CLERK

November 14, 2018

Public Utility Commission of Texas
Filing Clerk, Central Records
1701 N. Congress Ave.
P.O. Box 13326
Austin, Texas 78711-3326

RE: Docket 48060 APPLICATION OF DJL VENTURES, INC. DBA KAP WATER SUPPLY AND
SWWC UTILITIES, INC. DBA WATER SERVICES, INC. FOR THE TRANSFER OF SERVICE AREA
RIGHTS IN COMAL COUNTY

To the Staff:

On August 13, 2018 the Commission issued Order Number 5 in the above referenced docket giving its approval that the transaction could proceed. The Order requires the applicants to file proof that the transaction has been completed. Attached is the Bill of Sale executed by both parties.

There are no current customers and no deposits to be returned.

The Order also requires copies of the Texas Commission on Environmental Quality (TCEQ) approval letters associated with the public water system improvements. The only distribution system extension planned is below the threshold of TCEQ rule 30 TAC §290.39(j)(1)(D) and no approval by TCEQ is required.

The parties believe they have done all that is necessary to complete this application. However, please contact me if there are questions or if additional information is needed.

Respectfully submitted,

George Freitag, P.E.
Texas Regulatory Manager
SouthWest Water Company
SWWC Utilities, Inc. dba Water Services, Inc.
1520 Grand Avenue Parkway, Suite 140
Pflugerville, TX 78660
512/219-2288
gfreitag@swwc.com

Enclosure

19

BILL OF SALE AND ASSIGNMENT

Date: November 9, 2018

Grantor: DJL VENTURES, INC. a Texas corporation d/b/a KAP WATER SUPPLY

Grantor's Mailing Address:

115 North Loop 1604 East, Suite 227
San Antonio, TX 78232

Grantee: SWWC UTILITIES, INC., a Delaware corporation d/b/a WATER SERVICES, INC.

Grantee's Mailing Address:

12353 Reed Road
Sugar Land, TX 77478

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee

Service Rights: The retail water utility service rights, if any, held by Grantor for the Windmill Ranch/Kestrel Air Park Subdivisions in Comal County, Texas, as more particularly described in Certificate of Convenience and Necessity No. N0063

Conveyance:

Grantor, for the consideration herein expressed, has GRANTED, SOLD, ASSIGNED, TRANSFERRED AND SET OVER, and by these presents does hereby GRANT, SELL, ASSIGN, TRANSFER AND SET OVER unto Grantee, its successors and assigns, the Service Rights without warranty of title or any other warranty of any kind or nature.

Representations and Warranties:

1. Grantor agrees to hereafter cooperate with Grantee and execute such other specific documents as may be necessary or appropriate to accomplish the transfer contemplated in this instrument.
2. Grantee agrees that this Bill of Sale and Assignment is made and accepted without recourse on Grantor and without representation and warranty of any kind (whether express, implied or statutory) by Grantor.

"As-Is" Conveyance:


GRANTOR DISCLAIMS ANY WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE WHATEVER WITH RESPECT TO THE SERVICE RIGHTS. THE SERVICE RIGHTS ARE BEING CONVEYED ON AN "AS IS", WHERE IS" AND "WITH ALL FAULTS", AND IT IS UNDERSTOOD AND AGREED THAT GRANTOR MAKES NO WARRANTY REGARDING THE SERVICE RIGHTS AS TO HABITABILITY, SUITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR FITNESS FOR ANY PURPOSE.

When the context requires, singular nouns and pronouns include the plural.

Executed effective November 9, 2018.

GRANTOR:

**DJL VENTURES, INC., d/b/a KAP WATER
SUPPLY**

By:  _____

Name: David A. Keith

Title: Vice President

GRANTEE:

**SWWC UTILITIES, INC. d/b/a WATER
SERVICES, INC.**

Charles W. Profilet, Jr.

By: A2DA5D925E763E18BA7059A8E21DB563 contractworks

Name: Charles W. Profilet, Jr.

Title: Vice President and Managing Director