



Filing Receipt

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DOCKET NO. 48350

**APPLICATION OF THE CITY OF
DAYTON FOR CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
LIBERTY COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

EVIDENCE OF RECORDING

COMES NOW, the City of Dayton (City), by and through its undersigned attorneys of record, and files this Evidence of Recording. In support thereof, the City would respectfully show as follows:

I. BACKGROUND

On May 8, 2018, the City filed with the Public Utility Commission of Texas (the Commission) the above-referenced petition for water and sewer Certificates of Convenience and Necessity (CCN) in Liberty County, Texas (the Application). A Notice of Approval was issued on August 19, 2021, and directed the City to: (1) comply with the recording requirements in Texas Water Code § 13.257(r) and (s); then (2) submit to the Commission evidence of such recording no later than Monday, October 4, 2021.¹ Therefore, this pleading is timely filed.

II. EVIDENCE OF RECORDING

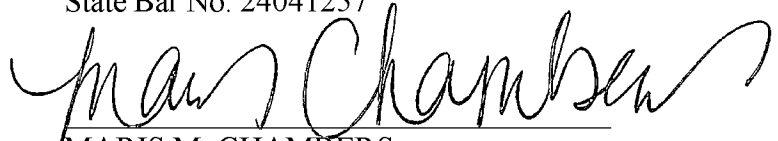
Pursuant to the Notice of Approval, the City hereby submits the evidence of recording attached hereto and incorporated herein for all purposes as **Attachment A**, which contains the following documents recorded in the Official Public Records of Liberty County, Texas on September 16, 2021: (a) an Affidavit of Recording pursuant to Section 13.257 of the Texas Water Code; (b) a certified copy of water CCN No. 13297; (c) a certified copy of sewer CCN No. 21124; (d) a certified map depicting water CCN No. 13297; and (e) a certified map depicting sewer CCN No. 21124.

¹ Pursuant to 16 Tex. Admin. Code § 22.4, “[i]n computing any period of time prescribed . . . by order of the commission or any administrative law judge, . . . [t]he period shall conclude on the last day of the designated period unless that day is a day the commission is not open for business, in which event the designated period runs until the end of the next day on which the commission is open for business.” The Notice of Approval directed the City to comply with the above-referenced recording requirements no later than 45 days after the date the Notice of Approval was issued. Forty-five days from August 19, 2021 is October 3, 2021. Because that day is a Sunday, the deadline is extended to the next day the commission is open for business; October 4, 2021.

Respectfully submitted,

LLOYD GOSSELINK
ROCHELLE & TOWNSEND, P.C.
816 Congress Ave., Suite 1900
Austin, Texas 78701
(512) 322-5800
(512) 472-0532 (Fax)

DAVID J. KLEIN
State Bar No. 24041257

A handwritten signature in black ink that reads "Maris M. Chambers". The signature is written in a cursive style with a long, sweeping tail on the letter "s".

MARIS M. CHAMBERS
State Bar No. 24101607

ATTORNEYS FOR CITY OF DAYTON

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all City of record via electronic mail on September 16, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.


MARIS M. CHAMBERS

Attachment A
Evidence of Recording

**AFFIDAVIT OF RECORDING
PURSUANT TO SECTION 13.257 OF THE TEXAS WATER CODE**

Maris M. Chambers, attorney for the City of Dayton, does hereby submit the following documents for recording in the real property records of Liberty County, Texas, as required by Texas Water Code § 13.257(r) and (s), which, in pertinent part, provide:

(r) A utility service provider shall:

(1) record in real property records of each county in which the service area or a portion of the service area is located a certified copy of the map of the certificate of public convenience and necessity and of any amendment to the certificate as contained in the utility commission's records, and a boundary description as contained in the utility commission's records, and a boundary description of the service area by:

(A) a metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor;

(B) the Texas State Plane Coordinate System;

(C) verifiable landmarks, including a road, creek, or railroad line;
or

(D) if a recorded plat of the area exists, lot and block number; and

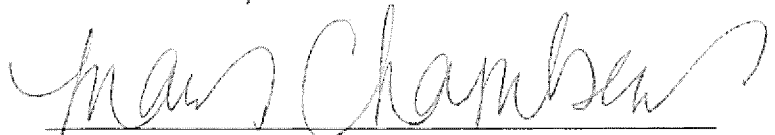
(2) submit to the utility commission evidence of the recording.

(s) Each county shall accept and file in its real property records a utility service provider's map presented to the county clerk under this section if the map meets filing requirements, does not exceed 11 inches by 17 inches in size, and is accompanied by the appropriate fee.

Tex. Water Code § 13.257(r) - (s).

ACKNOWLEDGED:

LLOYD GOSSELINK
ROCHELLE & TOWNSEND, P.C.
816 Congress Ave., Suite 1900
Austin, Texas 787012
(512) 322-5800
(512) 472-0532 (Fax)

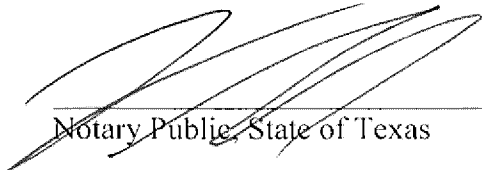
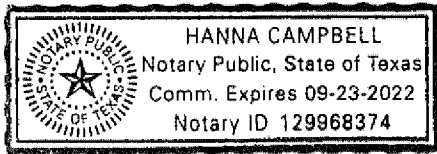


MARIS M. CHAMBERS
State Bar No. 24101607

ATTORNEY FOR CITY OF DAYTON

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 30th day of August, 2021, by Maris M. Chambers, attorney for the City of Dayton.



Notary Public, State of Texas



Public Utility Commission of Texas

By These Presents Be It Known To All That

City of Dayton

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, City of Dayton is entitled to this

Certificate of Convenience and Necessity No. 13297

to provide continuous and adequate water utility service to that service area or those service areas in Liberty County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48350 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 City of Dayton 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 19th day of August 2021.

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE WITH THE
PUBLIC UTILITY COMMISSION OF TEXAS
CENTRAL RECORDS DIVISION

BY: Bruce L. Austin

DATE: 8-20-21





Public Utility Commission of Texas

By These Presents Be It Known To All That

City of Dayton

having obtained certification to provide sewer 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, City of Dayton is entitled to this

Certificate of Convenience and Necessity No. 21124

to provide continuous and adequate sewer utility service to that service area or those service areas in Liberty County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 48350 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 City of Dayton 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 19th day of August 2021.

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE WITH THE
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CENTRAL RECORDS DIVISION

BY: Bud L. Auer

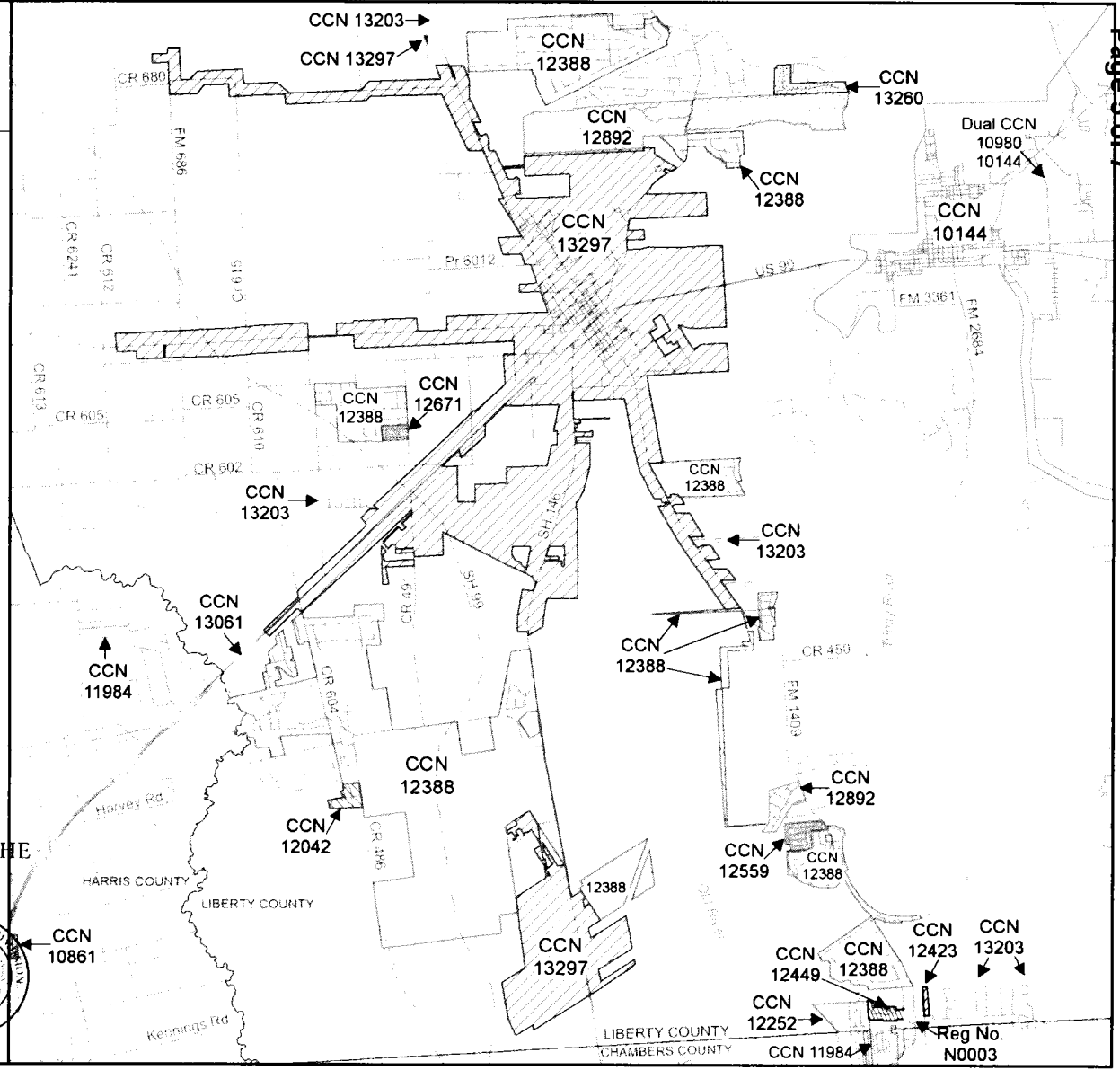
DATE: 8-26-21



City of Dayton
 Water CCN No. 13297
 PUC Docket No. 48350
 Obtained New CCN in Liberty County

Water CCN

-  13297 - City of Dayton
-  13203 - Aqua Texas Inc
-  12388 - Woodland Hills Water LLC
-  12892 - T & W Water Service Company
-  13260 - Undine Texas LLC
-  10144 - City of Liberty
-  10980 - Ames Minglewood WSC
-  12559 - Northpark WSC
-  12423 - Hunters Cove Section 1 WSC
-  N0003 - Wildwood Subdivision
-  12449 - Woodcreek Water Corp of Liberty County
-  12252 - Nerro Supply Inc
-  11984 - Krebs Utilities Inc
-  12042 - East Houston Utilities Inc
-  13061 - South Central Water Company
-  12671 - Utilities Investment Company Inc
-  10861 - Crosby MUD



CERTIFIED TO BE A TRUE AND CORRECT
 COPY OF THE ORIGINAL ON FILE WITH THE
 PUBLIC UTILITY COMMISSION OF TEXAS
 CENTRAL RECORDS DIVISION



BY: *[Signature]*



DATE: 8-20-21
 Date created: June 16, 2021
 Project Name: CityofDaytonWater.mxd

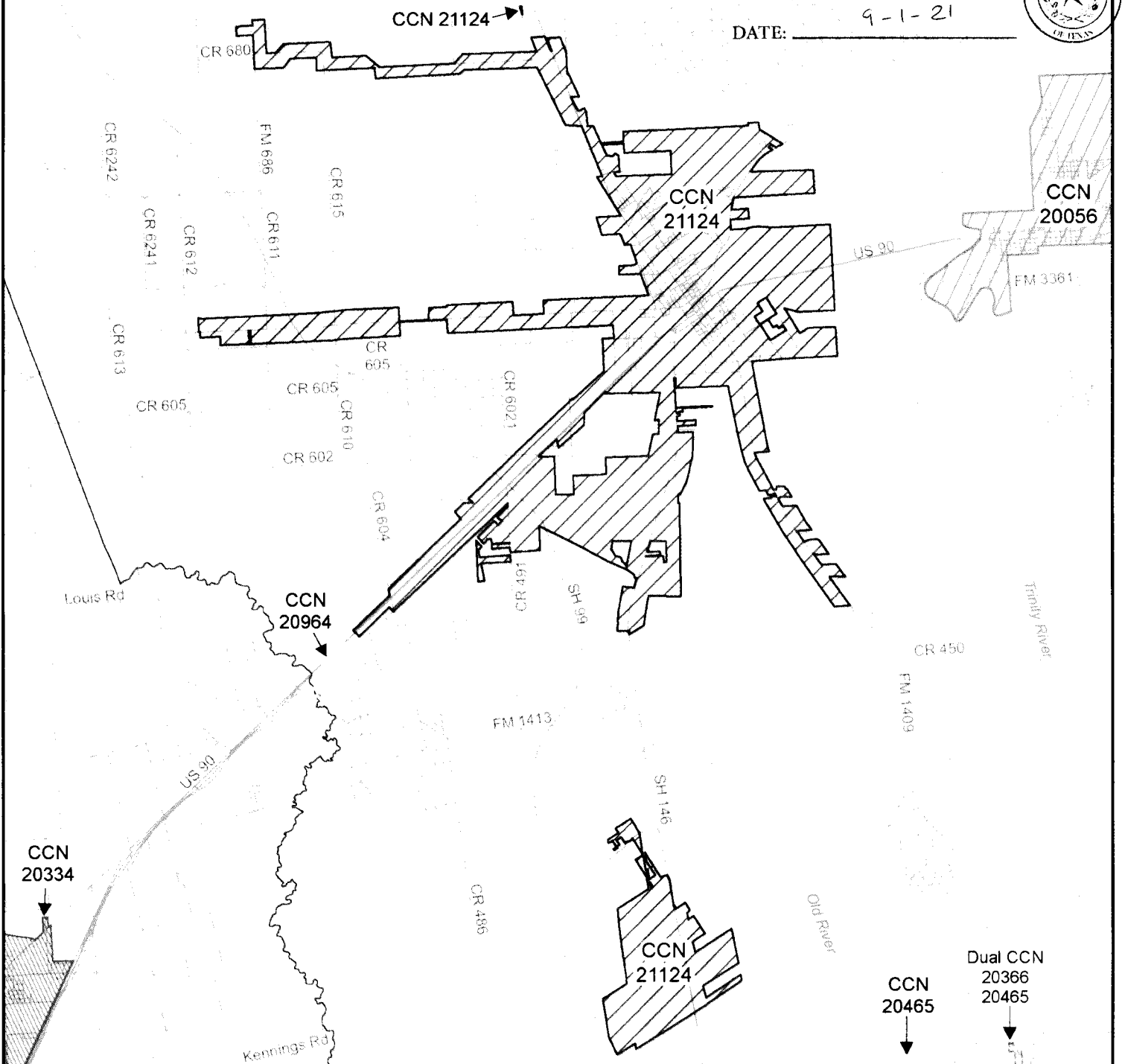


Public Utility Commission of Texas
 1701 N. Congress Ave
 Austin, TX 78701

City of Dayton
Sewer CCN No. 21124
PUC Docket No. 48350
Obtained New CCN in Liberty County

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE WITH THE PUBLIC UTILITY COMMISSION OF TEXAS CENTRAL RECORDS DIVISION

BY: *Bruce L. Auld*
DATE: 9-1-21



Sewer CCN

- 21124 - City of Dayton
- 20056 - City of Liberty
- 20366 - Nerro Supply LLC

20334 - Crosby MUD

- 20465 - Gulf Coast Waste Disposal Authority
- 20964 - South Central Water Company



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Map by: Komal Patel
Date created: June 16, 2021
Project Name: 48350CityofDaytonSewer.mxd

**THE STATE OF TEXAS
COUNTY OF LIBERTY**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Liberty County, Texas.

2021038747 AFFD
09/16/2021 12:55:22 PM Total Fees: \$46.00



Lee Haidusek Chambers, County Clerk
Liberty County, Texas