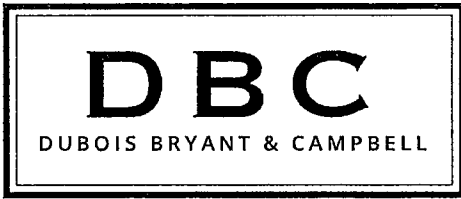


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Addendum StartPage: 0



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PUBLIC UTILITY COMMISSION
FILING CLERK

January 8, 2019

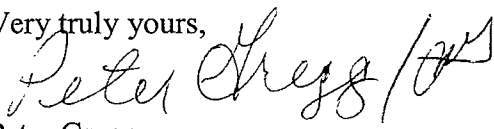
Public Utility Commission of Texas
Central Records
1701 N. Congress, Suite 8-100
Austin, Texas 78701

Re: Docket No. 48350; *Application of City of Dayton for Certificates of Convenience and Necessity in Liberty and Harris Counties*
Notice of Withdrawal

Dear Sir or Madam:

I represent South Central Water Company ("South Central"). South Central filed a Motion to Intervene and Request for Public Hearing on July 18, 2018 in the above-referenced Docket (attached). Please be advised that based on the applicant's submittal of a revised application limiting the proposed CCN boundary to the City of Dayton city limits, South Central determined that it will not seek a hearing on the application and hereby withdraws its Motion to Intervene and Request for Public Hearing.

Should you have any questions, please do not hesitate to contact the undersigned at (512) 457-8000.

Very truly yours,

Peter Gregg
Attorney for South Central Water Company

PTG/agg

Enclosure

cc: Hunter Burkhalter
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
hunter.burkhalter@puc.texas.gov

APPLICATION OF CITY OF DAYTON §
FOR CERTIFICATES OF §
CONVENIENCE AND NECESSITY IN §
LIBERTY AND HARRIS COUNTIES §
§

2018 JUL 16 PM 3:51
PUBLIC UTILITY COMMISSION
OF TEXAS

**SOUTH CENTRAL WATER COMPANY'S MOTION TO INTERVENE
AND REQUEST FOR PUBLIC HEARING**

COMES NOW, South Central Water Company ("South Central) and files this Motion to Intervene and Request for Public Hearing ("Motion") in this matter. The Administrative Law Judge's ("ALJ") Order No. 2 in this matter established the deadline to file a Motion to Intervene of 30 days after mailed or last published notice, whichever is later. Accordingly, this Motion is timely filed. In support of its Motion, South Central would respectfully show the following:

I. DISCUSSION

The City seeks CCNs to provide exclusive water service across approximately 80,045 acres. South Central is an "affected person" with respect to this application pursuant to Tex. Water Code Ann. § 13.002 (Affected Person includes "a retail public utility affected by the requested action of the regulatory authority"). South Central holds a CCN in the immediate vicinity of the area to be certificated. Among other impacts, South Central's ability to serve its customers and its investment in its area water assets would be adversely affected by the approval of this application.

South Central further asserts that the application does not satisfy the requirements of Texas Water Code §§ 13.241 ("Granting Certificates") and 13.246 ("Notice and Hearing; Issuance or Refusal; Factors Considered") and the Commission's implementing regulations at 16 Tex. Admin. Code § 24.102 ("Criteria for Granting or Amending a Certificate of Convenience

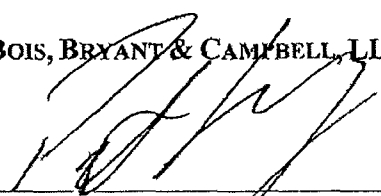
and Necessity"). South Central asserts, without limitation: (i) that the applicant does not have the financial, managerial, or technical capability to provide continuous and adequate service across the large area the applicant seeks to certificate; (ii) that regionalization or consolidation with another retail public utility is economically feasible; (iii) that it is economically feasible to obtain service from an existing retail public utility; (iv) that the granting of the certificates will not result in the probable improvement of service or lowering of cost to consumers in the area to be certificated; (v) the absence of need for additional service in the requested area; and (vi) the adverse effect on utilities already providing water service within two miles of the boundary of the requested area.

II. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, South Central Water Company respectfully requests that the Administrative Law Judge grant South Central's request to intervene in this matter and request for a public hearing, and for such other relief as to which it has shown itself to be entitled. South Central reserves its right to supplement this Motion to Intervene and Request for a Hearing.

Respectfully submitted,

DUBOIS, BRYANT & CAMPBELL, LLP



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Austin, Texas 78701
(512) 457-8000
(512) 457-8008 (fax)

Attorneys for South Central Water Company

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that on the 18th day of July, 2018, the foregoing document was serviced via first class mail and/or email to the following:

Hunter Burkhalter
Public Utility Commission of Texas
Legal Division
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
hunter.burkhalter@puc.texas.gov

City of Dayton
Attn: Theo Melancon, City Manager
117 Cook Street
Dayton, Texas 77535-2695
citymanager@daytontx.org

Strand Associates, Inc.
Attn: Kelly M. Hajek, P.E.
203 South Jackson Street
Brenham, Texas 77833

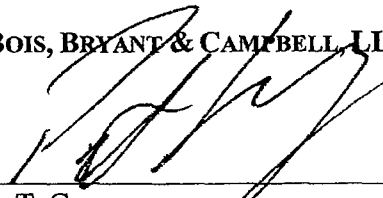
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Respectfully submitted,

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