

Control Number: 48375



Item Number: 5

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**AQUA**  
WATER SUPPLY CORPORATION  
Safe • Reliable • Sustainable

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PUBLIC UTILITY COMMISSION  
FILING CLERK

May 31, 2018

Mr. Doug Prinz  
Utilities Director  
City of Elgin  
P.O. Box 591  
Elgin, Texas 78621

RE: PUC Docket No. 48375 – Additional Requested Information

Dear Mr. Prinz:

Pursuant to Public Utility Commission of Texas (“PUC”) Order No. 1 in Docket No. 48375, *Application of City of Elgin and Aqua Water Supply Corporation for Approval of Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Bastrop County*. Aqua Water Supply Corporation (“Aqua WSC”) would like to provide the following requested information:

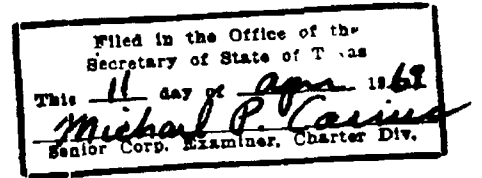
1. The legal name under which Aqua WSC conducts business is Aqua Water Supply Corporation. Aqua WSC does not use any assumed names.
2. Aqua WSC is a domestic nonprofit water supply corporation. Aqua WSC’s Charter No. is 25894701. Aqua WSC was created by Articles of Incorporation on June 6, 1968. Aqua WSC’s Articles of Incorporation were amended once on March 6, 1995.
3. Aqua WSC does not have a parent company or any affiliated company.

In support of the information provided above, please find enclosed a copy of Aqua WSC’s 1968 Articles of Incorporation and 1995 Articles of Amendment.

Sincerely,

  
Dave McMurry  
General Manager

*Enclosures*



ARTICLES OF INCORPORATION

OF

AQUA WATER SUPPLY CORPORATION

THE STATE OF TEXAS            §                           KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF BASTROP            §

WE, the undersigned natural persons of the age of twenty-one (21) years or more, at least three of whom are citizens of the State of Texas, acting as incorporators of a Corporation, do hereby adopt the following Articles of Incorporation for such Corporation:

ARTICLE I.

The name of the Corporation is AQUA Water Supply Corporation.

ARTICLE II.

The Corporation is a non-profit Corporation organized under Article 1434a of the Revised Civil Statutes of Texas of 1925, as amended, supplemented by the Texas Non-Profit Corporation Act, Article 1.01 et seq., as amended, and is authorized to exercise all powers, privileges and rights conferred on a Corporation by these Acts, and all powers and rights incidental in carrying out the purposes for which the Corporation is formed, except such as are inconsistent with the express provisions of these Acts.

ARTICLE III.

The period of its duration is perpetual.

ARTICLE IV.

The Corporation is formed for the purpose of furnishing a water supply for general farm use and domestic purposes to individuals residing in the rural communities ~~of Bastrop County, Texas, and the surrounding rural areas in the communities in adjoining Caldwell, Fayette, Lee, Travis and Williamson counties, Texas~~ ~~of Bastrop County, Texas, and the surrounding rural areas in the communities in adjoining Caldwell, Fayette, Lee, Travis and Williamson counties, Texas~~. The places where the business of the Corporation is to be transacted shall be the Bastrop Community in Bastrop County, Texas, and the surrounding rural areas.

ARTICLE V.

The street address of the initial registered office of the Corporation is Box H, Bastrop, Texas-78602, and the name of its initial registered agent at such address is Henry N. Bell.

ARTICLE VI.

The number of directors constituting the initial Board of Directors of the Corporation is seven (7), and the names and addresses of the persons who are to serve as the initial directors are:

<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>
<u>K. B. Wendt</u>	<u>General Delivery</u>	<u>Rosanky, Texas</u>
<u>Earl Callahan</u>	<u>Rt. 2, Box 692</u>	<u>Austin, Texas</u>
<u>Cecil W. Fisher</u>	<u>Rt. 1, Box 85</u>	<u>Elgin, Texas</u>
<u>Henry N. Bell</u>	<u>Box H,</u>	<u>Bastrop, Texas</u>
<u>Doyle K. Tuck</u>	<u>Box 634,</u>	<u>Bastrop, Texas</u>
<u>Edwin Magnuson</u>	<u>Rt. 1,</u>	<u>Manor, Texas</u>
<u>Merle A. Rother</u>	<u>Rt. 1, Box 119-A</u>	<u>McDade, Texas</u>

ARTICLE VII.

The name and street address of each incorporator is:

<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>
<u>K. B. Wendt</u>	<u>General Delivery</u>	<u>Rosanky, Texas</u>
<u>Earl Callahan</u>	<u>Rt. 2, Box 692</u>	<u>Austin, Texas</u>
<u>Henry N. Bell</u>	<u>Box H,</u>	<u>Bastrop, Texas</u>
<u>Cecil W. Fisher</u>	<u>Rt. 1, Box 85</u>	<u>Elgin, Texas</u>
<u>Edwin Magnuson</u>	<u>Rt. 1,</u>	<u>Manor, Texas</u>

Each incorporator shall be a member of the Board of Directors who are to serve as directors until the first annual meeting of the members, or until their successors are elected and qualified.

ARTICLE VIII.

The Corporation is and shall continue to be a Corporation without capital stock, and membership in the Corporation shall be deemed personal estate and shall be transferable only on the books of the Corporation in such manner as the By-Laws may prescribe.

IN WITNESS WHEREOF, we have hereunto set out hands, this the 6th.  
day of June, 19 68.

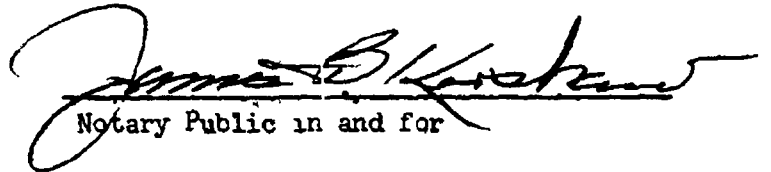
K. B. Wendt  
Earl Callahan  
Henry Bell  
Cecil W. Fisher  
Edwin Magnuson

THE STATE OF TEXAS            0  
COUNTY OF BASTROP.        0

I, James B. Kershaw, a Notary Public, do hereby certify that on this 6th. day of June, 1968, personally appeared before me K. B. Wendt, Earl Callahan, Cecil W. Fisher, Henry N. Bell and Edwin Magnuson

who each being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

  
Notary Public in and for

Bastrop County, Texas.

(Notarial Seal)

My Commission expires June 1, 1969

**James B. Kershaw**  
**NOTARY PUBLIC**  
**BASTROP COUNTY, TEXAS**

**ARTICLES OF AMENDMENT  
TO  
ARTICLES OF INCORPORATION  
OF  
AQUA WATER SUPPLY CORPORATION**

**FILED**  
In the Office of the  
Secretary of State of Texas

**MAR 8 1995**

Corporations Section

Pursuant to the provisions of Article 1396-4 03 of the Texas Non-Profit Corporation Act, the undersigned corporation adopts the following Articles of Amendment to its Articles of Incorporation

**ARTICLE ONE**

The name of the corporation is Aqua Water Supply Corporation

**ARTICLE TWO**

The following amendment to the Articles of Incorporation was adopted by the corporation on March 3, 1995. Article IV of the Articles of Incorporation is hereby amended to read as follows:

"The corporation is formed for the purpose of furnishing a water supply, sewer service, or both upon request for general farm use and domestic purposes, and to any legal entity including towns, cities, private corporations, individuals, and military camps and bases, in Bastrop County, Texas, and the surrounding counties of Caldwell, Fayette, Lee, Travis and Williamson. The places where the business of the corporation is to be transacted shall be the Bastrop Community of Bastrop County, Texas, and the surrounding rural areas."

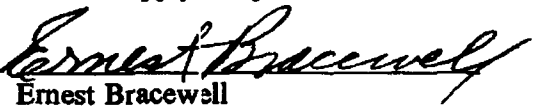
**ARTICLE THREE**

The amendment was adopted in the following manner:


The amendment was adopted at a meeting of members held on March 3, 1995, at which a quorum was present. The amendment received at least two-thirds of the votes that members who were present or represented by proxy at the meeting were entitled to cast.

Dated March 6, 1995

Aqua Water Supply Corporation

By:   
Ernest Bracewell  
President

ATTEST

  
\_\_\_\_\_  
J.D. Mican  
Secretary/Treasurer