



Control Number: 48460



Item Number: 3

Addendum StartPage: 0

DOCKET NO. 48460

RECEIVED

PETITION TO REVOKE
HEARTHSTONE COLONY WATER
SUPPLY CORPORATION'S
CERTIFICATE OF CONVENIENCE
AND NECESSITY UNDER TEXAS
WATER CODE § 13.254 AND 16
TEXAS ADMINISTRATIVE CODE
§ 24.113

§
§
§
§
§
§
§
§

PUBLIC UTILITY

2018 JUL 27 PM 1:22
COMMISSION

PUBLIC UTILITY COMMISSION
FILING CLERK

OF TEXAS

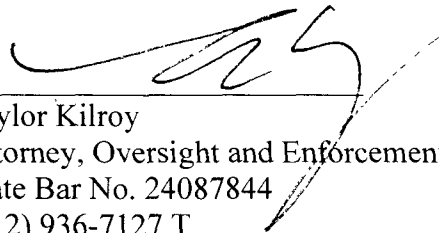
**COMMISSION STAFF'S RESPONSE TO ORDER NO. 1
AND MOTION FOR ENTRY OF A DEFAULT ORDER**

Order No. 1, issued on June 27, 2018, ordered Commission Staff to file a proposed default order no later than July 27, 2018. Pursuant to that Order, Commission Staff's Proposed Default Order is attached.

Commission Staff has also attached the affidavit of Tasha Lopez, a legal assistant with the Commission's Oversight and Enforcement Division. Ms. Lopez's affidavit states that she mailed Commission Staff's petition to the addresses listed in the petition and shows that notice was given to Hearthstone Colony Water Supply Corporation pursuant to Commission Rules and the APA.

As such, Commission Staff requests that the Commission approve the entry of the attached default order.

Respectfully Submitted,



Taylor Kilroy
Attorney, Oversight and Enforcement Division
State Bar No. 24087844
(512) 936-7127 T
(512) 936-7208 F
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

CERTIFICATE OF SERVICE

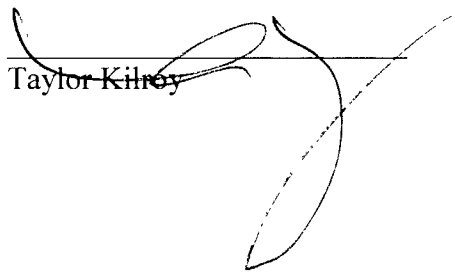
I certify that on July 27, 2018, pursuant to 16 TAC § 22.183(b)(2), a copy of this document was sent certified mail, return receipt requested, to the last known address of Hearthstone Colony Water Supply, Inc. (Hearthstone) in the Commission's records and to the address for the registered agent for process on file with the Secretary of State:

Hearthstone's Last Known Address in Commission Records:

Hearthstone Colony WSC
5851 San Felipe
Houston, TX 77057

Address for the registered agent for process on file with the Secretary of State:

Timothy G. Green
6750 E. Loop South, Ste. 150
Bellaire, TX 77401


Taylor Kilroy

Attachment One
Proposed Default Order

DOCKET NO. 48460

PETITION TO REVOKE	§	PUBLIC UTILITY COMMISSION
HEARTHSTONE COLONY WATER	§	
SUPPLY CORPORATION'S	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY UNDER TEXAS	§	
WATER CODE § 13.254 AND 16 TEXAS	§	OF TEXAS
ADMINISTRATIVE CODE § 24.113	§	

PROPOSED DEFAULT ORDER

This Order addresses the petition of Commission Staff to revoke the certificate of public convenience and necessity of Hearthstone Colony Water Supply Corporation for violations of the Texas Water Code¹ and Commission rules.² Commission Staff's petition is granted and certificate of convenience and necessity 11755 is revoked.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

1. Hearthstone is a retail public utility that was granted certificate of convenience and necessity 11755 on April 27, 1983.
2. Hearthstone is located in Harris County, Texas in the city of Houston.
3. On June 14, 1982, Hearthstone filed an application with the Texas Secretary of State (SOS) to become a Texas corporation.
4. Hearthstone has ceased to operate and is now listed as inactive on the SOS's website.
5. Hearthstone is no longer in business and the facilities it used to provide continuous and adequate service are inactive.
6. On June 13, 2018, Commission Staff filed a petition and provided notice of opportunity for hearing seeking revocation of Hearthstone's certificate 11755.
7. The petition included the required disclosure in at least 12-point, bold-face type.
8. The petition was sent by certified mail, return receipt requested, to the addresses Commission Staff was able to find for Hearthstone after reasonable investigation. More

¹ Tex. Water Code Ann. § 13.254 (West 2008 and Supp. 2016) (TWC).

² 16 Texas Admin. Code § 24.113 (TAC).

specifically, the petition was sent by certified mail, return receipt requested, to the address that Hearthstone most recently had on file with the Commission and the SOS.

9. More than 30 days have passed since service of the petition to Hearthstone.
10. Hearthstone did not request a hearing on the merits.

II. Conclusions of Law

1. Texas Water Code (TWC) § 13.242 provides that a “utility ... may not in any way render retail water ... utility service directly or indirectly to the public without first having obtained from the utility commission a certificate that the present or future public convenience and necessity will require that installation, operation, or extension.”
2. Under 16 Tex. Admin. Code (TAC) § 24.3(14), a CCN is “[a] permit issued by the commission which authorizes and obligates a retail public utility to furnish, make available, render, or extend continuous and adequate retail water or sewer utility service to a specified geographic area.”
3. Under 16 TAC § 24.3(58), a retail public utility is “[a]ny person, corporation, public utility, water supply or sewer service corporation, municipality, political subdivision or agency operating, maintaining, or controlling in this state facilities for providing potable water service or sewer service, or both, for compensation.”
4. TWC § 13.250 and 16 TAC § 24.114 require a retail public utility that possesses a certificate to provide “continuous and adequate service.”
5. If the Commission finds that a retail public utility that possesses a certificate “has never provided, is no longer providing, is incapable of providing, or has failed to provide continuous and adequate service in the area, or part of the area, covered by the certificate” in violation of TWC § 13.250 and 16 TAC § 24.114, the Commission may revoke the CCN pursuant to TWC § 13.254 and 16 TAC § 24.113.
6. Hearthstone failed to meet the performance requirements for a certificate holder in TWC § 13.250 and 16 TAC § 24.114 when it ceased operating and ceased to provide continuous and adequate service.
7. Hearthstone is incapable of providing continuous and adequate service in the area covered by certificate 11755.

8. Issuance of a default order against Hearthstone is appropriate because Hearthstone failed to request a hearing within 30 days of service of the notice of an opportunity for a hearing, as provided in 16 TAC § 22.183(a).
9. The requirements for disposition by default in 16 TAC § 22.183 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following order:

1. Commission Staff's petition is granted.
2. Hearthstone's certificate 11755 is revoked.
3. The Commission shall not be constrained in any manner from requiring additional action or penalties for violations.
4. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other request for general or specific relief, if not expressly granted herein, are denied.

Signed at Austin, Texas, the _____ day of _____, 2018.

PUBLIC UTILITY COMMISSION OF TEXAS

DEANN T. WALKER, CHAIRMAN

ARTHUR C. D'ANDREA, COMMISSIONER

SHELLY BOTKIN, COMMISSIONER

Attachment Two
Affidavit of Tasha Lopez

DOCKET NO. 48460

PETITION TO REVOKE	§	PUBLIC UTILITY COMMISSION
HEARTHSTONE COLONY WATER	§	
SUPPLY CORPORATION'S	§	
CERTIFICATE OF PUBLIC	§	
CONVENIENCE AND NECESSITY	§	
PURSUANT TO TEX. WATER CODE	§	OF TEXAS
ANN. § 13.254 AND 16 TAC § 24.113	§	

AFFIDAVIT OF TASHA LOPEZ

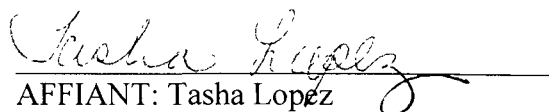
§
STATE OF TEXAS §
TRAVIS COUNTY §

BEFORE ME, the undersigned authority, on this day personally appeared, Tasha Lopez, and being by me duly sworn, upon oath declared that the statements and capacity acted in are true and correct.

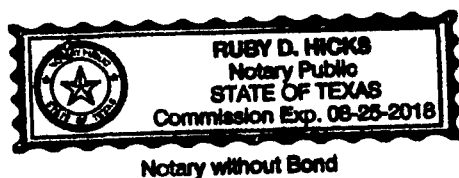
"My name is Tasha Lopez. I am the legal assistant in the Oversight & Enforcement Division of the Public Utility Commission of Texas (Commission). I am over the age of twenty-one and I am competent to make this Affidavit. In accordance with 16 TAC § 22.183(b), I mailed, by certified mail, a copy of Commission Staff's Petition to Revoke Hearthstone Colony Water Supply Corporation's Certificate of Public Convenience and Necessity filed on June 13, 2018, to Hearthstone Colony WSC, and Timothy G. Green, on June 13, 2018, to the last known addresses, and all copies were either delivered or returned. Please see the attached tracking information for each item and copy of the application.

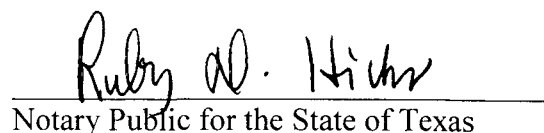
Hearthstone Colony WSC
5851 San Felipe
Houston, TX 77057

Timothy G. Green
6750 E. Loop South, Ste. 150
Bellaire, Texas 77401


AFFIANT: Tasha Lopez

SWORN TO AND SUBSCRIBED BEFORE ME this 27th day of July 2018.

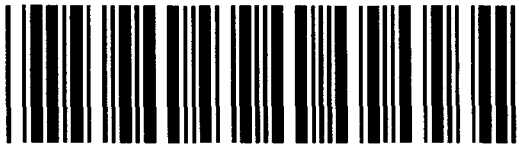



Notary Public for the State of Texas

CMRR – Hearthstone Colony
(Returned)

Ship Request Form

Ship Request #: 168699



Sender

Name: Tasha Lopez
Account #: 47300 PUC
Phone: 512-936-7401
Email:
Company: Public Utility Commission

eRR Track: 9171999991703104788231

Recipient

Attn To: Hearthstone Colony WSC
Company: Hearthstone Colony WSC
Address: 5851 San Felipe
City: Houston
State: TX
Zip: 77057
Country: US

Shipping Instructions

Items

Units	Description	Code	Origin	Unit Value	Total Value
0 00					

USPS Tracking®

[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)

Track Another Package +

Tracking Number: 9171999991703104788231[Remove X](#)

Your item was delivered at 12:45 pm on June 25, 2018 in AUSTIN, TX 78711.

Delivered

June 25, 2018 at 12:45 pm
Delivered
AUSTIN, TX 78711

[Get Updates](#) ✓

Text & Email Updates

Return Receipt Electronic

Tracking History**June 25, 2018, 12:45 pm**

Delivered
AUSTIN, TX 78711

Your item was delivered at 12:45 pm on June 25, 2018 in AUSTIN, TX 78711.

June 25, 2018, 9:56 am

Arrived at Unit
AUSTIN, TX 78701

June 24, 2018, 4:36 pm

Departed USPS Regional Origin Facility

AUSTIN TX DISTRIBUTION CENTER**June 24, 2018, 1:57 pm**

Arrived at USPS Regional Origin Facility
AUSTIN TX DISTRIBUTION CENTER

June 24, 2018

In Transit to Next Facility

June 23, 2018, 12:12 pm

Departed USPS Regional Destination Facility
NORTH HOUSTON TX DISTRIBUTION CENTER

June 22, 2018

In Transit to Next Facility

June 21, 2018

In Transit to Next Facility

June 15, 2018, 10:32 am

Out for Delivery
HOUSTON, TX 77057

June 15, 2018, 10:22 am

Sorting Complete
HOUSTON, TX 77057

June 14, 2018, 8:50 am

Arrived at USPS Regional Destination Facility
NORTH HOUSTON TX DISTRIBUTION CENTER

June 13, 2018, 8:38 pm

Departed USPS Regional Facility
AUSTIN TX DISTRIBUTION CENTER

June 13, 2018, 7:19 pm

Arrived at USPS Regional Origin Facility
AUSTIN TX DISTRIBUTION CENTER

June 13, 2018, 6:04 pmAccepted at USPS Origin Facility
AUSTIN, TX 78701**June 13, 2018**

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

Product Information

**See Less** ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<http://faq.usps.com/?articleId=220900>)

The easiest tracking number is the one you don't have to know.

With Informed Delivery[®], you never have to type in another tracking number. Sign up to:

- See images* of incoming mail.
- Automatically track the packages you're expecting.
- Set up email and text alerts so you don't need to enter tracking numbers.
- Enter USPS Delivery Instructions[™] for your mail carrier.

Sign Up

([https://reg.usps.com/entreg/RegistrationAction_input?](https://reg.usps.com/entreg/RegistrationAction_input?app=UspsTools&appURL=https%3A%2F%2Ftools.usps.com%2Fgo)

***NOTE: Black and white (grayscale) images show the outside, front of letter-sized envelopes and mailpieces that are processed through USPS automated equipment.**

CMRR – Timothy G. Green
(Delivered)

Ship Request Form

Ship Request #: 168700

Sender

Name: Tasha Lopez
Account #: 47300 PUC
Phone: 512-936-7401
Email:
Company: Public Utility Commission

eRR Track: 9171999991703104788248

Recipient

Attn To: Timothy G Green
Company: Timothy G Green
Address: 6750 E Loop South
Suite 150
City: Bellaire
State: TX
Zip: 77401
Country: US

Shipping Instructions

Items

Units	Description	Code	Origin	Unit Value	Total Value
0 00					

USPS Tracking®

[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)

Track Another Package +

Tracking Number: 9171999991703104788248

Remove X

On Time**Expected Delivery on****FRIDAY****15** JUNE 2018 ⓘ by **8:00pm** ⓘ

✓ Delivered

June 15, 2018 at 11:10 am
Delivered, Front Desk/Reception
BELLAIRE, TX 77401

Get Updates ∨

Text & Email Updates

Return Receipt Electronic

Tracking History**June 15, 2018, 11:10 am**

Delivered, Front Desk/Reception
BELLAIRE, TX 77401

Your item was delivered to the front desk or reception area at 11:10 am on June 15, 2018 in BELLAIRE, TX 77401.

June 15, 2018, 9:26 am

Out for Delivery

BELLAIRE, TX 77401

June 15, 2018, 9:16 am

Sorting Complete

BELLAIRE, TX 77401

June 14, 2018, 6:16 pm

Departed USPS Regional Destination Facility

NORTH HOUSTON TX DISTRIBUTION CENTER

June 14, 2018, 8:50 am

Arrived at USPS Regional Destination Facility

NORTH HOUSTON TX DISTRIBUTION CENTER

June 13, 2018, 8:38 pm

Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

June 13, 2018, 7:19 pm

Arrived at USPS Regional Origin Facility

AUSTIN TX DISTRIBUTION CENTER

June 13, 2018, 6:04 pm

Accepted at USPS Origin Facility

AUSTIN, TX 78701

June 13, 2018

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

Product Information

See Less

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<http://faq.usps.com/?articleId=220900>)

The easiest tracking number is the one you don't have to know.

With Informed Delivery[®], you never have to type in another tracking number. Sign up to:

- See images* of incoming mail.
- Automatically track the packages you're expecting.
- Set up email and text alerts so you don't need to enter tracking numbers.
- Enter USPS Delivery Instructions[™] for your mail carrier.

Sign Up

([https://reg.usps.com/entreg/RegistrationAction_input?](https://reg.usps.com/entreg/RegistrationAction_input?app=UspsTools&appURL=https%3A%2F%2Ftools.usps.com%2Fgo)

***NOTE:** Black and white (grayscale) images show the outside, front of letter-sized envelopes and mailpieces that are processed through USPS automated equipment.

Petition to Revoke

DOCKET NO.

48450

PETITION TO REVOKE
HEARTHSTONE COLONY WATER
SUPPLY CORPORATION'S
CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY
PURSUANT TO TEX. WATER CODE
ANN. § 13.254 AND 16 TAC § 24.113

§
§
§
§
§
§

PUBLIC UTILITY COMMISSION 9:12

OF TEXAS

COMMISSION STAFF'S PETITION TO REVOKE
HEARTHSTONE COLONY WATER SUPPLY CORPORATION'S
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND
NOTICE OF OPPORTUNITY FOR A HEARING

Staff of the Public Utility Commission of Texas (Commission) files this Petition to Revoke Hearthstone Colony Water Supply Corporation's Certificate of Public Convenience and Necessity (Petition) and hereby provides notice of the opportunity to request a hearing on the merits of this Petition.

I. INTRODUCTION

For the reasons discussed below, the water service Certificate of Public Convenience and Necessity (CCN) No. 11755 for Hearthstone Colony Water Supply Corporation (Hearthstone) should be revoked. Upon investigation, Commission Staff has determined that the public water system associated with Hearthstone is inactive, and that the CCN should be revoked.

In the event Hearthstone fails to request a hearing within thirty days of service of this Petition, a default order should be issued, without additional notice to Hearthstone, granting all relief sought in this Petition. In support of this Petition, Commission Staff respectfully shows the following:

II. JURISDICTION AND LEGAL AUTHORITY

The Commission is authorized to regulate and supervise the business of each water and sewer utility within its jurisdiction.¹ Pursuant to Tex. Water Code Ann. § 13.242 (TWC), a "water supply or sewer service corporation may not in any way render retail water or sewer utility service

¹ Tex. Water Code Ann. § 13.041 (West Supp. 2014) (TWC).

1. 2. 3. 4. 5.

directly or indirectly to the public without first having obtained from the utility commission a certificate that the present or future public convenience and necessity will require that installation, operation, or extension.”

A CCN is defined as “[a] permit issued by the commission which authorizes and obligates a retail public utility to furnish, make available, render, or extend continuous and adequate retail water or sewer service to a specified geographic area.”² A retail public utility is “[a]ny person corporation, public utility, water supply or sewer service corporation, municipality, political subdivision or agency operating, maintaining, or controlling in this state facilities for providing potable water service or sewer service, or both, for compensation.”³

A retail public utility that possesses a CCN is required to provide continuous and adequate service.⁴ A retail public utility that possesses a CCN and fails to provide continuous and adequate service may be subject to revocation.⁵ As part of this authority, the Commission, “after notice and hearing, may revoke or amend any” CCN if the Commission finds that “the certificate holder has never provided, is no longer providing, is incapable of providing, or has failed to provide continuous and adequate service in the area, or part of the area, covered by the certificate.”⁶

Pursuant to the contested case provisions of the Administrative Procedure Act,⁷ a party is entitled to an opportunity for a hearing after reasonable notice of not less than 10 days, where the party may respond to and present evidence and argument on each issue involved in the case.⁸ If a hearing is not requested within thirty days after service of notice of an opportunity for hearing, a default occurs.⁹ Upon default, the presiding officer may issue a default order, revoking the certificate without a hearing on an informal basis.¹⁰

III. FACTUAL ALLEGATIONS

Hearthstone is located in Harris County, Texas in the City of Houston. On June 14, 1982, Hearthstone filed an application with the Secretary of State to become a Texas corporation. On

² 16 Tex. Admin. Code § 24.3(15) (TAC).

³ TWC § 13.002(19) and 16 TAC § 24.3(58).

⁴ See TWC § 13.250(a) and 16 TAC § 24.114.

⁵ TWC § 13.254(a)(1) and 16 TAC 24.113(a)(1).

⁶ *Id.*

⁷ Administrative Procedure Act, Tex. Gov’t Code Ann. §§ 2001.001-.902 (West 2008 & Supp. 2014) (APA).

⁸ APA §§ 2001.051-.178.

⁹ 16 TAC § 22.183.

¹⁰ APA § 2001.056(4) and 16 TAC § 22.183.

April 27, 1983, Hearthstone was granted CCN No. 11755. Hearthstone underwent a tax forfeiture on January 21, 1985. The utility has ceased to operate, and is now listed as inactive on the Secretary of State's website. Commission Staff's review of Commission's records indicate that Hearthstone is no longer in business, and the facilities it used to provide continuous and adequate service are inactive. Therefore, Hearthstone is no longer providing and is incapable of providing continuous and adequate service.

IV. RECOMMENDATION FOR REVOCATION

The Commission should revoke Hearthstone's CCN No. 11755 because Hearthstone is no longer in business, and the facilities it used to provide continuous and adequate service are inactive.¹¹ As long as CCN No. 11755 continues to remain in effect, it may be a violation of Commission rules for another company to provide service in the certificated area.¹²

For the above stated reasons, Commission Staff recommends revocation of CCN No. 11755 pursuant to TWC § 13.254(a)(1) and 16 TAC § 24.113(i)(1)(A).

V. NOTICE OF OPPORTUNITY FOR HEARING

16 TAC §§ 22.54 and 22.55 require Commission Staff to provide reasonable notice to persons affected by a proceeding in accordance with the Administrative Procedure Act.¹³ In license revocation proceedings, APA § 2001.054 requires that notice be given "by personal service or by registered or certified mail to the license holder of facts or conduct alleged to warrant the intended action." In order to proceed on a default basis, 16 TAC § 22.183 requires Commission Staff to provide notice by certified mail, return receipt requested: (a) to a certificate holder's last known address in the Commission's records; (b) to the person's registered agent for process on file with the Secretary of State; or (3) to an address for the party identified after reasonable investigation if the first two options are not applicable.

In accordance with these provisions, Commission Staff will provide a copy of this petition by certified mail, return receipt requested, to Hearthstone's last known address in the TCEQ's and Commission's records:

¹¹ See TWC § 13.254(a)(1) and 16 TAC 24.113(i)(1)(A)

¹² See TWC § 13.242.

¹³ APA §§ 2001.001-.902.

Hearthstone Colony WSC
5851 San Felipe
Houston, TX 77057

Commission Staff will also provide a copy of this petition by certified mail, return receipt requested, to the address for the registered agent for process on file with the Secretary of State:

Timothy G Green
6750 E. Loop South, Ste. 150
Bellaire, TX 77401

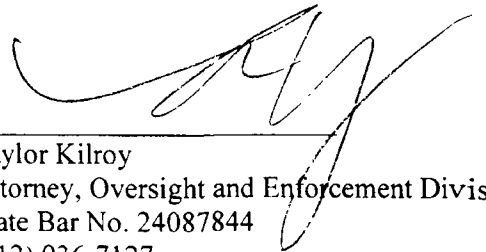
Pursuant to 16 TAC § 22.183, Commission Staff hereby notifies Hearthstone that the factual allegations in this petition could be deemed admitted and the relief sought herein granted by default if Hearthstone fails to request a hearing within 30 days after service of the Petition and Notice of Opportunity for Hearing. The purpose of a hearing on the merits is to consider revocation of Hearthstone's CCN No. 11755. If Hearthstone fails to request a hearing, the presiding officer may issue a default order on an informal basis without a hearing on the merits pursuant to APA § 2001.056(4) and 16 TAC § 22.183.

The factual allegations listed in Commission Staff's Petition and Notice of Opportunity for a Hearing could be deemed admitted and the relief sought herein could be granted by default if you fail to timely request a hearing.

VI. REQUEST

WHEREFORE, PREMISES CONSIDERED, Commission Staff respectfully requests that the Commission grants Commission Staff's request to revoke Hearthstone's CCN No. 11755. In the event that Hearthstone fails to request a hearing on the merits, Commission Staff requests that the Commission issue a default final order, with no further notice to Hearthstone, revoking CCN No. 11755.

Respectfully Submitted,



Taylor Kilroy
Attorney, Oversight and Enforcement Division
State Bar No. 24087844
(512) 936-7127
(512) 936-7208 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78701-3326

CERTIFICATE OF SERVICE

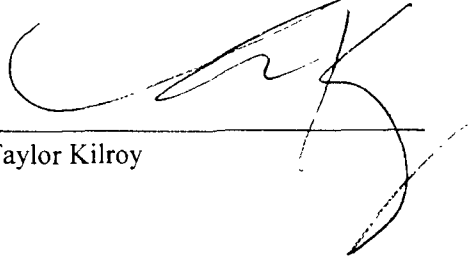
I certify that on June 13, 2018, pursuant to 16 TAC § 22.183(b)(2), a copy of this document was sent certified mail, return receipt requested, to the last known address of Hearthstone Colony Water Supply, Inc. (Hearthstone) in the Commission's records and to the address for the registered agent for process on file with the Secretary of State:

Hearthstone's Last Known Address in Commission Records:

Hearthstone Colony WSC
5851 San Felipe
Houston, TX 77057

Address for the registered agent for process on file with the Secretary of State:

Timothy G. Green
6750 E. Loop South, Ste. 150
Bellaire, TX 77401



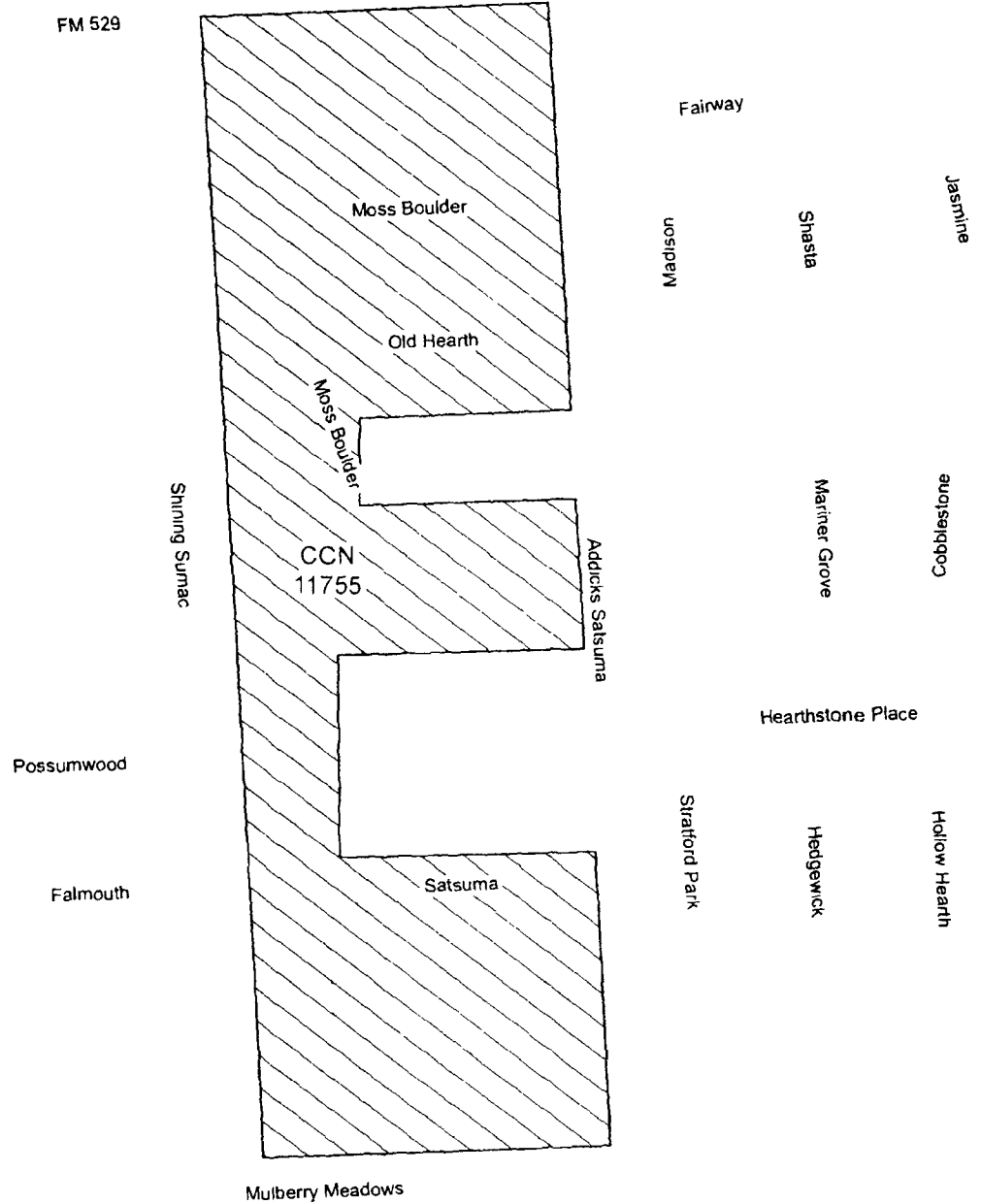
Taylor Kilroy

Attachment 1

Map of Water Service Certificate of Convenience and Necessity

No. 11755

Hearthstone Colony WSC Water CCN No. 11755 in Harris County

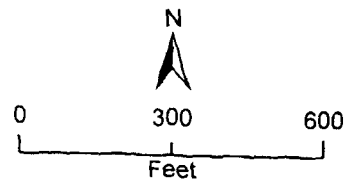


Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Water CCN



11755 - Hearthstone Colony WSC



Map by: Kristy Nguyen
Date created: May 25, 2018
Project path: n\11755 hearthstone colony\11755 hearthstone colony

000008

0000030

Attachment 2

Order Granting Water Service Certificate of Convenience and
Necessity

No. 11755

DOCKET NOS. 4350, 4638, 4743, 4776, and 4808

APPLICATIONS OF BOIS D'ARC MUNICIPAL
UTILITY DISTRICT, ET AL., FOR OR TO
AMEND CERTIFICATES OF CONVENIENCE AND
NECESSITY WITHIN FANNIN, HARRIS,
PARKER, AND COMAL COUNTIES

PUBLIC UTILITY COMMISSION

OF TEXAS

ORDER

In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas finds that the above styled applications were processed in accordance with applicable statutes by an examiner who prepared and filed a report containing Findings of Fact and Conclusions of Law, which Examiner's Report is ADOPTED and made a part of this Order. The Commission further ORDERS that:

1. Bois d'Arc Municipal Utility District is granted the certificate of convenience and necessity requested in Docket No. 4350 and as described in Finding of Fact No. 1. Bois d'Arc MUD is hereby assigned Certificate No. 11753.
2. Peek Road Utilities, Inc. is granted the certificate of convenience and necessity requested in Docket No. 4638 and as described in Finding of Fact No. 2. Peek Road is hereby assigned Certificate No. 11754.
3. Sawyer Development Corporation d/b/a Hearthstone Colony Water Supply Corporation is granted the certificates of convenience and necessity requested in Docket No. 4743 and as described in Finding of Fact No. 3. Hearthstone Colony WSC is hereby assigned Certificate Nos. 11755 (water) and 20588 (sewer).
4. Willow Wood Water Works is granted the amendment to its Certificate of Convenience and Necessity No. 11580 requested in Docket No. 4776 and as described in Finding of Fact No. 4.


11755.12

5. South Central Utilities, Inc. is granted the certificate of convenience and necessity requested in Docket No. 4808 and as described in Finding of Fact No. 5. South Central is hereby assigned Certificate No. 11756.

SIGNED AT AUSTIN, TEXAS, on this the 27 day of April, 1983.

PUBLIC UTILITY COMMISSION OF TEXAS

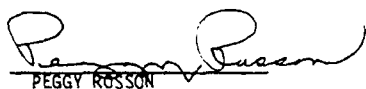
SIGNED:


ALAN R. ERWIN


SIGNED:


PHILIP F. RICKETTS

SIGNED:


PEGGY ROSSON

ATTEST:


CAROLYN E. SHELLMAN
SECRETARY OF THE COMMISSION

jc