

Control Number: 48471



Item Number: 3

Addendum StartPage: 0

DOCKET NO. 48471

**PETITION TO REVOKE LOHMAN'S
FORD WATER COMPANY'S
CERTIFICATE OF CONVENIENCE
AND NECESSITY UNDER TEXAS
WATER CODE § 13.254 AND 16
TEXAS ADMINISTRATIVE CODE
§ 24.113**

§
§
§
§
§
§
§

PUBLIC UTILITY COMMISSION

OF TEXAS

2018 AUG 17 PM 1:47

FILED

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

Order No. 1, issued on June 28, 2018, ordered Commission Staff to file a proposed default order no later than August 17, 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 Lohman's Ford Water Company 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

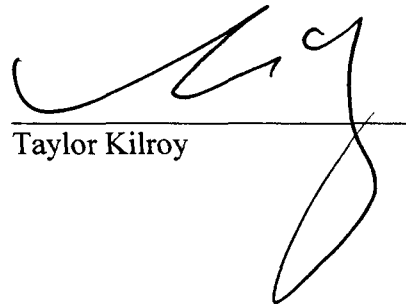
I certify that on August 17, 2018, pursuant to 16 TAC § 22.183(b)(2), a copy of this document was sent certified mail, return receipt requested, to the last known address of Lohman's Ford Water Company (Lohman's) in the Commission's records and to the address for the registered agent for process on file with the Secretary of State:

Lohman's Last Known Address in Commission Records:

Lohman's Ford Water Company
101 S. Capital of Texas HWY, BLDG H-262
Austin, TX 78746

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

George R Eeds
9442 Capital of TX HWY, No. PLZ One, STE. 790
Austin, TX 78759



Taylor Kilroy

Attachment One
Proposed Default Order

DOCKET NO. 48471

PETITION TO REVOKE LOHMAN'S	§	PUBLIC UTILITY COMMISSION
FORD WATER COMPANY'S	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY UNDER TEXAS	§	
WATER CODE § 13.254 AND 16 TEXAS	§	
ADMINISTRATIVE CODE § 24.113	§	OF TEXAS

PROPOSED DEFAULT ORDER

This Order addresses the petition of Commission Staff to revoke the certificate of public convenience and necessity of Lohman's Ford Water Company for violations of the Texas Water Code¹ and Commission rules.² Commission Staff's petition is granted and certificate of convenience and necessity 11894 is revoked.

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

I. Findings of Fact

1. Lohman is a retail public utility that was granted certificate of convenience and necessity 11894 on September 26, 1985.
2. Lohman is located in Travis County, Texas in the city of Austin.
3. On May 2, 1985, Lohman filed an application with the Texas Secretary of State (SOS) to become a Texas corporation.
4. Lohman underwent a tax forfeiture on November 20, 1989. Lohman has ceased to operate and is now listed as inactive on the SOS's website.
5. Lohman is no longer in business and the facilities it used to provide continuous and adequate service are inactive.
6. On June 18, 2018, Commission Staff filed a petition and provided notice of opportunity for hearing seeking revocation of Lohman's certificate 11894.
7. The Petition included the required disclosure in at least 12-point, bold-face type.

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

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

8. The Petition was sent by certified mail, return receipt requested, to the addresses Commission Staff was able to find for Lohman after reasonable investigation. More specifically, the petition was sent by certified mail, return receipt requested, to the address that Lohman most recently had on file with the Commission and the SOS.
9. More than 30 days have passed since service of the petition to Lohman.
10. Lohman 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 Texas Administrative 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. Lohman 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. Lohman is incapable of providing continuous and adequate service in the area covered by certificate 11894.
8. Issuance of a default order against Lohman is appropriate because Lohman 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. Lohman's certificate 11894 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. 48471

PETITION TO REVOKE LOHMAN'S	§	PUBLIC UTILITY COMMISSION
FORD WATER COMPANY'S	§	
CERTIFICATE OF PUBLIC	§	
CONVENIENCE AND NECESSITY	§	
PURSUANT TO TEX. WATER CODE	§	
ANN. § 13.254 AND 16 TAC § 24.113	§	OF TEXAS

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.

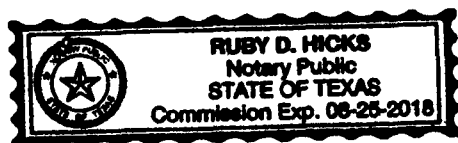
"My name is Tasha Lopez. I am the legal assistant in the Oversight & Enforcement Division of the Public Utility Commission of Texas (Commission). I am over the age of twenty-one and I am competent to make this Affidavit. In accordance with 16 TAC § 22.183(b), I mailed, by certified mail, a copy of Commission Staff's Petition to Revoke Lohman's Ford Water Company's Certificate of Public Convenience and Necessity filed on June 18, 2018, to Lohman's Ford Water Company, and George R. Eeds, on June 18, 2018, to the last known addresses. Please see the attached tracking information for each item and copy of the application.

Lohman's Ford Water Company
101 S. Capital of Texas Hwy
Bldg H-262
Austin, Texas 78746

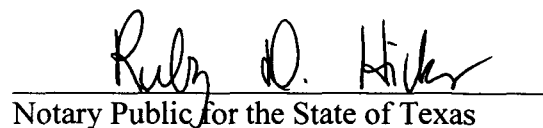
George R. Eeds
9442 Capital of Texas Hwy
No. Plaza One, Suite 790
Austin, Texas 78759


AFFIANT: Tasha Lopez

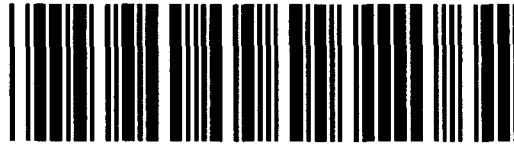
SWORN TO AND SUBSCRIBED BEFORE ME this 1st day of August 2018.



Notary without Bond


Notary Public for the State of Texas

Ship Request Form

Ship Request #: 169473

Sender

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

eRR Track: 9171999991703104788347

Recipient

Attn To: Lohman's Ford Water Company
Company: Lohman's Ford Water Company
Address: 101 S. Capital of Texas Hwy
Bldg H262
City: Austin
State: TX
Zip: 78746
Country: US

Shipping Instructions

Items

Units	Description	Code	Origin	Unit Value	Total Value
0 00					

CMRR
Lohman's Ford Water
Company
(Returned)

USPS Tracking®

[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)[Track Another Package +](#)**Tracking Number:** 9171999991703104788347[Remove X](#)**Expected Delivery on****FRIDAY****22** JUNE 2018 ⓘ **by** **8:00pm** ⓘ **Delivered**

June 22, 2018 at 9:37 am

Delivered

AUSTIN, TX 78711

Return Receipt Electronic

Tracking History**June 22, 2018, 9:37 am**

Delivered

AUSTIN, TX 78711

Your item was delivered at 9:37 am on June 22, 2018 in AUSTIN, TX 78711.

June 22, 2018, 8:23 am

Arrived at Unit

AUSTIN, TX 78701

June 21, 2018, 4:40 pm

Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER**June 21, 2018**

In Transit to Next Facility

June 19, 2018, 8:54 am

Unable to deliver item, problem with address

AUSTIN, TX 78746

June 18, 2018, 7:24 pm

Arrived at USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

June 18, 2018, 6:09 pm

Accepted at USPS Origin Facility

AUSTIN, TX 78701

June 18, 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.

Ship Request Form

Ship Request #: 169476

Sender

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

eRR Track: 9171999991703104788354

Recipient

Attn To: George R Eeds
Company: George R Eeds
Address: 9442 Capital of Texas Hwy, Plaza
One
Suite 790
City: Austin
State: TX
Zip: 78759
Country: US

Shipping Instructions

Items

Units	Description	Code	Origin	Unit Value	Total Value
0.00					

CMRR
George R. Eeds
(Returned)

USPS Tracking®

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

Track Another Package +

Tracking Number: 9171999991703104788354

Remove X

Your item was delivered at 9:37 am on June 22, 2018 in AUSTIN, TX 78711.

Delivered

June 22, 2018 at 9:37 am
Delivered
AUSTIN, TX 78711

Return Receipt Electronic

Tracking History**June 22, 2018, 9:37 am**

Delivered

AUSTIN, TX 78711

Your item was delivered at 9:37 am on June 22, 2018 in AUSTIN, TX 78711.

June 22, 2018, 8:23 am

Arrived at Unit

AUSTIN, TX 78701

June 21, 2018, 5:23 pm

Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

June 19, 2018, 11:48 am

Unable to deliver item, problem with address

AUSTIN, TX 78759

June 19, 2018, 6:56 am

Arrived at Unit

AUSTIN, TX 78759

June 18, 2018, 7:24 pm

Arrived at USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

June 18, 2018, 6:09 pm

Accepted at USPS Origin Facility

AUSTIN, TX 78701

June 18, 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.

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- 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

48471

DOCKET NO. _____

PETITION TO REVOKE LOHMAN'S §
FORD WATER COMPANY'S §
CERTIFICATE OF PUBLIC §
CONVENIENCE AND NECESSITY §
PURSUANT TO TEX. WATER CODE §
ANN. § 13.254 AND 16 TAC § 24.113 §

RECEIVED
2018 JUN 18 PM 12:45
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

COMMISSION STAFF'S PETITION TO REVOKE
LOHMAN'S FORD WATER COMPANY'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 Lohman's Ford Water Company'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. 11894 for Lohman's Ford Water Company (Lohman) should be revoked. Upon investigation, Commission Staff has determined that the public water system associated with Lohman is inactive, and that the CCN should be revoked.

In the event Lohman fails to request a hearing within thirty days of service of this Petition, a default order should be issued, without additional notice to Lohman, 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 directly or indirectly to the public without first having obtained from the utility commission a

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

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

Lohman is located in Travis County, Texas in the City of Austin. On May 2, 1985, Lohman filed an application with the Secretary of State to become a Texas corporation. On September 26, 1985, Lohman was granted CNN No. 11894. Lohman underwent a tax forfeiture on November 20,

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.

1989. 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 Lohman is no longer in business, and the facilities it used to provide continuous and adequate service are inactive. Therefore, Lohman is no longer providing, and is incapable of providing, continuous and adequate service.

IV. RECOMMENDATION FOR REVOCATION

The Commission should revoke Lohman's CCN No. 11894 because Lohman is no longer in business, and the facilities it used to provide continuous and adequate service are inactive.¹¹ As long as CCN No. 11894 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. 11894 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 Lohman'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.

Lohman's Ford Water Company
101 S. Capital of Texas HWY, BLDG H-262
Austin, TX 78746

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:

George R Eeds
9442 Capital of TX HWY, No. PLZ One, STE. 790
Austin, TX 78759

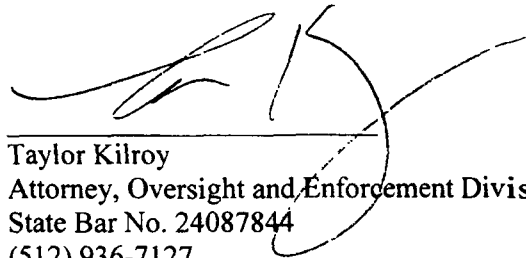
Pursuant to 16 TAC § 22.183, Commission Staff hereby notifies Lohman that the factual allegations in this petition could be deemed admitted, and the relief sought herein granted by default if Lohman fails to request a hearing within 30 days after service of the Petition and Notice of Opportunity for Hearing. The purpose of a hearing on the merits is to consider revocation of Lohman's CCN No. 11894. If Lohman 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 Lohman's CCN No. 11894. In the event that Lohman fails to request a hearing on the merits, Commission Staff requests that the Commission issue a default final order, with no further notice to Lohman, revoking CCN No. 11894.

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

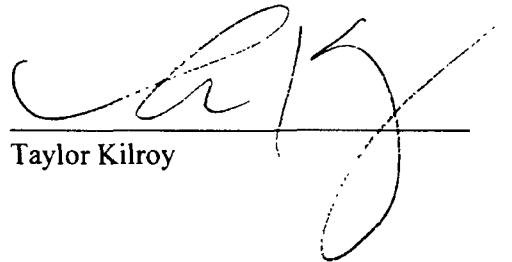
I certify that on June 18, 2018, pursuant to 16 TAC § 22.183(b)(2), a copy of this document was sent certified mail, return receipt requested, to the last known address Lohman's Ford Water Company (Lohman) in the Commission's records and to the address for the registered agent for process on file with the Secretary of State:

Lohman's Last Known Address in Commission Records:

Lohman's Ford Water Company
101 S. Capital of Texas HWY, BLDG H-262
Austin, TX 78746

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

George R Eeds
9442 Capital of TX HWY, No. PLZ One, STE. 790
Austin, TX 78759



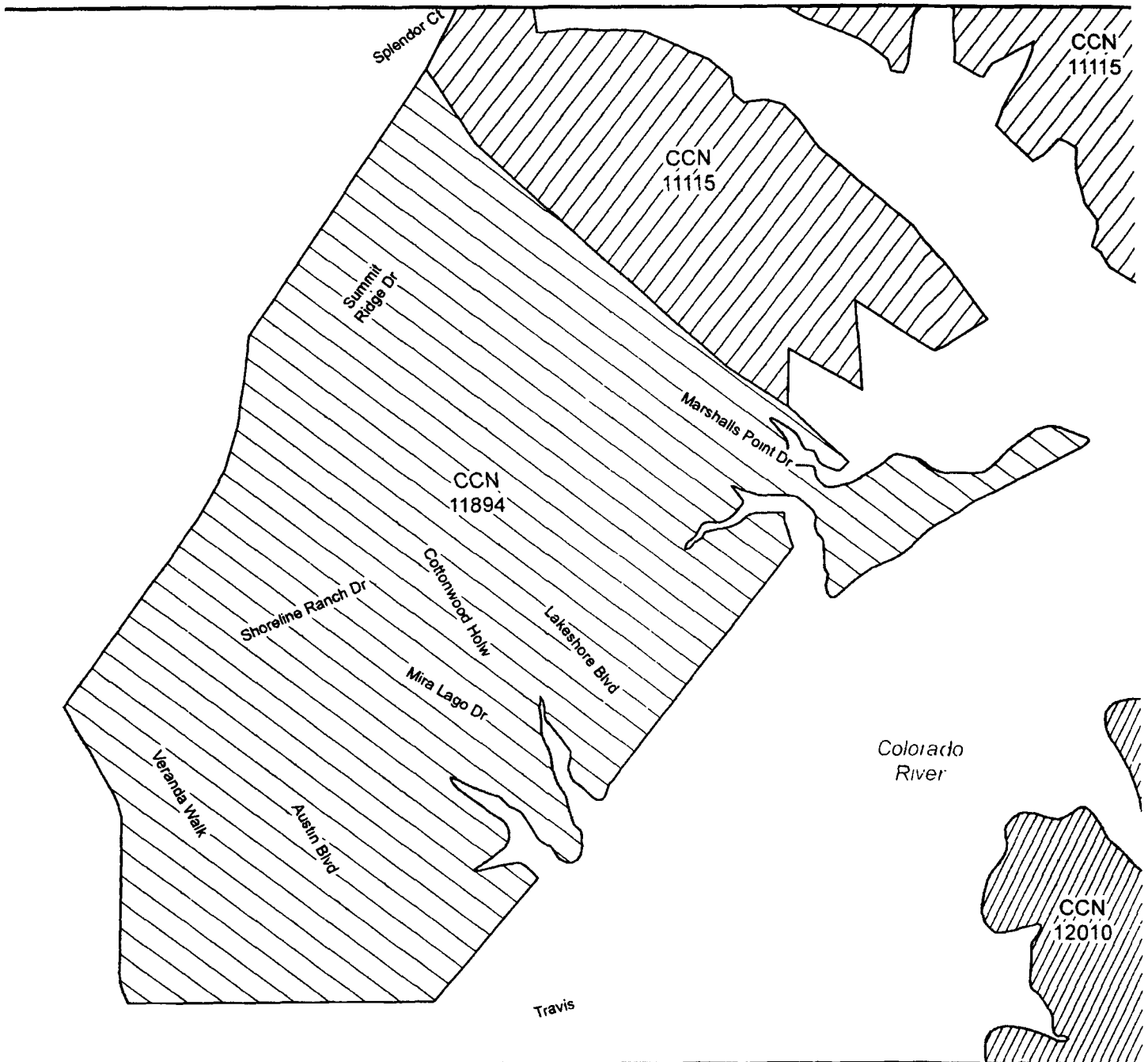
Taylor Kilroy

Attachment 1

Map of Water Service Certificate of Convenience and Necessity




No. 11894

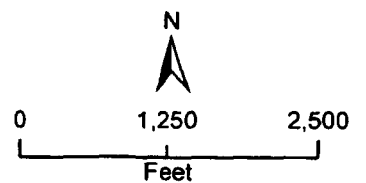
Lohman's Ford Water Company Water CCN No. 11894 in Travis County



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

Water CCNs

-  11894 - Lohman's Ford Water Company
-  11115 - Jones Town WSC
-  12010 - Travis County WCID 17



Map by: Kristy Nguyen
Date created: May 25, 2018
Project path: n:\11894 lohman ford water\11894 lohman ford water

000008

0000028

Attachment 2

Order Granting Water Service Certificate of Convenience and
Necessity

No. 11894

DOCKET NOS. 6042, 6044, 6243, 6296, and 6345

APPLICATIONS OF STAN BLAKNEY, ET AL.,
TO OBTAIN OR AMEND CERTIFICATES OF
CONVENIENCE AND NECESSITY WITHIN
VARIOUS 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 and Commission rules by an administrative law judge who prepared and filed a report containing Findings of Fact and Conclusions of Law; that Examiner's Report is ADOPTED and made a part hereof. The Commission further issues the following Order:

1. Stan Blakney is GRANTED the certificate of convenience and necessity as requested in Docket No. 6042 and described in Finding of Fact No. 1, and is assigned Certificate of Convenience and Necessity No. 11892.
2. San Jacinto Water Supply Corporation's Certificate of Convenience and Necessity No. 10124 is AMENDED as requested in Docket No. 6042 and described in Finding of Fact No. 2.
3. Valley Domestic Water Corporation's Certificate of Convenience and Necessity No. 11861 is AMENDED as requested in Docket No. 6243 and described in Finding of Fact No. 3.
4. Lohman's Ford Water Company is GRANTED the certificate of convenience and necessity as requested in Docket No. 6296 and described in Finding of Fact No. 4, and is assigned Certificate of Convenience and Necessity No. 11894.
5. Batesville Water Supply Corporation is GRANTED the certificate of convenience and necessity as requested in Docket No. 6345 and described in Finding of Fact No. 5, and is assigned Certificate of Convenience and Necessity No. 11895. Batesville Water Supply Corporation is further ORDERED to bring its water system into compliance, within one year from the date of the signing of this order, with statutes and regulations administered by the Texas Department of Health.

6. The certificates of convenience and necessity granted or amended in this Order are not transferable without the approval of the Commission.

SIGNED AT AUSTIN, TEXAS, on this the 26th day of September, 1985.

PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED: *Philip F. Ricketts*
PHILIP F. RICKETTS

SIGNED: *Peggy Rosson*
PEGGY ROSSON

SIGNED: *Dennis L. Thomas*
DENNIS L. THOMAS

ATTEST:

Rhonda Colbert Ryan
RHONDA COLBERT RYAN
SECRETARY OF THE COMMISSION

1s