



Control Number: 48769

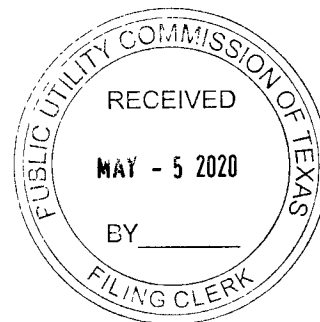


Item Number: 47

Addendum StartPage: 0

DOCKET NO. 48769

APPLICATION OF AQUA UTILITIES,	§	BEFORE THE PUBLIC UTILITY
INC., AQUA DEVELOPMENT, INC.,	§	
AND AQUA TEXAS, INC. FOR SALE,	§	COMMISSION OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN BANDERA, BASTROP,	§	
BEXAR, BLANCO, BURNET, COMAL,	§	
GILLESPIE, HAYS, KENDALL, KERR,	§	
KIMBLE, LIVE OAK, LLANO,	§	
MEDINA, NUECES, TRAVIS,	§	
WILLIAMSON, AND WILSON	§	
COUNTIES	§	



**SUPPLEMENTAL APPLICATION INFORMATION
RELATED TO PARENT CORPORATION NAME CHANGE**

COME NOW Aqua Utilities, Inc., Aqua Development, Inc., and Aqua Texas, Inc. (collectively, “Applicants”) and file this Supplemental Application Information Related to Parent Corporation Name Change. In support, Applicants would show as follows.

Applicants’ parent corporation recently changed its name from Aqua America, Inc. to Essential Utilities, Inc. The change is evidenced by Articles of Amendment filed on January 30, 2020 with the Pennsylvania Department of State and was effective February 3, 2020.¹

This name change did not entail a change of controlling interest in the Applicants as the parent corporation remains the same legal entity as before. Thus, this name change did not invoke requirements applicable to controlling interest changes prescribed by the Texas Water Code and Commission rules.² Yet, Applicants are filing this information for two reasons: (1) to make the Commission aware of the change; and (2) to ensure the Commission’s final order in this proceeding references the proper name of the Applicants’ parent corporation where appropriate.

¹ **Attachment A** (Articles of Amendment of Aqua America, Inc.) (Jan. 30, 2020). While the Applicants are Texas corporations, their parent corporation is a Pennsylvania corporation.

² See TWC § 13.302 and 16 TAC § 24.243.

Respectfully submitted,

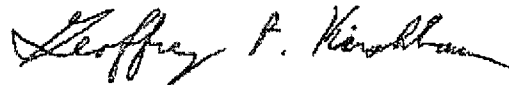
By: 

Geoffrey P. Kirshbaum
State Bar No. 24029665
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Austin, Texas 78701
(512) 474-9100
(512) 474-9888 (fax)
gkirshbaum@terrillwaldrop.com

**ATTORNEYS FOR AQUA UTILITIES, INC., AQUA
DEVELOPMENT, INC., AND AQUA TEXAS, INC.**


CERTIFICATE OF SERVICE

I hereby CERTIFY that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on May 5, 2020 in accordance with the Order Suspending Rules issued in Project No. 50664.



Geoffrey P. Kirshbaum

PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS

<input type="checkbox"/> Return document by mail to: <u>807 634</u> Esquire Assist, Ltd. Counter Pick - Up <input type="checkbox"/> Return document by email to: _____	Articles of Amendment Domestic Corporation DSCB:15-1915/5915 (rev. 7/2015)  TCO200130MC0482
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Read all instructions prior to completing. This form may be s

Fee: \$70

Check one: ☒ Business Corporation (§ 1915) ☐ Nonprofit Corporation (§ 5915)

In compliance with the requirements of the applicable provisions (relating to articles of amendment), the undersigned, desiring to amend its articles, hereby states that:

1. The name of the corporation is:

Aqua America, Inc.

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:
(Complete only (a) or (b), not both)

(a) Number and Street	City	State	Zip	County
<u>762 Lancaster Ave, Bryn Mawr, PA 19087-0, Montgomery</u>				

(b) Name of Commercial Registered Office Provider	County
<u>c/o:</u>	

3. The statute by or under which it was incorporated: Pennsylvania Business Corporation Law of 1933

4. The date of its incorporation: 11/14/1968
(MM/DD/YYYY)

5. Check, and if appropriate complete, one of the following:

☐ The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

☒ The amendment shall be effective on: 02/03/2020 at 12:01 a.m.
Date (MM/DD/YYYY) Hour (if any)

ATTACHMENT

A

2020 JAN 30 AM 9:49

6. *Check one of the following:*

- ☐ The amendment was adopted by the shareholders or members pursuant to 15 Pa.C.S. § 1914(a) and (b) or § 5914(a).
- ☒ The amendment was adopted by the board of directors pursuant to 15 Pa. C.S. § 1914(c) or § 5914(b).

7. *Check, and if appropriate complete, one of the following:*

- ☐ The amendment adopted by the corporation, set forth in full, is as follows
- _____
- _____

- ☒ The amendment adopted by the corporation is set forth in full in Exhibit A attached hereto and made a part hereof.

8. *Check if the amendment restates the Articles:*

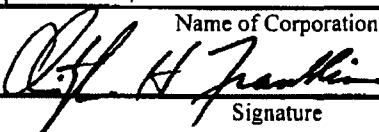
- ☐ The restated Articles of Incorporation supersede the original articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this

____ 30th day of January, 2020.

Aqua America, Inc.

Name of Corporation



Signature

Christopher H. Franklin, Chairman, President and CEO

Title

EXHIBIT A

to

**Articles of Amendment of
Aqua America, Inc.**

**Article I of the Amended and Restated Articles of Incorporation of the Corporation is
hereby amended to read as follows:**

**"ARTICLE I
NAME**

The name of the Corporation is Essential Utilities, Inc."