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BEFORE THE
PUBLIC UTILITY COMMISSION
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PETITION OF TFLP INVESTMENTS, §
LP AND TFGP PROPERTIES, LLC TO §
AMEND AQUA TEXAS, INC.'S SEWER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY NO. 20867 IN HAYS §
COUNTY BY STREAMLINED §
EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION

OF TEXAS

PETITIONERS' RESPONSE TO ORDER NO. 5

COME NOW TFLP Investment, LP ("TFLP"), and its general partner, TFGP Properties, LLC ("TFGP") (collectively "Petitioners") and file this Response to the Public Utility Commission ("Commission") Administrative Law Judge's ("ALJ") Order No. 5 and respectfully show the following:

I. BACKGROUND

On March 4, 2019, the Commission ALJ issued a Notice of Approval ("NOA") in this docket removing part of Petitioners' land from Aqua Texas, Inc.'s ("Aqua") sewer certificate of convenience and necessity ("CCN") following the streamlined expedited removal process set out in Texas Water Code ("TWC") § 13.254(a-5) and 16 Texas Administrative Code ("TAC") § 24.245(l) (previously 16 TAC § 24.113) as requested in Petitioners' petition. Specifically, the NOA granted the petition removing 26.7 acres from Aqua's CCN. Subsequently after reviewing Petitioners' shapefiles, Commission staff recommended corrections to the removal contending that the number of acres to be removed from Aqua's CCN was actually 38, not 26.7 acres. Order No. 5 directed Petitioners to clarify their request by April 2, 2019. Therefore this response is timely filed.

II. RESPONSE

Petitioners agree with Commission staff that the correct acreage for expedited release is 38 acres, not the previously requested 26.7. The original request for 26.7 acres was an oversight and Petitioners request that the ALJ expeditiously release 38 acres from Aqua's sewer CCN.

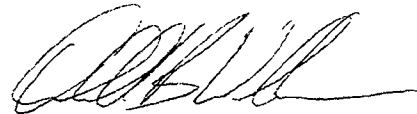
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III. PRAYER

For the reasons discussed above, Petitioners respectfully request that the ALJ release 38 acres of Petitioners' land from Aqua's sewer CCN following the TWC § 13.254(a-5) and 16 TAC § 24.245(l) process.

Respectfully submitted,

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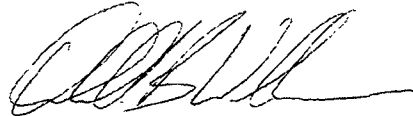


Randall B. Wilburn

ATTORNEYS FOR PETITIONERS

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 27th of March 2019.



Randall B. Wilburn