

Control Number: 48788



Item Number: 8

Addendum StartPage: 0

DOCKET NO. 48788

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

PETITIONERS' AFFIDAVIT FOR STREAMLINED EXPEDITED RELEASE

COME NOW TFLP Investment, LP ("TFLP"), and its general partner, TFGP Properties, LLC ("TFGP") (collectively "Petitioners") and file this Affidavit for Streamlined Expedited Release and respectfully show the following:

I. BACKGROUND

On October 16, 2018, Petitioners filed a petition with the Public Utility Commission of Texas ("Commission") for streamlined expedited release from Aqua Texas, Inc.'s (Aqua) sewer Certificate of Convenience and Necessity ("CCN") No. 20867 pursuant to Texas Water Code ("TWC") § 13.254(a-5) and 16 Texas Administrative Code ("TAC") § 24.245(l) (previously 16 TAC § 24.113). As shown in the petition, the Petition was submitted under TWC § 13.254(a-5) and the rules of the Commission; Petitioners are the owners of a tract of land greater than 25 acres as evidenced by warranty deed; at least a portion of the tract is located within the current boundaries of the CCN of Aqua and within the boundaries of a qualifying county; and the tract is currently not receiving service from Aqua. However, Petitioners did not include a copy of Petitioners' Affidavit for Streamlined Expedited Release with the submittal package, as required by 16 TAC 24.245(l)(4)(A).

II. RESPONSE

Enclosed as Exhibit A is Petitioners' Affidavit for Streamlined Expedited Release.

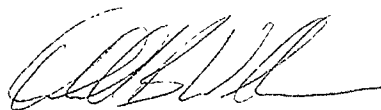
2018 DEC 13 PM 1:43
RECEIVED
PUBLIC UTILITY COMMISSION
HAYS COUNTY

III. PRAYER

For the reasons discussed above, Petitioners respectfully request that the Administrative Law Judge find the Petition complete.

Respectfully submitted,

Randall B. Wilburn
State Bar No. 24033342
Helen S. Gilbert
State Bar No. 00786263
GILBERT WILBURN PLLC
7000 N. Mopac Expwy, Suite 200
Austin, Texas 78731
Telephone: (512) 535-1661
Telecopier: (512) 535-1678
By:

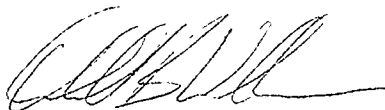


Randall B. Wilburn

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 18th of December 2018.



Randall B. Wilburn

Exhibit A

AFFIDAVIT

THE STATE OF TEXAS §
 §
COUNTY OF Travis §

BEFORE ME, the undersigned authority, on this day personally appeared Douglas Thomas, being first duly sworn by me, upon his oath stated:

1. My name is Douglas Thomas, acting in my capacity as Managing Member of TFGP Properties, LLC, general partner of TFLP Investments, LP (collectively the "Petitioners"). I am of sound mind, more than eighteen (18) years of age, and am capable of making this affidavit.
2. The Petitioners are submitting a Petition for Release from Certificate of Convenience and Necessity for Water Service (the "Petition") with the Public Utility Commission of Texas (the "Commission").
3. Petitioners submitted the Petition pursuant to Texas Water Code§ 13.254(a-5) and 16 Texas Administrative Code§ 24.113(r).
4. The Property (as defined in the Petition) is at least 25 contiguous acres in size.
5. The Property is subject to Sewer Certificate of Convenience and Necessity ("CCN") No. 20867 currently held by Aqua Texas, Inc., and is located in Hays County, Texas.
6. The Property is not receiving sewer service from the CCN Holder.
7. The Petitioners own the Property, as evidenced by the deeds submitted with the Petition.
8. Petitioners mailed a copy of the Petition to the CCN holder via certified mail on the day the Petitioners filed the Petition with the Commission.
9. Petitioners submitted the required mapping documents to the Commission with the Petition.

[Execution Page Follows]

Exhibit A

WITNESS MY HAND this 17 day of December, 2018.

TFLP INVESTMENTS, LP,
a Texas limited partnership

By: TFGP Properties, LLC,
its general partner

By: Douglas H. Thomas
Douglas Thomas, its Managing Member

STATE OF TEXAS

§
§
§

COUNTY OF Travis

Douglas Thomas, Managing Member of TFGP Properties, LLC, the general partner of
TFLP, Investments, LP, acknowledges this instrument before me on the 17 day of
December, 2018

Notary Seal

[Signature]
Notary Public

Term Expires: 8/15/22

