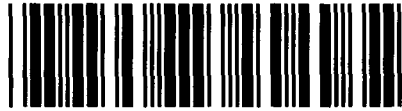




Control Number: 49231



Item Number: 6

Addendum StartPage: 0

DOCKET NO. 49231

RECEIVED

APPLICATION OF PONDER §
ENTERPRISES, INC. DBA LONGHORN §
COMPANY AND LONE STAR WATER §
COMPANY FOR SALE, TRANSFER, §
OR MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN DENTON §
COUNTY §

APR 19 PM 2:52
BEFORE THE
PUBLIC UTILITY COMMISSION
FILING CLERK
PUBLIC UTILITY COMMISSION
OF TEXAS

APPLICANTS' SUPPLEMENTAL INFORMATION TO APPLICATION

Ponder Enterprises, Inc., d/b/a Longhorn Company (Ponder) and Lone Star Water Company (Lone Star) (collectively, Applicants) filed an Application for the Sale, Transfer, or Merger of its Facilities and Certificate Rights in Denton County (Application) on February 15, 2019. The Commission issued Order No. 2 on March 21, 2019, finding the Application administratively incomplete. Order No. 2 requires the Applicants to supplement the Application to cure the identified deficiencies by April 18, 2019. Ponder has permission to make this filing on behalf of Lone Star. Pursuant to Order No. 2, this Supplemental Information to the Application is timely filed.

I. BACKGROUND

In the Application, the Applicants mistakenly stated that they seek to transfer all of water CCN No. 12810. In Staff's Recommendation on Administrative Completeness and Proposed Procedural Schedule, filed on March 14, 2019, Staff recommended that the Application be found administratively incomplete due to inconsistencies in the Application content and mapping information. The memorandum of Jolie Mathis, attached to Staff's recommendation, noted that the mapping information does not include all of the certified area under water CCN No. 12810. Specifically, the mapping information does not include an area of approximately 420 acres on the border of Denton and Wise counties, in the area of Duessen Road and Merritt Ranch Road. Staff

6

asks that the applicants resolve the discrepancy and provide clarification regarding the acreage and number of connections included in the requested area.

The Applicants did not intend to include the approximately 420 acres noted in Staff's memorandum in the Application. Therefore, the Application should be amended to reflect that applicants seek to transfer a *portion* of water CCN No. 12810—only the portion identified in the Application. Because the approximately 420 acre area identified by Staff is not contemplated in the proposed CCN transfer, the mapping information, acreage, and number of connections provided in the Application remains correct and does not need amending.

II. SUPPLEMENTAL INFORMATION TO THE APPLICATION

Applicants hereby file this Supplemental Information to amend the Application. This filing seeks to correct the Application to reflect that the proposed transaction will transfer only a portion of the CCN No. 12810. The portion of the CCN contemplated in the proposed transaction is the portion included in the mapping information found in Attachment 9 to the Application. The approximately 420 acre area on the border of Denton and Wise counties discussed in Staff's memorandum is not contemplated as part of the proposed transaction. Therefore, all of the maps, acreage, and number of connections provided in the Application are correct and do not require revision.

The applicants note that this Supplemental Information changes the following pages in the Application:

- (1) Page 3 of the Application should reflect that the proposed transaction will transfer only a portion of water CCN 12810; and
- (2) Page 143, Attachment 9, should reflect that the proposed transaction will transfer only a portion of water CCN 12810.

Respectfully submitted,

LLOYD GOSSELINK
ROCHELLE & TOWNSEND, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 322-5800
(512) 472-0532 (Fax)
dklein@lglawfirm.com
jmauldin@lglawfirm.com




DAVID J. KLEIN
State Bar No. 24041257

JAMIE L. MAULDIN
State Bar No. 24065694

ATTORNEYS FOR PONDER ENTERPRISES,
INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was transmitted by e-mail, fax, hand-delivery and/or regular, first class mail on this 9th day of April 2019, to the parties of record.


DAVID J. KLEIN