



Control Number: 49277



Item Number: 53

Addendum StartPage: 0

DOCKET NO. 49277

RECEIVED  
2020 NOV 12 PM 1:02  
BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS

APPLICATION OF THE CITY OF §  
FORT WORTH FOR A SEWER §  
CERTIFICATE OF CONVENIENCE §  
AND NECESSITY IN TARRANT, §  
DENTON, WISE AND PARKER §  
COUNTIES §

PUBLIC UTILITY COMMISSION  
OF TEXAS

**CITY OF FORT WORTH’S THIRD SUPPLEMENT TO AMENDED APPLICATION**

COMES NOW, the City of Fort Worth, Texas (“City”), by and through its undersigned attorneys of record, and files this Third Supplement to Amended Application. In support thereof, the City would show as follows:

**I. BACKGROUND**

On March 1, 2019, the City filed an application (“Application”) with the Public Utility Commission of Texas (“Commission”) to obtain a sewer Certificate of Convenience and Necessity in Tarrant, Denton, Wise, and Parker Counties, Texas. The City filed an Application Amendment on October 16, 2019, a First Supplement to Amended Application on February 20, 2020, and a Second Supplement to Amended Application on May 19, 2020 (the Application, as amended and supplemented, is the “Amended Application”).

On August 31, 2020, the City of Weatherford (“Weatherford”) filed a request to intervene in this proceeding, indicating that the service area sought under the Amended Application (the “Requested Area”) extended into Weatherford’s extraterritorial jurisdiction (“ETJ”). On September 4, 2020, Robert and Betty Browder filed a letter requesting that their property be excluded from the Requested Area (the “Opt-Out Request”). On September 29, 2020, the Administrative Law Judge (“ALJ”) issued Order No. 17, establishing a deadline of October 12, 2020 for the City to file revised mapping documentation to cure certain deficiencies identified in a PUC Interoffice Memorandum, dated September 28, 2020 (the “Memo”). Specifically, the

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Memo requested that the City address the Opt-Out Request and, if possible, the concerns raised by Weatherford. On October 8, 2020, the City filed an Agreed Motion for Extension of Time to Respond to Order No. 17, and on October 12, 2020, the ALJ issued Order No. 18, granting the extension and establishing a deadline of November 12, 2020 for the City to file revised mapping documentation to cure the deficiencies identified in the Memo. Therefore, this Third Supplement to Amended Application is timely filed.

## **II. SUPPLEMENT TO AMENDED APPLICATION**

In accordance with Order No. 17, the City hereby supplements its Amended Application with additional information and mapping content responsive to the requests in the Memo. Specifically, the City submits the following:

Attachment A: A detailed map identifying the revised Requested Area, which no longer extends into Weatherford's ETJ or includes the tracts of land subject to the Opt-Out Request, in reference to verifiable man-made and natural landmarks such as roads, rivers, and railroads. This map also identifies, in relation to the revised Requested Area, the outer boundary of each tract of land subject to the Opt-Out Request; and

Attachment B: A CD-ROM containing digital mapping data in a shapefile format georeferenced in either NAD 83 Texas State Plane Coordinate System or in NAD 83 Texas Statewide Mapping System for the revised Requested Area, depicting the removal of those portions of the Requested Area that previously extended into Weatherford's ETJ and the tracts of land subject to the Opt-Out Request. This

digital mapping data includes a single, continuous polygon record for the revised Requested Area, the tracts of land subject to the Opt-Out Request, and the area removed from Weatherford's ETJ.

Attachment C: Email correspondence between City Staff and Commission Staff, indicating that the reduction in Requested Area made to address the concerns raised by Weatherford would be adequately shown by "the correspondence and exhibits that were created by the City's survey team as part of the boundary adjustment shared with Weatherford."

Attachment D: The email correspondence referenced in Attachment C, which contains confirmation from Rick Shaffer, City of Weatherford Director of Water Utilities, that "Fort Worth and Weatherford have resolved [their] overlap issue," including map exhibits created by the City's survey team and shared with Weatherford as part of the boundary adjustment process.

Attachment E: A map identifying the small triangular portion of the previous Requested Area which extended into Weatherford's ETJ. When compared to the map included in Attachment A, it is clear that this area has been removed from the revised Requested Area.

The total acreage of the revised Requested Area is 25,452.862 acres.

**III. CONCLUSION**

The City of Forth Worth respectfully requests that the Commission approve its Amended Application and grant all other and further relief to which it may be entitled.

Respectfully submitted,

**LLOYD GOSSELINK  
ROCHELLE & TOWNSEND, P.C.**  
816 Congress Ave., Suite 1900  
Austin, Texas 78701  
(512) 322-5800  
(512) 472-0532 (Fax)

DAVID J. KLEIN  
State Bar No. 24041257



---

MARIS M. CHAMBERS  
State Bar No. 24101607

**ATTORNEYS FOR THE CITY OF FORT  
WORTH**

**CERTIFICATE OF SERVICE**

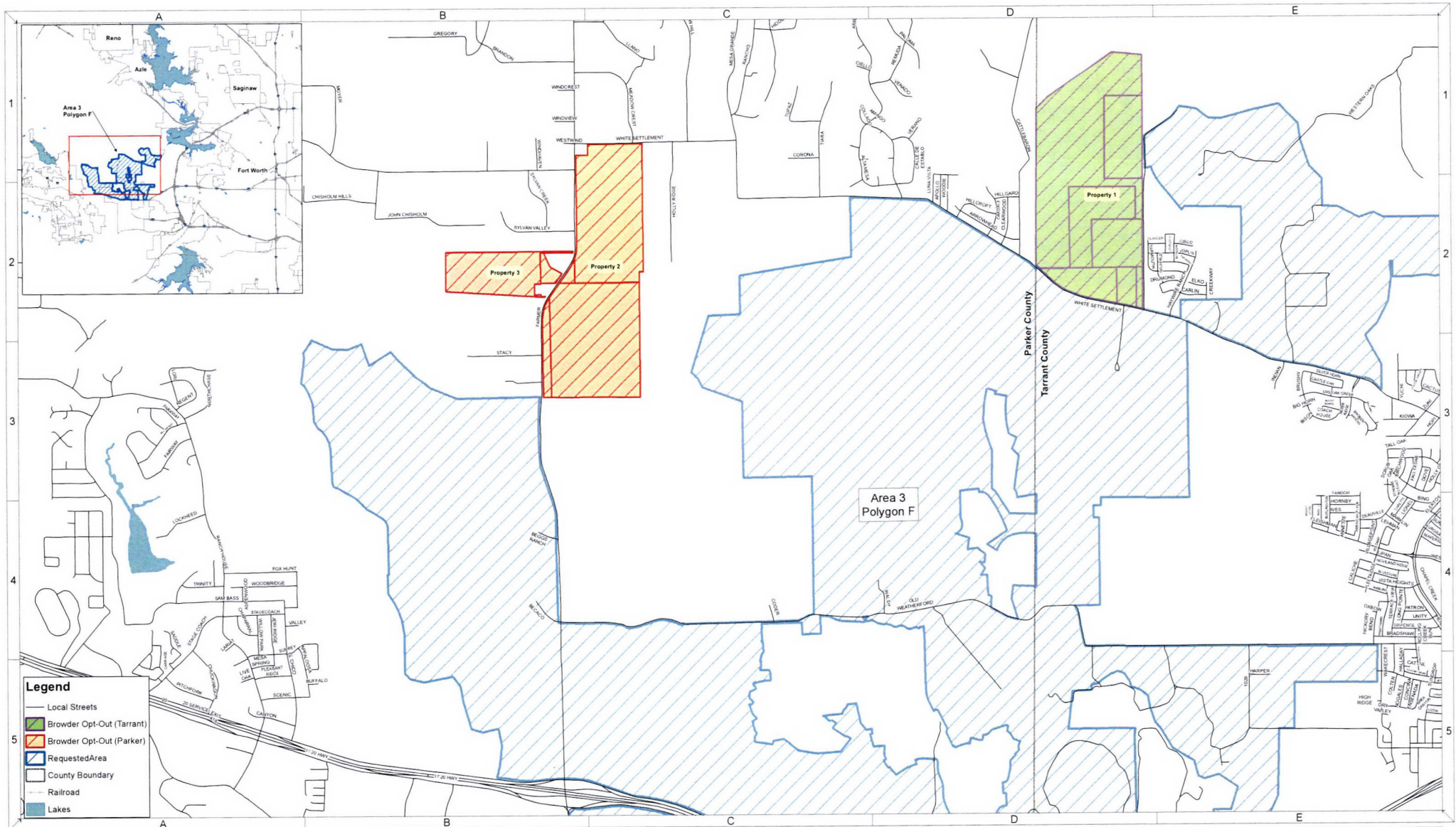
I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on November 12, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.



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MARIS M. CHAMBERS

**Attachment A**  
**Detailed Map of Revised Requested Area**



11/3/2020  
 COPYRIGHT 2020 CITY OF FORT WORTH  
 UNAUTHORIZED REPRODUCTION IS A VIOLATION OF APPLICABLE LAWS  
 THIS DATA IS TO BE USED FOR A GRAPHICAL REPRESENTATION ONLY  
 THE ACCURACY IS NOT TO BE TAKEN FOR USE AS DATA PRODUCED FOR  
 ENGINEERING PURPOSES OR BY A REGISTERED PROFESSIONAL LAND  
 SURVEYOR. THE CITY OF FORT WORTH ASSUMES NO RESPONSIBILITY  
 FOR THE ACCURACY OF SAID DATA.

### Large Scale Map Fort Worth Water Proposed Amendment - Browder Opt-Out Parcels to CCN Area 3

**FORT WORTH**  
  
**WATER**

0 1,300 2,600 5,200 Feet

North Arrow

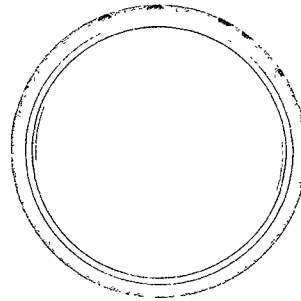
Attachment B  
CD-ROM Containing Digital Mapping Data

[CD-ROM included with separately-filed hard-copy materials.]



**PUC DOCKET NO. 49277**

APPLICATION OF THE CITY OF FORT WORTH FOR A  
SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY  
IN TARRANT, DENTON, WISE AND PARKER COUNTIES



**ATTACHMENT B – DIGITAL DATA**

City of Fort Worth's Third Supplement to  
Amended Application  
November 12, 2020

Attachment C  
Email Correspondence Between City Staff and Commission Staff

## Maris Chambers

---

**From:** Montes, Tracy <Tracy.Montes@puc.texas.gov>  
**Sent:** Tuesday, November 3, 2020 1:14 PM  
**To:** Goodman, Wade; Odongo, Antony  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**CAUTION:** This email originated from outside of the City of Fort Worth email system. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Wade,

Thank you for the clarification. Sounds good.

Tracy Montes, GIS Specialist  
Infrastructure Analysis & Mapping  
Infrastructure Division  
Public Utility Commission of Texas  
TEL: (512) 936-7187

**From:** Goodman, Wade <Wade.Goodman@fortworthtexas.gov>  
**Sent:** Tuesday, November 3, 2020 1:05 PM  
**To:** Montes, Tracy <Tracy.Montes@puc.texas.gov>; Odongo, Antony <antony.odongo@fortworthtexas.gov>  
**Cc:** Maris Chambers <mchambers@lglawfirm.com>; Reynolds, Christa <Christina.Reynolds@fortworthtexas.gov>; Chi-Babulal, Wendy <Wendy.Chi-Babulal@fortworthtexas.gov>; Kusnir, Matt <Matt.Kusnir@fortworthtexas.gov>; Guzman-Alvarez, Eric E <Eric.Guzman-Alvarez@fortworthtexas.gov>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**WARNING: EXTERNAL SENDER. Always be cautious when clicking links or opening attachments. NEVER provide your user ID or password.**

Tracy,

The map provide by Antony takes into account the ETJ boundary adjustment that we coordinated with the City of Weatherford. We will provide the correspondence and exhibits that were created by the City's survey team as part of the boundary adjustment shared with Weatherford in our upcoming e-filing.

### Wade Goodman

Senior Engineering Technician  
W/WW Planning and Horizontal Asset Management Section  
Strategic Operations Division  
Fort Worth Water Department  
Phone: 817-392-7139  
Division Email Account: [WPD@fortworthtexas.gov](mailto:WPD@fortworthtexas.gov)  
[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)

City of Fort Worth – Working together to build a strong community.

How am I doing? Please contact my supervisor: [Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)

(City Council has adopted updated design criteria and study guidelines. These documents will become effective June 1, 2019. You can see the documents here: <http://fortworthtexas.gov/standards/#waterdesign>)

**From:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Sent:** Tuesday, November 3, 2020 11:39 AM  
**To:** Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**CAUTION:** This email originated from outside of the City of Fort Worth email system. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Antony,

Thank you Antony, I appreciate the call to go over the maps and shapefiles needed. As we discussed, on the large scale map, please move the Property 1 label above or below the outer boundary of the current parcel. Please provide the Browder opt-out data as two separate shapefiles, one shapefile for the Parker opt-out parcels and one shapefile for the Tarrant opt-out parcels. Also, please provide shapefile for the revised requested area named with, "Area3PolygonF."

Wade,

Please call me or email to explain how the city has decided they are resolving the Weatherford ETJ intervention. Will you all produce another large scale map showing the requested area (Area 3, Polygon F) adjusted as agreed upon with Weatherford? Or, was this adjustment made to the requested area as shown on the landowner opt-out map Antony created? Is there going to be indication of this information in a written format to explain this in the next e-filing?

Thank you,



**Tracy Montes**  
**GIS Specialist**  
**Infrastructure Analysis and Mapping**  
Public Utility Commission of Texas

**W:** (512)936-7187 [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov)

**From:** Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>  
**Sent:** Monday, November 2, 2020 4:50 PM  
**To:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Cc:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**WARNING: EXTERNAL SENDER. Always be cautious when clicking links or opening attachments. NEVER provide your user ID or password.**

Tracy,

I just got off a meeting. I will try calling you tomorrow morning.

Thanks,

Antony Odongo

---

**From:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Sent:** Monday, November 2, 2020 2:51 PM  
**To:** Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>  
**Cc:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

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Anthony,

Thank you for the revised map. Please call me when you have a moment, I have a quick few questions about the labeling of the opt outs and the inset map.



**Tracy Montes**  
**GIS Specialist**  
**Infrastructure Analysis and Mapping**  
Public Utility Commission of Texas  
**W:** (512)936-7187 [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov)

---

**From:** Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>  
**Sent:** Monday, October 26, 2020 2:37 PM  
**To:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** FW: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

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Tracy,

Here is the revised map per comments below. I was told you needed to talk about the map. I am the one assisting with this map making. Let me know when you would like to talk or if you need me to set up a WebEx meeting.

Thanks,

**Antony Odongo**  
Sr IT Programmer/Analyst  
Water Department IT – GIS  
City Hall 2<sup>nd</sup> Floor  
Phone: 817-392-6820  
[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)

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---

**From:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Sent:** Thursday, October 22, 2020 12:30 PM  
**To:** Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>  
**Cc:** Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>; Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>;  
Guzman-Alvarez, Eric E <[Eric.Guzman-Alvarez@fortworthtexas.gov](mailto:Eric.Guzman-Alvarez@fortworthtexas.gov)>  
**Subject:** FW: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

Antony,

Tracy has additional requirements on the map. See below. Please update accordingly.

Thanks,

Wade

---

**From:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Sent:** Thursday, October 22, 2020 10:59 AM  
**To:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**CAUTION:** This email originated from outside of the City of Fort Worth email system. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Wade,

After reading over the Browder opt out request, please label each property (# 1 - 3) as described in the letter and the maps (unable to view in our system) at the center of the polygons. Please add a label for White Settlement Road on the north side of Browder Opt-Out (Parker) property. Please move the requested area north slightly enough to see IH-20 on the southwest side of the detailed map. IH-20 does not need to be shown on the entire southside of the map, just enough to get all of the requested area (section) shown to the southwest. See the attached screenshot showing how much of the southwest side that I want displayed.

The revised legend's format looks good. However, please move the legend or make it smaller, so that it does not cover over the roads to the southwest of the map. Also, make the inset map much smaller (zoom in closer; 1/4 the current size), so that less roads are covered up on the map to the northwest. The inset map only needs to show the overall requested area 3, Polygon F and the nearby lakes and major highways. The city limits do not help much. On the inset map, the outer boundary of the requested area should stand out more and label as Area 3, Polygon F.

Also, please label the opt-out properties and requested area (for Area 3, Polygon F) e-filed in a shapefile format as shown on the revised map.

Please remind me how the city is resolving the Weatherford ETJ intervention. Will this map also show the requested area (Area 3, Polygon F) adjusted as agreed upon with Weatherford? So that we would not need to receive another map or digital data for this portion of the requested area? It's been a few weeks and I cannot recall if you all had worked this part out yet.

Please call me, so we may discuss these items further.



Thank you,

**Tracy Montes**  
**GIS Specialist**  
**Infrastructure Analysis and Mapping**  
Public Utility Commission of Texas

W: (512)936-7187 [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov)

---

**From:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Sent:** Wednesday, October 21, 2020 11:58 AM  
**To:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Cc:** Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Guzman-Alvarez, Eric E <[Eric.Guzman-Alvarez@fortworthtexas.gov](mailto:Eric.Guzman-Alvarez@fortworthtexas.gov)>; Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**WARNING: EXTERNAL SENDER. Always be cautious when clicking links or opening attachments. NEVER provide your user ID or password.**

Hi Tracy,

We had our meeting with our Legal teams today on the Fort Worth Sewer CCN application. I've attached the final draft map for the area affected by the Sewer CCN boundary trim adjustment for cursory review.

If everything looks good, I will forward to our legal counsel in Austin to submit (along with requested shapefiles) in our upcoming e-filing back to the PUC.

Thanks,

**Wade Goodman**

Senior Engineering Technician  
W/WW Planning and Horizontal Asset Management Section  
Strategic Operations Division  
Fort Worth Water Department  
Phone: 817-392-7139  
Division Email Account: [WPD@fortworthtexas.gov](mailto:WPD@fortworthtexas.gov)  
[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)

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*How am I doing? Please contact my supervisor: [Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)*

**((City Council has adopted updated design criteria and study guidelines. These documents will become effective June 1, 2019. You can see the documents here: <http://fortworthtexas.gov/standards/twaterdesign>))**

**From:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Sent:** Thursday, October 8, 2020 12:15 PM  
**To:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Cc:** Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Guzman-Alvarez, Eric E <[Eric.Guzman-Alvarez@fortworthtexas.gov](mailto:Eric.Guzman-Alvarez@fortworthtexas.gov)>; Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

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Wade,

I will give you a call this afternoon. My apologies for the delay.

Thank you,



**Tracy Montes**  
**GIS Specialist**  
**Infrastructure Analysis and Mapping**  
Public Utility Commission of Texas

**W:** (512)936-7187 [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov)

**From:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Sent:** Thursday, October 8, 2020 12:04 PM  
**To:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Cc:** Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Guzman-Alvarez, Eric E <[Eric.Guzman-Alvarez@fortworthtexas.gov](mailto:Eric.Guzman-Alvarez@fortworthtexas.gov)>; Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

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Hi Tracy,

Following up on your questions regarding revised map Area 3 Polygon F for the Fort Worth Sewer CCN.

Thanks,

**Wade Goodman**  
Senior Engineering Technician  
W/WW Planning and Horizontal Asset Management Section  
Strategic Operations Division  
Fort Worth Water Department  
Phone: 817-392-7139  
Division Email Account: [WPD@fortworthtexas.gov](mailto:WPD@fortworthtexas.gov)  
[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)

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*How am I doing? Please contact my supervisor: [Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)*



((City Council has adopted updated design criteria and study guidelines. These documents will become effective June 1, 2019. You can see the documents here: <http://fortworthtexas.gov/standards/#waterdesign>))

**From:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Sent:** Tuesday, October 6, 2020 1:16 PM  
**To:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

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I will send you an email response with my question then, later today.

If we need to discuss by webex afterwards, I may work one in tomorrow sometime between 10-12 and 1- 5 PM.

Thank you,

Tracy Montes, GIS Specialist  
Infrastructure Analysis & Mapping  
Infrastructure Division  
Public Utility Commission of Texas  
TEL: (512) 936-7187

**From:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Sent:** Tuesday, October 6, 2020 1:02 PM  
**To:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**WARNING: EXTERNAL SENDER. Always be cautious when clicking links or opening attachments. NEVER provide your user ID or password.**

Tracey,

I am working remotely and do not have a connection to my office phone and have not been issued a City cell phone. So in short, I cannot receive your call today.

Wade

**From:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>  
**Sent:** Tuesday, October 6, 2020 11:32 AM  
**To:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** RE: Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**CAUTION:** This email originated from outside of the City of Fort Worth email system. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Wade,

I will get back with you later today by phone. I think a phone call is all that is needed. I think you are on track. I just have one follow-up question.



Thank you,

**Tracy Montes**

**GIS Specialist**

**Infrastructure Analysis and Mapping**

Public Utility Commission of Texas

W: (512)936-7187 [tracy.montes@puc.texas.gov](mailto:tracy.montes@puc.texas.gov)

---

**From:** Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>

**Sent:** Monday, October 5, 2020 5:57 PM

**To:** Montes, Tracy <[Tracy.Montes@puc.texas.gov](mailto:Tracy.Montes@puc.texas.gov)>

**Cc:** Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Guzman-Alvarez, Eric E <[Eric.Guzman-Alvarez@fortworthtexas.gov](mailto:Eric.Guzman-Alvarez@fortworthtexas.gov)>; Odongo, Antony <[antony.odongo@fortworthtexas.gov](mailto:antony.odongo@fortworthtexas.gov)>; Reynolds, Christa <[Christina.Reynolds@fortworthtexas.gov](mailto:Christina.Reynolds@fortworthtexas.gov)>

**Subject:** Docket 49277, Item 46, Fort Worth Sewer CCN Revised Boundary Map

**WARNING: EXTERNAL SENDER. Always be cautious when clicking links or opening attachments. NEVER provide your user ID or password.**

Tracy,

As requested, the proposed Sewer CCN boundary has been amended (reduced) within Map Area 3 Polygon F. Browder Parker and Tarrant Opt-Out tracks are shown on the map as well. See attached.

Do you want to meet again via Webex to discuss?

Thanks,

**Wade Goodman**

Senior Engineering Technician

W/WW Planning and Horizontal Asset Management Section

Strategic Operations Division

Fort Worth Water Department

Phone: 817-392-7139

Division Email Account: [WPD@fortworthtexas.gov](mailto:WPD@fortworthtexas.gov)

[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)

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*How am I doing? Please contact my supervisor: [Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)*

**[[City Council has adopted updated design criteria and study guidelines. These documents will become effective June 1, 2019. You can see the documents here: <http://fortworthtexas.gov/standards/#waterdesign>]]**

Attachment D  
Email Correspondence Regarding Resolution of Weatherford Concerns

## Maris Chambers

---

**From:** Chi-Babulal, Wendy <Wendy.Chi-Babulal@fortworthtexas.gov>  
**Sent:** Thursday, September 17, 2020 4:59 PM  
**To:** Goodman, Wade; Reynolds, Christa; Harder, Christopher; Kusnir, Matt; Elliott, Mary S.; Valencia, Leo; Ramos, Melinda; Warnock, Stuart L  
**Subject:** FW: Proposed CCN Expansion

FYI

**From:** Rick Shaffer [mailto:rshaffer@weatherfordtx.gov]  
**Sent:** Thursday, September 17, 2020 4:58 PM  
**To:** Chi-Babulal, Wendy  
**Subject:** RE: Proposed CCN Expansion

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Thanks Wendy! I will respond to PUC to let them know that Fort Worth and Weatherford have resolved our overlap issue and let them know that Fort Worth will revise the boundary and Weatherford will rescind our request to intervene.

And I'll wait to hear back from Stuart or Mary to see if we need to adjust our ETJ on the south side.

Thanks!

**Rick Shaffer**

**From:** Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>  
**Sent:** Thursday, September 17, 2020 2:25 PM  
**To:** Rick Shaffer <[rshaffer@weatherfordtx.gov](mailto:rshaffer@weatherfordtx.gov)>; Elliott, Mary S. <[Mary.Elliott@fortworthtexas.gov](mailto:Mary.Elliott@fortworthtexas.gov)>; Valencia, Leo <[Leo.Valencia@fortworthtexas.gov](mailto:Leo.Valencia@fortworthtexas.gov)>  
**Cc:** Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>; Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>; Warnock, Stuart L <[Stuart.Warnock@fortworthtexas.gov](mailto:Stuart.Warnock@fortworthtexas.gov)>; Reynolds, Christa <[Christina.Reynolds@fortworthtexas.gov](mailto:Christina.Reynolds@fortworthtexas.gov)>  
**Subject:** RE: Proposed CCN Expansion

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Rick – After our internal meeting, our city surveyor determined that Fort Worth does not have the small triangle corner with FW, WP and Weatherford's ETJ comes together.

Therefore, FW will adjust our wastewater CCN boundary with PUC to eliminate that corner.

Thanks again for reaching out to help us clarify this. Let me know if you have any other questions.

**Wendy Chi-Babulal, EMBA, P.E.**  
Assistant Director – Strategic Operations  
P 817-392-8242

Fort Worth Water Department's Mission Statement: Enable our community to thrive with clean water done right every time.

**City of Fort Worth –Working together to build a strong community.**

How am I doing? Please contact my supervisor: [Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)



---

**From:** Rick Shaffer [<mailto:rshaffer@weatherfordtx.gov>]  
**Sent:** Sunday, August 30, 2020 8:37 PM  
**To:** Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>; Elliott, Mary S. <[Mary.Elliott@fortworthtexas.gov](mailto:Mary.Elliott@fortworthtexas.gov)>; Valencia, Leo <[Leo.Valencia@fortworthtexas.gov](mailto:Leo.Valencia@fortworthtexas.gov)>  
**Cc:** Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>; Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
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Hi Mary and Leo,

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Weatherford's annexations that established our ETJ (or at least what we think is our ETJ) were completed in 2008 and 2009. I can request a copy of the ordinances from our City Secretary. I appreciate your help.

**Rick Shaffer, PE**  
City of Weatherford  
Director of Water Utilities  
917 Eureka Street  
Weatherford, TX 76086  
Tel: 817-598-4473

---

**From:** Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>  
**Sent:** Friday, August 14, 2020 2:49 PM  
**To:** Elliott, Mary S. <[Mary.Elliott@fortworthtexas.gov](mailto:Mary.Elliott@fortworthtexas.gov)>; Rick Shaffer <[rshaffer@weatherfordtx.gov](mailto:rshaffer@weatherfordtx.gov)>; Valencia, Leo <[Leo.Valencia@fortworthtexas.gov](mailto:Leo.Valencia@fortworthtexas.gov)>  
**Cc:** Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>; Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** FW: Proposed CCN Expansion

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Rick – I am cc Mary and Leo with our annexation group. They may be able to help provide clarification on the ETJ question.

Mary and Leo – Would you be able to provide insight on the Weatherford ETJ boundary question?

Wendy

---

**From:** Rick Shaffer [<mailto:rshaffer@weatherfordtx.gov>]  
**Sent:** Friday, August 14, 2020 2:15 PM  
**To:** Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>  
**Cc:** Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>  
**Subject:** Proposed CCN Expansion

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Wendy,

Thanks for having the shapefiles sent over. That makes it much more clear as to what you are proposing. I emailed Weatherford's ETJ and City Limits to Wade Goodman for future reference. Attached is a map of Weatherford's ETJ, Fort Worth's ETJ and the proposed CCN. As you and Chris alluded to, the proposed CCN does not extend into Weatherford's ETJ. There is one tiny triangular corner in the northwest point of the CCN that does potentially overlap by a couple hundred feet – but that may be part of a more significant discussion about ETJ overlap.

There is quite a bit of overlap of Fort Worth's and Weatherford's ETJ on both the northeast and southeast ETJ boundaries. I do not know which is accurate though. I believe that our ETJ on the northeast was based on a 2008 annexation, and the area on the southeast was based on a 2009 annexation. If Fort Worth's ETJ had already expanded before our annexation, then we probably didn't have your updated ETJ when we expanded ours. Who should we coordinate with from Fort Worth to help determine which ETJ line is accurate?

If Fort Worth's ETJ boundary is correct, then we will need to revise our boundary line. If it is determined that Weatherford's ETJ is accurate, how difficult would it be to adjust that one corner of the CCN?

Thanks!

**Rick Shaffer, PE**  
City of Weatherford  
Director of Water Utilities  
917 Eureka Street  
Weatherford, TX 76086  
Tel: 817-598-4473

## Maris Chambers

---

**From:** Rick Shaffer <rshaffer@weatherfordtx.gov>  
**Sent:** Wednesday, September 16, 2020 2:35 PM  
**To:** Warnock, Stuart L; Valencia, Leo; Elliott, Mary S.; Chi-Babulal, Wendy  
**Cc:** Harder, Christopher; Kusnir, Matt; Goodman, Wade; Teal, Roy; Gregory, Lewis  
**Subject:** RE: Proposed CCN Expansion - ETJ Overlap Findings

**WARNING:** The sender of this email could not be validated and may not match the person in the "From" field.

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Stuart – Thank you for the detailed explanation. Based on this information, I will leave Weatherford’s ETJ boundary as shown on the north side, and I’ll wait for your summary on the south side to see if I need to make any adjustments down there.

Wendy – As this relates to the CCN expansion, Weatherford is only concerned with the small corner of that expansion that overlaps into the Weatherford ETJ. I think that area only measured a couple hundred feet. If Fort Worth is able to adjust that boundary corner in your application, then we will send an updated notice to the PUC to retract our motion.

Thanks!

**Rick Shaffer**

**From:** Warnock, Stuart L  
**Sent:** Wednesday, September 16, 2020 1:26 PM  
**To:** Valencia, Leo ; Rick Shaffer ; Elliott, Mary S. ; Chi-Babulal, Wendy  
**Cc:** Harder, Christopher ; Kusnir, Matt ; Goodman, Wade ; Teal, Roy ; Gregory, Lewis  
**Subject:** RE: Proposed CCN Expansion - ETJ Overlap Findings

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Ok all, see below and attached for my final interpretation. I apologize, I will try to stay brief but there are many factors at play here...

**The short and sweet: Weatherford appears to have the correct claim to a majority of the ETJ overlap area, and the currently published CFW ETJ has several different errors which will need to be addressed.**

I have attached 2 map exhibits. One showing issues discovered, and one showing the approximate proposed ETJ per my findings.

If you open the attached “ETJ Recreation Exhibit” I will explain further.

- The Bold green line is currently published CFW ETJ. This line needs correction in several areas. (Willow park disannexations, Weatherford first, possibly missing ordinances, etc).
- The Orange line is Weatherford’s ETJ as currently published (unchanged in this area since 410-2008-85 annex in December 2008). This line appears correct and is based on the expanded 2-mile buffer that Weatherford qualified for at an unknown date in 2009.

- The Red line is CFW ETJ recreated as of January 1st, 2009. You can see that this does NOT include any area claimed by the Weatherford ETJ, but it does leave a small gap area. The ordinances that create this buffer are 15270 dated 10/1/2002 and 9992 dated 12/18/1987.
- The red hatched area between the orange and red lines would have been excluded from any ETJ until CFW annexed additional areas in 2010 (Ordinance 19145 on 5/11/2010).
  - So in May 2010 the red hatched area would become part of the CFW ETJ
- The Pink polygons are CFW disannexations via an exchange with Willow Park that are not accounted for in the currently published ETJ feature class.

The attached "Proposed Approx Final" ETJ exhibit reflects what the current 2020 ETJ line should look like based on these findings (Bold yellow line).

\*\*\*Please note I did not analyze every possible annexation or disannexation, only the ones I found. It is my belief that this process should be completed city-wide (time-stepped expansion analysis) in order to address any other unknown City Limit and ETJ overlaps and to avoid similar conflicts in the future.

A separate email will follow regarding the southern overlap. I wanted to get the northern one out there ASAP due to the proposed CCN expansion.

I will be happy to provide additional explanation, timeframes, or to explain verbally via a Webex if desired.

Thank you,

**Stuart Warnock, RPLS, GISP**

**Land Survey Superintendent**

City of Fort Worth, Transportation and Public Works

Phone: (817) 392-8971 | Email: [Stuart.Warnock@fortworthtexas.gov](mailto:Stuart.Warnock@fortworthtexas.gov)

Address: 8851 Camp Bowie W. Blvd., Fort Worth, Texas 76116

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**From:** Warnock, Stuart L

**Sent:** Monday, September 14, 2020 2:18 PM

**To:** Valencia, Leo <[Leo.Valencia@fortworthtexas.gov](mailto:Leo.Valencia@fortworthtexas.gov)>; Rick Shaffer <[rshaffer@weatherfordtx.gov](mailto:rshaffer@weatherfordtx.gov)>; Elliott, Mary S. <[Mary.Elliott@fortworthtexas.gov](mailto:Mary.Elliott@fortworthtexas.gov)>; Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>

**Cc:** Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>; Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>

**Subject:** RE: Proposed CCN Expansion

All,

I have been working hard to comb through the data, and expect to issue a report of my findings soon (hopefully tomorrow). If you need anything else in the meantime feel free to contact me.

Thank you,

**Stuart Warnock, RPLS, GISP**

**Land Survey Superintendent**

City of Fort Worth, Transportation and Public Works



Phone: (817) 392-8971 | Email: [Stuart.Warnock@fortworthtexas.gov](mailto:Stuart.Warnock@fortworthtexas.gov)  
Address: 8851 Camp Bowie W. Blvd., Fort Worth, Texas 76116

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---

**From:** Valencia, Leo  
**Sent:** Monday, September 14, 2020 2:12 PM  
**To:** Rick Shaffer <[rshaffer@weatherfordtx.gov](mailto:rshaffer@weatherfordtx.gov)>; Elliott, Mary S. <[Mary.Elliott@fortworthtexas.gov](mailto:Mary.Elliott@fortworthtexas.gov)>; Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>  
**Cc:** Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>; Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>; Warnock, Stuart L <[Stuart.Warnock@fortworthtexas.gov](mailto:Stuart.Warnock@fortworthtexas.gov)>  
**Subject:** RE: Proposed CCN Expansion

Everyone:

As you might recall we asked our City Surveyor to look into these boundaries. He will update us when he has completed reviewing the several legal descriptions for annexations that could have led to these boundaries and have taken place on both sides over the years.

Regards,

**Leo Valencia**  
Senior Planner  
Development Services Department  
200 Texas Street  
City of Fort Worth  
Office: 817-392-2497  
Fax: 817-392-7526  
[Leo.Valencia@FortWorthTexas.Gov](mailto:Leo.Valencia@FortWorthTexas.Gov)

***“City of Fort Worth — Working together to build a strong community.”***

Helpful Links:

*Fort Worth Annexation [here](#)*

*Fort Worth Subdivision Ordinance [here](#)*

*Fort Worth Public Records & Information [here](#)*

*Fort Worth Interactive Maps [here](#)*

*Fort Worth Address Search [here](#)*



How am I doing?

Please feel free to contact my supervisor: [Mary.Elliott@FortWorthTexas.Gov](mailto:Mary.Elliott@FortWorthTexas.Gov).

In light of the recent health emergency declarations related to COVID-19 and the need to promote social distancing, many of our Development Services Department staff will be working from home. Please utilize email communication when possible. If using telephone communication leave fully detailed messages with your contact information (to include email). Staff will be frequently checking voicemail and will contact you by email as soon as possible.

**REDUCE YOUR RISK - HELP STOP THE SPREAD  
OF COVID-19 IN TARRANT COUNTY**



**PRACTICE SOCIAL DISTANCING**

Use the internet for purchases, business or entertainment



**COVER A COUGH OR SNEEZE**



**WASH HANDS WITH SOAP AND WATER**

**From:** Rick Shaffer [<mailto:rshaffer@weatherfordtx.gov>]  
**Sent:** Monday, September 14, 2020 2:02 PM  
**To:** Elliott, Mary S. <[Mary.Elliott@fortworthtexas.gov](mailto:Mary.Elliott@fortworthtexas.gov)>; Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>; Valencia, Leo <[Leo.Valencia@fortworthtexas.gov](mailto:Leo.Valencia@fortworthtexas.gov)>  
**Cc:** Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>; Kusnir, Matt <[Matt.Kusnir@fortworthtexas.gov](mailto:Matt.Kusnir@fortworthtexas.gov)>; Goodman, Wade <[Wade.Goodman@fortworthtexas.gov](mailto:Wade.Goodman@fortworthtexas.gov)>  
**Subject:** RE: Proposed CCN Expansion

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Mary,

Was Leo able to find information regarding the boundary question?

**Rick Shaffer**

**From:** Elliott, Mary S. <[Mary.Elliott@fortworthtexas.gov](mailto:Mary.Elliott@fortworthtexas.gov)>  
**Sent:** Monday, August 31, 2020 1:45 PM  
**To:** Rick Shaffer <[rshaffer@weatherfordtx.gov](mailto:rshaffer@weatherfordtx.gov)>; Chi-Babulal, Wendy <[Wendy.Chi-Babulal@fortworthtexas.gov](mailto:Wendy.Chi-Babulal@fortworthtexas.gov)>; Valencia, Leo <[Leo.Valencia@fortworthtexas.gov](mailto:Leo.Valencia@fortworthtexas.gov)>  
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**Subject:** RE: Proposed CCN Expansion

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Rick,

Leo is currently researching this boundary question, and will respond back to the group.

Regards,  
Mary

---

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**Sent:** Sunday, August 30, 2020 8:37 PM  
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917 Eureka Street  
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Tel: 817-598-4473

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Wendy

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Cc: Harder, Christopher <[Christopher.Harder@fortworthtexas.gov](mailto:Christopher.Harder@fortworthtexas.gov)>

Subject: Proposed CCN Expansion

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Wendy,

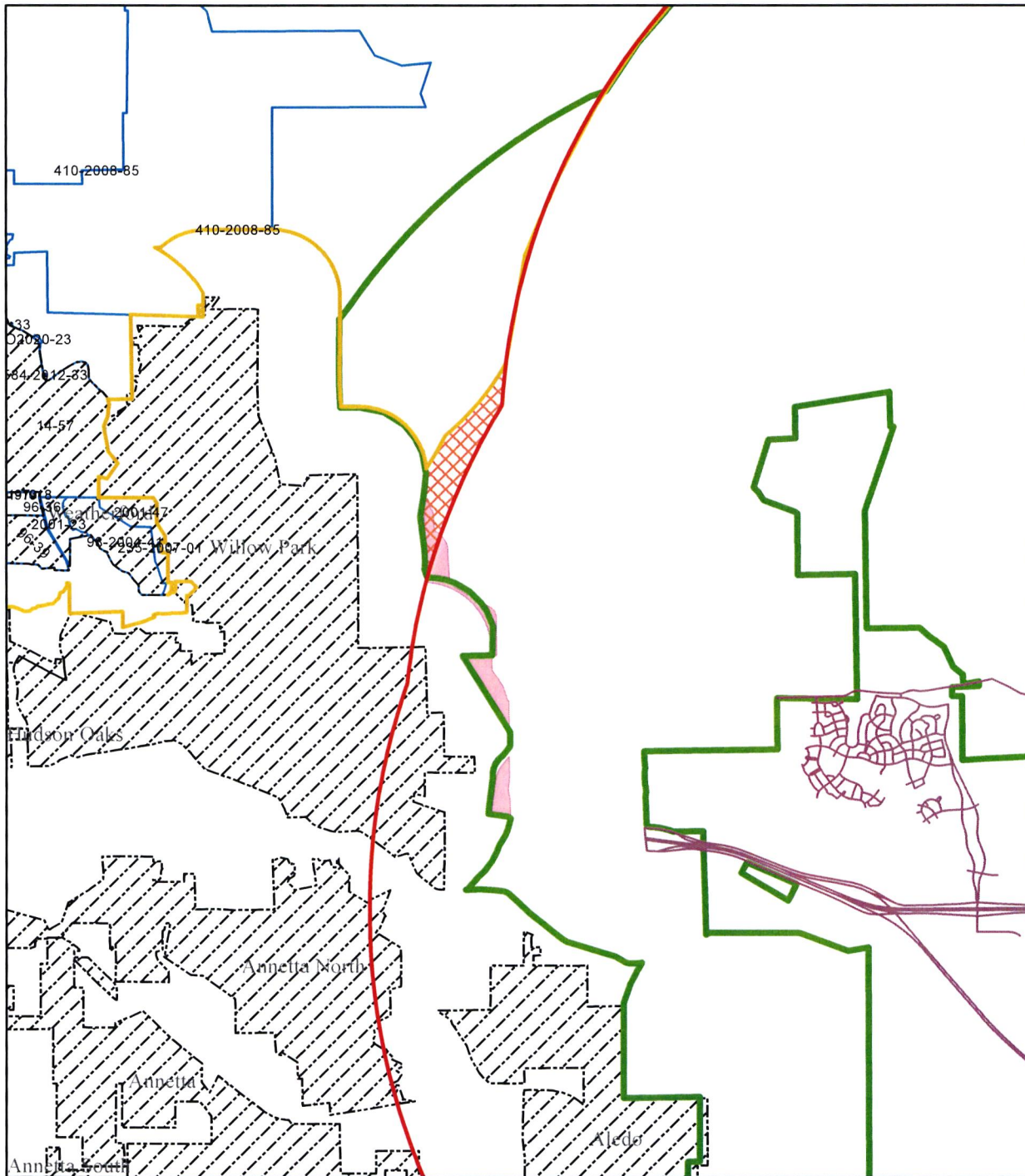
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**Rick Shaffer, PE**  
City of Weatherford  
Director of Water Utilities  
917 Eureka Street  
Weatherford, TX 76086  
Tel: 817-598-4473



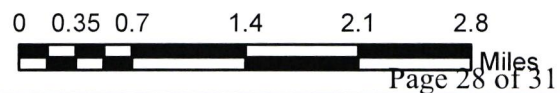
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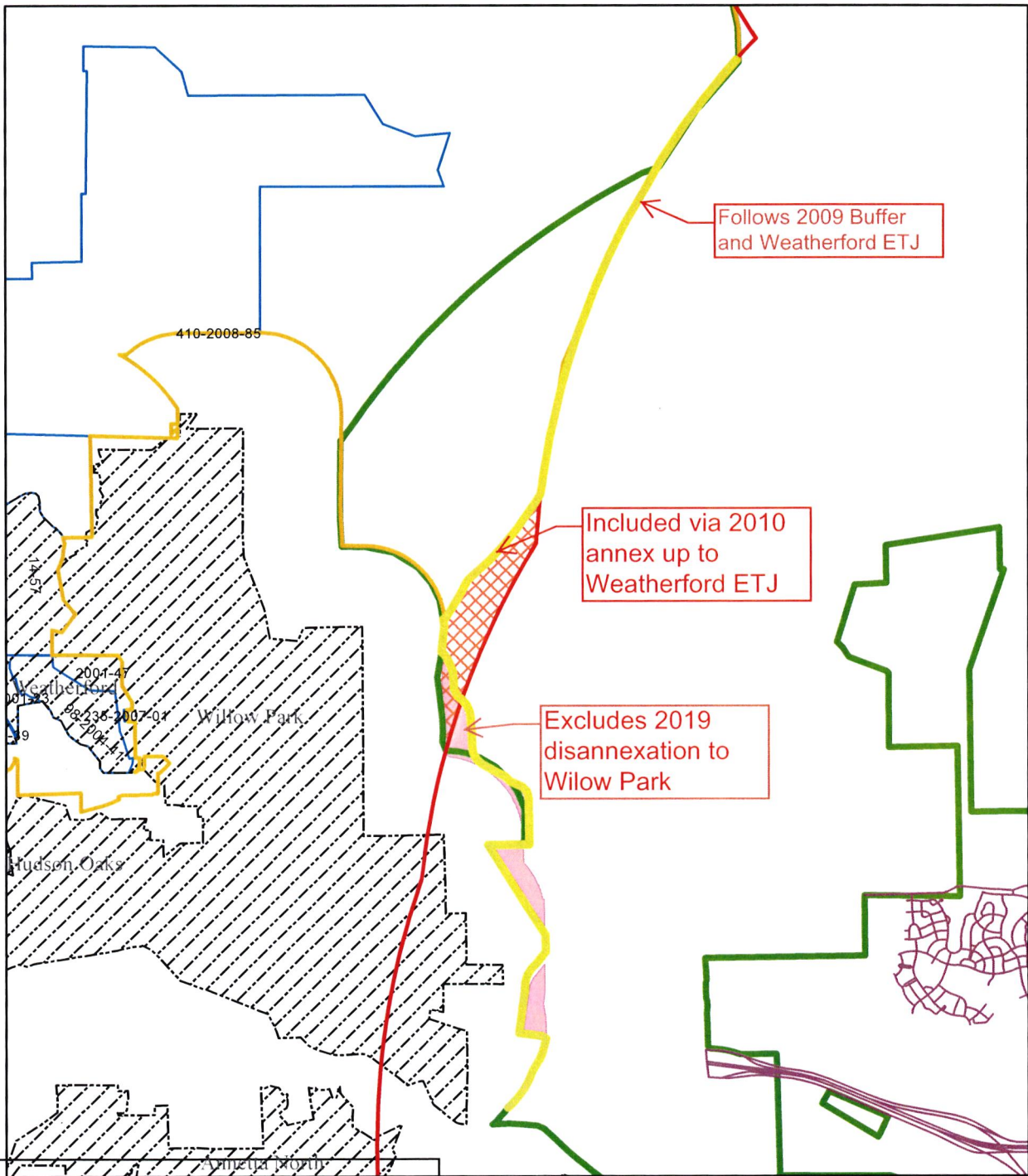
- CFW ETJ Buffer Jan-2009\_Full Purpose
- Weatherford\_ETJ\_Export\_Current
- CFW ETJ\_Currently Published
- Adjacent\_City\_Limits
- Un-Claimed\_Land\_Jan-2009
- Weatherford\_Annex
- CFW Disannexations\_Not accounted for

## CFW ETJ Analysis-January 2009









Showing Fort Worth ETJ recreation as of January 2009 - including neighboring gaps, overlaps, and potential post-2009 discrepancies.

Drawn By: Stuart Warnock  
Date: 9/16/2020





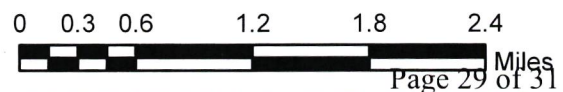
**Legend**

-  Proposed\_Corrected\_ETJ\_Approx
-  CFW ETJ Buffer Jan-2009\_Full Purpose
-  Weatherford\_ETJ\_Export\_Current
-  CFW ETJ\_Currently Published
-  Adjacent\_City\_Limits
-  Un-Claimed\_Land\_Jan-2009
-  Weatherford\_Annex
-  CFW Disannexations\_Not accounted for

# CFW ETJ Analysis-Approx Final ETJ

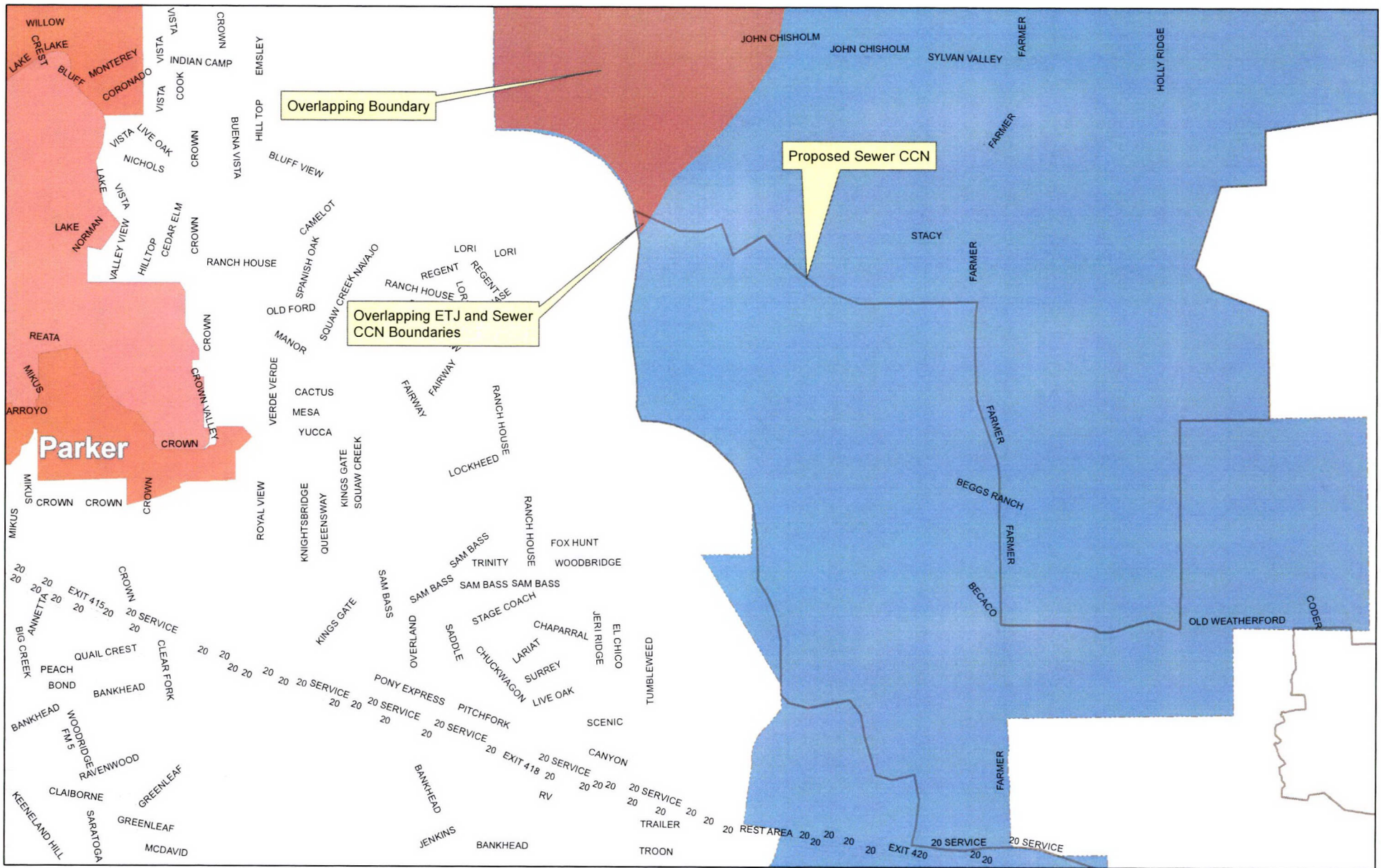
Showing approximate proposed Fort Worth ETJ

Drawn By: Stuart Warnock  
Date: 9/16/2020



Attachment E

Map Identifying Triangular Portion of Weatherford ETJ Removed from Requested Area



CFW - Weatherford ETJ Overlap  
Sewer CCN Boundary Overlap