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PETITION OF FROST BANK NATIONAL §
BANK, AS TRUSTEE OF THE §
FREEMAN EDUCATIONAL §
FOUNDATION TO AMEND THE CITY §
OF SAN MARCOS' WATER §
CERTIFICATE OF CONVENIENCE AND §
NECESSITY IN HAYS COUNTY BY §
EXPEDITED RELEASE §

BEFORE THE PUBLIC UTILITY

PUBLIC UTILITY COMMISSION
FILING CLERK

COMMISSION OF TEXAS

CITY OF SAN MARCOS' MOTION TO INTERVENE

COMES NOW the City of San Marcos, Texas ("City" or "San Marcos") and files this Motion to Intervene ("Motion") in this docket for the Petition filed by Frost Bank National Bank, as trustee of the Freeman Educational Foundation, ("Frost Bank") requesting the expedited release of an approximately 476-acre tract of land within the boundaries of the City of San Marcos' water certificate of convenience and necessity ("CCN") number 10298 in Hays County. In support of the City's Motion, the City would show as follows:

I. Motion to Intervene

Frost Bank seeks expedited release for property within the City's CCN. The City is a municipality with a portion of its CCN in Hays County, Texas. The Frost Bank property receives water service from the City and is located within the City's water CCN.

The removal of the property would impact the City's planning efforts and ability to provide retail water service to a large tract of land. Thus, the City has a justiciable interest which may be adversely affected by the outcome of this proceeding.¹ The City hereby moves to intervene in this docket and for party status as an Intervenor.

1 PUC R. 22.103.

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II. Notice of Appearance

Arturo D. Rodriguez, Jr., pursuant to PUC Proc. R. 22.101(a) hereby enters an appearance as counsel on behalf of the City in this docket. Accordingly, documents filed in this case, orders, service, and correspondence to the City should be directed to:

Arturo D. Rodriguez, Jr.
Russell Rodriguez Hyde Bullock, LLP
1633 Williams Drive, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)
Email: arodriguez@txlocalgovlaw.com

III. Conclusion and Prayer

The City respectfully requests the Commission:

- (1) Grant the City's Motion to Intervene and recognize it as a full party to this proceeding.
- (2) Grant the City all other and further relief to which it is justly entitled.

Respectfully submitted,

Russell Rodriguez Hyde Bullock LLP
1633 Williams Drive, Building 2, Suite 200
Georgetown, Texas 78628
(512) 930-1317
(866) 929-1641 (Fax)

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
State Bar No. 00791551

**ATTORNEY FOR THE CITY OF SAN
MARCOS**

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2019, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to all counsel of record.

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.