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DOCKET NO. 49433

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PETITION OF LGI HOMES –  
TEXAS, LLC, BIG SKY LLC, AND  
MINDY L. KOEHNE (TRUSTEE) TO  
AMEND BOLIVAR WATER  
SUPPLY CORPORATION'S WATER  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY IN DENTON BY  
EXPEDITED RELEASE

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PUBLIC UTILITY COMMISSION NO: 27

PUBLIC UTILITY COMMISSION  
FILING CLERK

OF TEXAS

**BOLIVAR WATER SUPPLY CORPORATION'S ORIGINAL ANSWER AND  
MOTION TO INTERVENE**

Bolivar Water Supply Corporation (Bolivar) has a unique justiciable interest in this case as the current CCN holder whose current and future utility operations and financial integrity will be directly affected by the Public Utility Commission's (PUC) certification order(s) on the petition. Bolivar requests full /intervenor status. Bolivar also requests a contested hearing on all relevant issues of fact and law in this case. Since any relief granted LGI Homes, Texas LLC (LGI), Big Sky LLC (Big Sky), and Mindy L. Koehne (Trustee) (together, Petitioners) will be adverse in some fashion to Bolivar, under the Texas Administrative Procedures Act, said order(s) must be based on a contested case record compiled under the Texas Rules of Evidence,

Texas Water Code 13.254 requires the PUC to make various findings of fact and conclusions of law based upon the contested case record. It is the petitioner's burden to prove each finding conclusion; Petitioners have not done so. Furthermore, Bolivar disputes the representations Petitioners have made. Petitioners will have to prove them at trial.

Bolivar stands ready willing and able to provide continuous and adequate water utility service to its certificated service areas. Bolivar has Texas Commission on Environmental Quality (TCEQ) quality service capacities in place to day or in the planning and development phase. Presumably some of these service capacities would be rendered useless if the petition is granted. This governmental taking must be compensated in the manner required by the Texas Constitution.

WHEREFORE, premises considered, Bolivar prays that it be allowed to intervene in this docket to defend its CCN and/or right to compensation. Bolivar prays the PUC conduct a full contested hearing on this application.

Respectfully submitted,

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By: \_\_\_\_\_

Mark H. Zeppa  
State Bar No. 22260100

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CERTIFICATE OF SERVICE

I, Mark H. Zeppa, counsel for the Applicant, certify the foregoing pleading was served in accordance with 16 TAC § 22.74 on May 9, 2019.

A handwritten signature in black ink, appearing to read "Mark H. Zeppa", written in a cursive style.

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Mark H. Zeppa

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