



Control Number: 49691



Item Number: 12

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2019 OCT 29 AM 9:38

APPLICATION OF PERRY WATER
SUPPLY CORPORATION AND TRI-
COUNTY SPECIAL UTILITY DISTRICT
FOR SALE, TRANSFER, OR MERGER
OF FACILITIES AND CERTIFICATE
RIGHTS IN FALLS, MCLENNAN,
ROBERTSON, AND LIMESTONE
COUNTIES

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PUBLIC UTILITY COMMISSION
OF TEXAS

**RESPONSE TO COMMISSION STAFF'S RECOMMENDATION ON SUFFICIENCY OF
NOTICE**

COMES NOW Tri-County Special Utility District ("Tri-County SUD") and Perry Water Supply Corporation ("Perry"), (collectively, "Applicants"), and in response to Commission Staff's Recommendation on Sufficiency of Notice shows the following:

I. Background

On June 27, 2019, Applicants filed an application for sale, merger, or transfer of facilities and certificate rights in Falls, McLennan, Robertson, and Limestone Counties. The Applicants seek to transfer Perry's certificate of convenience and necessity, facilities, service area, and customers to Tri-County SUD. The requested transfer includes approximately 606 acres and 136 current customers.

Applicants filed its proof of notice on October 11, 2019, and Staff filed their Recommendation on Sufficiency of Notice on October 21, 2019. Therefore, this pleading is timely filed.

II. Notice Information

Staff stated in their Recommendation that Applicant "did not include an example of the actual notice that was provided to the persons listed."

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Therefore, pursuant to 16 TAC § 24.239(c), Applicants have attached the following documents as Exhibits "A" and "B" respectively:

- (A) a copy of the actual notice sent to customers, neighboring utilities, and affected parties, and
- (B) the Publisher's Affidavit signed by Madison Mahoney of the Marlin Democrat, along with the "tear sheet" showing notice.

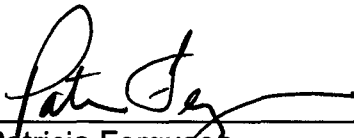
III. Conclusion

For the reasons discussed above, Applicants submit the information provided and request that Applicant's notice be found sufficient.

Dated: October 25, 2019

Respectfully submitted,

Patricia Ferguson & Associates LLC
815 West 5th Street
Clifton, Texas 76634-1519
Tel: (254) 675-8663
Fax: (254) 675-4567

By: 

Patricia Ferguson
State Bar No. 06918400
pferguson@bosquelaw.com
Attorney for Tri-County Special Utility District

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this *Response To Commission Staff's Recommendation On Sufficiency of Notice* has been forwarded to the Public Utility Commission of Texas Legal Division by email via eleanor.dambrosio@puc.texas.gov on this 25th day of October, 2019.



Patricia Ferguson

Exhibit "A"

Docket No. 49691

Notice to Current Customers, Neighboring Systems, and Cities
TRI COUNTY SPECIAL UTILITY DISTRICT, CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) NO. 10054, NOTICE OF INTENT TO PURCHASE WATER
FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11129
FROM PERRY WATER SUPPLY CORPORATION IN FALLS COUNTY, TEXAS

Date Notice Mailed: Oct 3, 2019

<u>Tri County Special Utility District</u>	<u>P.O. Box 976</u>	<u>Marlin, TX</u>	<u>76661</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase Perry Water Supply Corporation's water facilities and to transfer water certificated service area under CCN No. 11129 in Falls County, TX from:

<u>Perry Water Supply Corporation</u>	<u>246 FM 1240</u>	<u>Marlin, TX</u>	<u>76661</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code § 13.301).

The requested CCN service area subject to this transaction is a facilities plus 200 feet CCN and is located approximately 3 miles south of downtown Riesel, Texas, and is generally bounded on the north by County Road 109; on the east by County Road 120; on the south by County Road 115; and on the west by County Road 110/County Road 116.

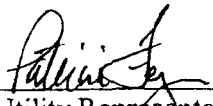
The requested area includes approximately 606 acres and 136 current customers.

A copy of the map showing the requested area is available at: 5212 Hwy 7 East, Marlin, Texas 76661

This transaction will not have an effect on the current customer's rates and services.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date.

Si desea información en español, puede llamar al 1-888-782-8477.


Utility Representative

Tri County SUD
Utility Name

Exhibit "B"

PUBLIC UTILITY COMMISSION



PUBLISHER'S AFFIDAVIT
DOCKET NO. 49691

STATE OF TEXAS

COUNTY OF Falls

Before me, the undersigned authority, on this day personally appeared Madison Mahoney
who being by me duly sworn, deposes and that (s)he is the

Bookkeeper of the Marlin Democrat
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in Falls
(COUNTY/COUNTIES)

and generally circulated in Falls, Texas:
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

October 9, 2019 + October 16, 2019
(DATES)

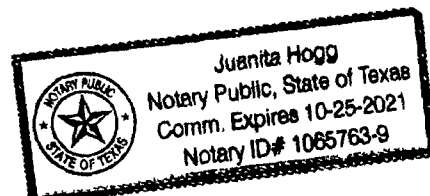
[Signature]
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 16 day of October, 2019
to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas

Juanita Hogg
Print or Type Name of Notary Public

Commission Expires 10-25-2021



people. Advanced skills with MS Office and Outlook.
Experience required. Excellent benefits, environment and hours. Please e-mail resume to EMILY@VINTAGE.COM

Are you an immigrant?
Have you been abused?

We can help.

**LONE STAR
VICTIMS
Advocacy Project**

Lone Star Victims Advocacy Project helps our clients obtain protection from deportation, the right to be and work legally in the U.S., and puts them on the path to becoming legal permanent residents.

Our legal services are free and confidential.

Call us at 1-512-715-4831, ext. 104.

Email us at josefina@lsvap.org.

Text us at 1-682-302-1736.

www.lsvap.org

Guadalupe County Fair & PR
2019, at the Seguin Events Center
getfair.org, 830-379-6477.

WATER WHEEL SUPPLY CORPORATION
The sale is scheduled for the 10th day of the month of May, 2019, at 10:00 a.m. at the County Courthouse, 1000 N. 1st St., San Antonio, Texas 78205.

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For more information on this sale, please contact the County Clerk at 1-214-772-8477.

[Signature]
County Representative

[Signature]
County Clerk

Subscribe today!
Call 254.883.2554

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