



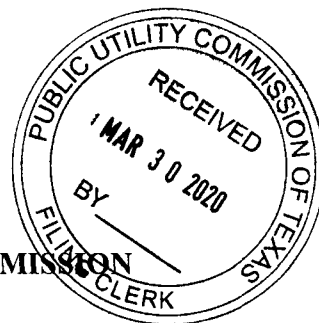
Control Number: 49834



Item Number: 23

Addendum StartPage: 0

DOCKET NO. 49834



APPLICATION OF QUADVEST, L.P.
TO AMEND ITSP SEWER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN LIBERTY
COUNTY

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§

PUBLIC UTILITY COMMISSION
OF TEXAS

NOTICE OF APPROVAL

This Notice of Approval addresses the application of Quadvest, L.P. to amend its sewer certificate of convenience and necessity (CCN) number 20952 to include an additional 43 acres of service area in Liberty County. The Commission amends Quadvest's CCN No. 20952 to include the requested area.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

1. Quadvest is a domestic limited partnership registered with the Texas secretary of state on August 31, 2005, under file number 800539284.
2. Quadvest operates, maintains, and controls facilities that provide sewer service under CCN number 20952 in Liberty County.

Application

3. On August 8, 2019, Quadvest filed an application to amend sewer CCN No. 20952 in Liberty County.
4. On September 5, 2019, Quadvest amended its application, filing a corrected page of the application.
5. On September 24, 2019, Quadvest supplemented its application with additional documentation as requested in Commission Staff's request for information.
6. Quadvest seeks to add approximately 43 acres of land to CCN No. 20952.
7. The requested service area addition is located approximately 3.5 miles northeast of downtown Plum Grove, Texas, and is generally bounded on the north by Royal Drive, on

the east by County Road 3371/Plum Tree, on the south by County Road 3401, and on the west by FM 1010/Plum Grove Road.

8. In Order No. 3 filed on November 12, 2019, the administrative law judge (ALJ) found the application administratively complete.

Notice of Application

9. On December 9, 2019, Quadvest filed the affidavit of Yvette McNellie, Quadvest's authorized representative, attesting that notice was mailed to neighboring utilities, county authorities, municipalities, and affected parties on November 13, 2019.
10. On December 9, 2019, Quadvest filed the affidavit of Victoria Bond attesting to publication of notice in the *Houston Chronicle*, a newspaper of general circulation in Liberty County, on November 20, 2019 and November 27, 2019.
11. In Order No. 4 filed on December 20, 2019, the ALJ found notice sufficient.

Certificate and Map

12. On January 27, 2020, Commission Staff emailed its proposed map and certificate to Quadvest.
13. On January 31, 2020, Quadvest filed a consent form, but omitted to indicate on the form whether it concurred with the map and certificate.
14. On February 6, 2020, Quadvest filed its corrected consent form, concurring with the proposed map and certificate.
15. On February 18, 2020, Commission Staff filed the proposed map and certificate as an attachment to its final recommendation.

Evidentiary Record

16. On February 24, 2020, Commission Staff and Quadvest filed an agreed motion to admit evidence and proposed notice of approval.
17. In Order No. 5 filed on March 18, 2020, the ALJ admitted the following evidence into the record of this proceeding: (a) Quadvest's application and attachments filed on August 8, 2019; (b) Quadvest's amendment to page two of the application filed on September 5, 2019; (c) Quadvest's supplement to the application filed on

September 24, 2019; (d) Quadvest's affidavits of mailed and published notice filed on December 9, 2019; (e) Quadvest's response to Commission Staff's first request for information filed on December 9, 2019; (f) Quadvest's corrected consent form to the final map and certificate filed on February 6, 2020, (g) Commission Staff's final recommendation and attachments filed on February 18, 2020; and (h) Commission Staff's amended final recommendation and attachment filed on February 19, 2020.

Adequacy of Existing Service – Texas Water Code (TWC) § 13.246(c)(1), 16 Texas Administrative Code (TAC) § 24.227(d)(1)

18. There is currently no sewer service provided to the requested area. Therefore, this criterion was not considered.

Need for Additional Service – TWC § 13.246(c)(2), 16 TAC § 24.227(d)(2)

19. Quadvest has received a request for service for a residential development with 83 connections. Therefore, there is a need for additional service.

Effect of Granting the Amendment – TWC § 13.246(c)(3), 16 TAC § 24.227(d)(2)

20. There will be no effect on any retail public utility servicing the proximate area as there are no other sewer providers in the area.

Ability to Serve: Managerial and Technical – TWC §§ 13.246(c)(4), 13.241(a), 16 TAC §§ 24.227(a), 24.227(d)(4)

21. Quadvest has a sewer permit registered with the Texas Commission on Environmental Quality (TCEQ) under WQ 0015061-001 with a capacity of 0.06 million gallons per day that is capable of serving 200 connections.
22. Quadvest's sewer system is operated and maintained by more than 10 individuals who hold a Class B, C, or D Wastewater Operator's License issued by the TCEQ.
23. Quadvest has the managerial and technical capability to provide continuous and adequate service to the requested area.

Ability to Serve: Financial Ability and Stability – TWC §§ 13.246(c)(6), 13.241(a), 16 TAC §§ 24.227(a), 24.227(d)(6), 24.11(e)

24. Quadvest has a debt service coverage ratio of 1.64, which is greater than 1.25, satisfying the leverage test.

25. Quadvest has sufficient cash on hand to cover any projected operations and maintenance shortages during the first five years of operations, satisfying the operations test.
26. Quadvest has the financial ability and financial stability to pay for the facilities necessary to provide continuous and adequate service to the requested area.

Financial Assurance – TWC § 13.246(d); 16 TAC § 24.227(e)

27. It is not necessary for Quadvest to be required to provide a bond or other financial assurance to ensure continuous and adequate service.

Service from Other Utilities – TWC § 13.241(c)(5); 16 TAC § 24.227(d)(5)

28. Currently, there are no other sewer providers in the adjacent area.

Regionalization or Consolidation – TWC §§ 13.241(d); 16 TAC § 24.227(b)

29. Quadvest is already serving a subdivision that is adjacent to the requested area and will not need to construct a physically separate sewer system. Therefore, concerns of regionalization or consolidation are not applicable.

Environmental Integrity – TWC § 13.246(c)(7), 16 TAC § 24.227(d)(7)

30. Amending Quadvest's CCN to include the requested area will protect the environmental integrity of the land by eliminating the need for the construction of additional onsite wastewater treatment facilities in the requested area.

Improvement in Service – TWC § 13.246(c)(8), 16 TAC § 24.227(d)(8)

31. The requested area is undeveloped and does not contain any current customers; therefore, improvement in service is not applicable.

Lowering of Cost – TWC § 13.246(c)(8), 16 TAC § 24.227(d)(8)

32. The requested area is undeveloped and does not contain any current customers; therefore, improvement in service and lowering of cost is not applicable.

Effect on the Land – TWC § 13.246(c)(9), 16 TAC § 24.227(d)(9)

33. The requested CCN amendment will have minimal effect on the land.

Informal Disposition

34. More than 15 days have passed since the completion of the notice provided in this docket.
35. No person filed a protest or motion to intervene.

36. Quadvest and Commission Staff are the only parties to this proceeding.
37. No party requested a hearing and no hearing is needed.
38. Commission Staff recommended approval of the application.
39. The decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

1. The Commission has authority over this application under TWC §§ 13.041, 13.241, 13.244, and 13.246.
2. Quadvest is a retail public utility as defined in TWC § 13.002(19) and 16 TAC § 24.3(59).
3. Notice of the application complies with TWC § 13.246 and 16 TAC § 24.235.
4. The Commission processed the application in accordance with the requirements of the Administrative Procedure Act,¹ the TWC, and Commission rules.
5. Quadvest possesses the financial, managerial, and technical capability to provide continuous and adequate service to the requested service area addition in Liberty County as required by TWC § 13.241(a) and 16 TAC § 24.227.
6. The amendment to CCN No. 20952 is required for the public convenience and necessity and is necessary for the service, accommodation, convenience, and safety of the public as required by TWC §§ 13.242 and 13.246.
7. Quadvest must record a certified copy of the approved map for the certificate amendment, along with a boundary description of the service, in the real property records of Liberty County within 31 days of receiving this Notice of Approval and submit to the Commission evidence of the recording in accordance with TWC § 13.257(r) and (s).
8. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

¹ Tex. Gov't Code ch. 2001.

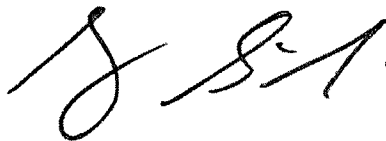
III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission approves the application, as amended and supplemented.
2. The Commission amends Quadvest's sewer CCN No. 20952 to include the requested service area as described in this Notice of Approval and shown on the attached map.
3. The Commission grants the certificate attached to this Notice of Approval.
4. Quadvest must serve every customer and applicant for service who meets Quadvest's terms of service within the service area added under CCN No. 20952 and such service must be continuous and adequate.
5. Quadvest must comply with the recording requirements in TWC § 13.257(r) and (s) for the area in Liberty County affected by the application.
6. Quadvest must file in this docket proof of the recording required in ordering paragraph five not later than 45 days after the date of this Notice of Approval.
7. The Commission denies all other motions and any other requests for general or specific relief that have not been expressly granted.

Signed at Austin, Texas the 30th day of March 2020.

PUBLIC UTILITY COMMISSION OF TEXAS



**GREGORY R. SIEMANKOWSKI
ADMINISTRATIVE LAW JUDGE**



Public Utility Commission of Texas

By These Presents Be It Known To All That

Quadvest, L.P.

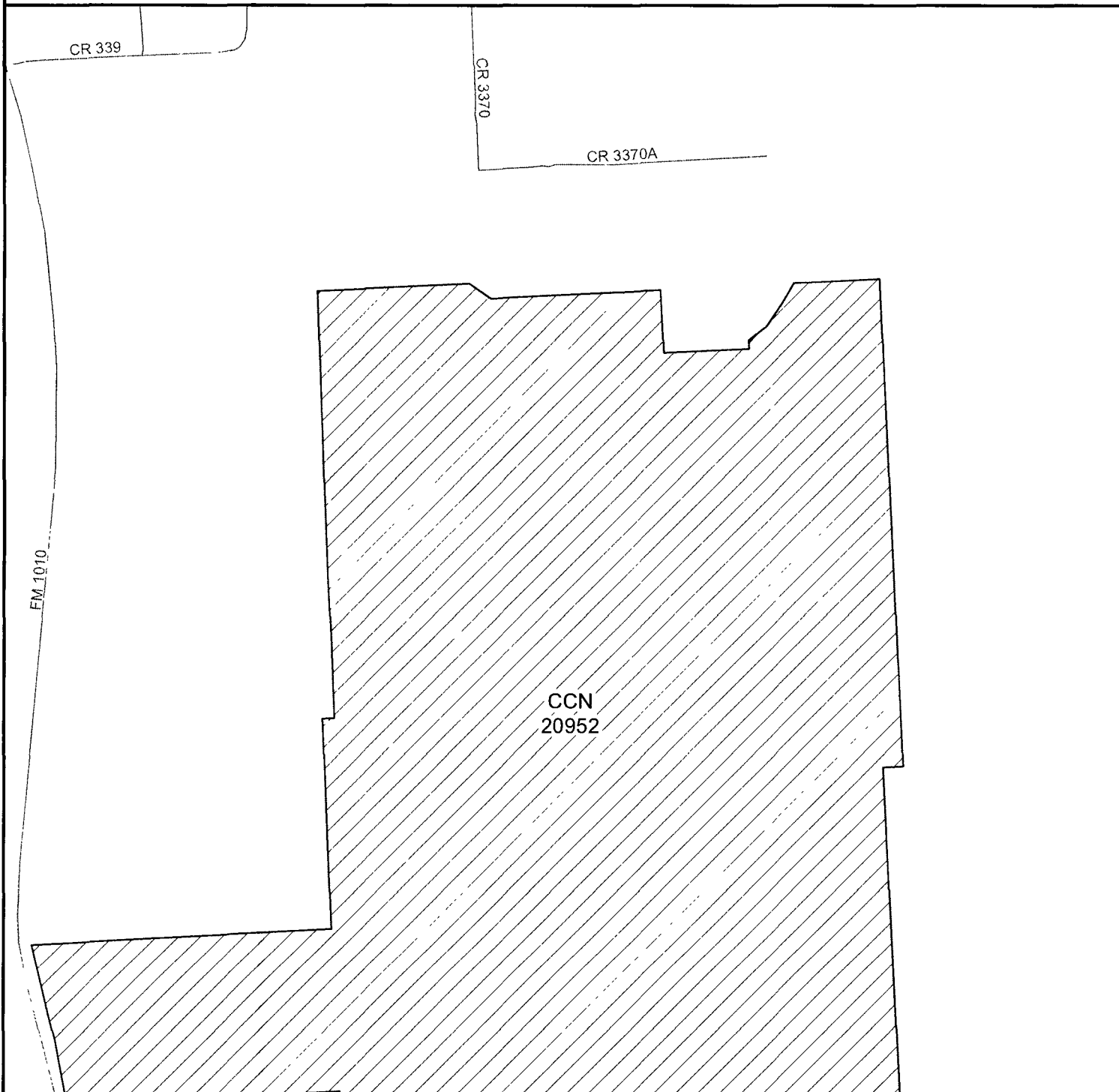
having obtained certification to provide sewer utility service for the convenience and necessity of the public, and having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Quadvest, L.P. is entitled to this

Certificate of Convenience and Necessity No. 20952

to provide continuous and adequate sewer utility service to that service area or those service areas in Harris, Fort Bend, Montgomery, Liberty, and Waller as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 49834 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Quadvest, L.P. to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.


Issued at Austin, Texas, this 30th day of March 2020.

Quadvest, L.P.
Portion of Sewer CCN No. 20952
PUC Docket No. 49834
Amended CCN No. 20952 in Liberty County



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Sewer CCN

 20952 - Quadvest LP

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Feet



Map by Komal Patel
Date created January 9, 2020
Project Path. n:\finalmapping\
49834Quadvest.mxd