



Control Number: 49838



Item Number: 7

Addendum StartPage: 0

|   |  |   |
|---|--|---|
| PETITION BY EL OSO WATER<br>SUPPLY CORPORATION AND CITY<br>OF KENEDY, TEXAS, FOR<br>APPROVAL AND ENFORCEMENT<br>OF A CCN TRANSFER<br>AGREEMENT DESIGNATING<br>CERTIFICATE OF CONVENIENCE<br>AND NECESSITY (CCN) SERVICE<br>AREAS UNDER TEXAS WATER<br>CODE §13.248 IN KARNES COUNTY | §<br>§<br>§<br>§<br>§<br>§<br>§<br>§<br>§<br>§ | 2019 OCT 15 PM 12:32<br>PUBLIC UTILITY COMMISSION<br>BEFORE THE PUBLIC UTILITY<br><br>COMMISSION OF TEXAS |
|---|--|---|

**APPLICANTS', EL OSO WATER SUPPLY CORPORATION AND  
 CITY OF KENEDY, TEXAS, SUPPLEMENT RELATED TO  
MAPPING RESPONSIVE TO THE ALJ'S ORDER NO. 2**

**TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:**

COME NOW, El Oso Water Supply Corporation ("El Oso") and the City of Kenedy, Texas (the "City") (collectively, "Applicants"), and file this Supplement its response to ALJ's Order No. 2 in Docket No. 49838, and would show the ALJ and Commission the following:

**I. BACKGROUND**

On August 9, 2019, the Applicants filed their Petition for approval of an agreement to realign their respective CCN boundaries pursuant to Section 13.248. Pursuant to ALJ Order No. 1, Applicants have been coordinating with Commission Staff on the sufficiency of Applicants' Petition and development of a procedure to move the Petition toward final disposition. On October 1, 2019, Applicants filed its response to ALJ Order No. 2 to address deficiencies in the initial mapping data and notice confirmation provided in its Petition.

**II. APPLICANTS' SUPPLEMENTAL MAPPING DATA**

Pursuant to continued coordination with PUC Staff's GIS Office, Applicants have further refined their mapping data to resolve an issue identified by Staff. Attached as **Appendix "A"** please find a Flash Drive containing a copy of the Applicants' updated Amended CCN shapefile

(Section 3 Map Requirements of the CCN Application). The enclosed updated mapping information in support of the Applicants' Petition does not materially change the locations of the areas to be modified, but rather clarifies the proposed realigned boundaries. Based upon conversations between Applicant City of Kenedy's consultant and Ms. Tracy Montes (GIS Specialist III) of the PUC, the mapping information in support of the Applicants' above referenced Petition for Approval of an Agreement under Section 13.248 to realign their respective CCN boundaries has been refined to enhance the accuracy of the affected areas. Most importantly, the proposed CCN Amendments requested to be realigned do not include any third-party customers of either Applicant.

Also included herewith as **Appendix "B,"** please find a paper copy of two updated maps submitted in support of the Applicants' Application.

### **III. CONCLUSION**

The Joint Applicants, El Oso WSC and the City of Kenedy, Texas, request PUC Staff find their Application to be sufficient and, thereafter, that the ALJ issue an Order confirming the sufficiency of the Application and entering a final procedural schedule facilitating the expeditious disposition of the Application.

**Respectfully submitted,**

**LOUIS T. ROSENBERG, P.C.**  
1024 C. Street  
Floresville, Texas 78114

By: /s/ Louis T. Rosenberg  
Louis T. Rosenberg  
State Bar No. 17271300  
(830) 216-4075 (Tel)  
(830) 393-1033 (Fax)  
[firm@ltrlaw.com](mailto:firm@ltrlaw.com)  
[sb@ltrlaw.com](mailto:sb@ltrlaw.com)  
**ATTORNEYS FOR EL OSO WATER SUPPLY  
CORPORATION**

**MCCARTHY & MCCARTHY, LLP**  
Westgate Tower  
1122 Colorado St., Suite 2399  
Austin, Texas 78701

By: /s/ Edmond R. McCarthy, Jr.  
Edmond R. McCarthy, Jr.  
State Bar No. 13367200  
(512) 904-2313 (Tel)  
(512) 692-2826 (Fax)  
[ed@ermlawfirm.com](mailto:ed@ermlawfirm.com)  
**ATTORNEYS FOR THE CITY OF KENEDY,  
APPLICANT**

**CERTIFICATE OF SERVICE**

I hereby certify, by my signature below, that a true and correct copy of the foregoing Response to Order No. 1 was electronically filed with the Commission pursuant to Rule 22.74, and forwarded via regular first class mail and/or e-mail, where available, on this the 15<sup>th</sup> day of October 2019, to the Parties or their legal counsel at the locations shown on the attached service list.

/s/ Edmond R. McCarthy, Jr.

Edmond R. McCarthy, Jr.

### SERVICE LIST

City of Kenedy, Texas  
Attn: Barbara Shaw, City Manager  
303 W. Main  
Kenedy, Texas 78119  
Tel.: (830) 583-2230  
Fax: (830) 583-2063  
E-mail: [barbara@cityofkenedy.org](mailto:barbara@cityofkenedy.org)

Representing the City of Kenedy, Texas

El Oso Water Supply Corporation  
Attn: Carolyn Pfeil Black, General Manager  
4098 South Hwy. 181  
Kenedy, Texas 78119  
Tel.: (830) 583-3543  
E-mail: [carolyn@elosowater.com](mailto:carolyn@elosowater.com)

Representing the El Oso Water Supply Corporation

Legal Division  
Attn: Heath D. Armstrong  
Public Utility Commission of Texas  
P.O. Box 13326  
Austin, Texas 78711  
Tel. (512) 936-7261  
Fax (512) 936-7268  
E-mail: [Heath.Armstrong@puc.texas.gov](mailto:Heath.Armstrong@puc.texas.gov)

Representing Public Utility Commission of Texas –  
Legal Division

Kaveh Khorzad, P.G.  
Wet Rock Groundwater Services, LLC  
317 Ranch Road 620 South, Suite 203  
Austin, TX 78734  
Tel. (512) 773-3226  
E-mail: [k.khorzad@wetrockgs.com](mailto:k.khorzad@wetrockgs.com)

Representing the City of Kenedy, Texas

Brian Cope, P.E.  
Klein & Cope Engineering  
8611 Botts Lane  
San Antonio, Texas 78217  
Phone: 210-828-7070  
Email: [bcope@kleinengineering.com](mailto:bcope@kleinengineering.com)  
Fax: 210-828-7076

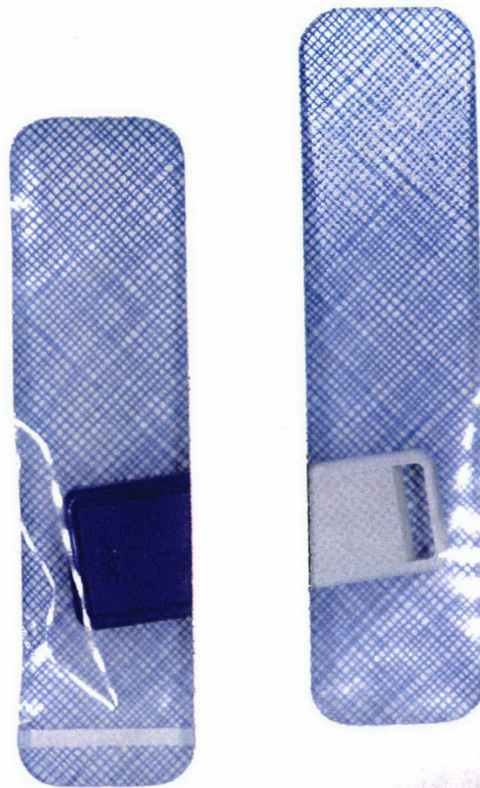
Representing El Oso Water Supply Corporation

## **Appendix “A”**

Flash Drive containing a copy of the Applicants’  
updated Amended CCN shapefile

**PUC DOCKET NO. 49838**

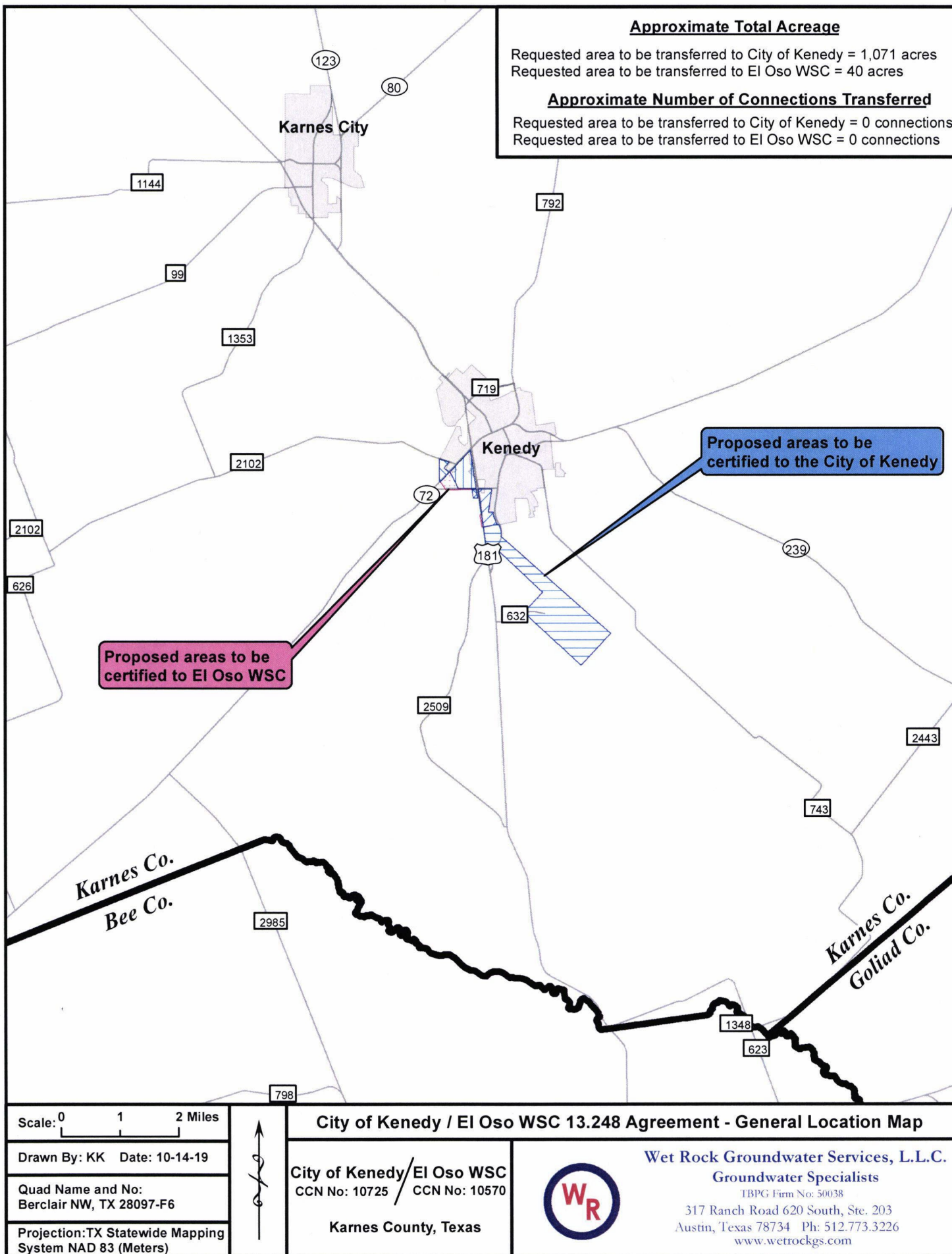
Flash Drive containing copy  
of the Applicants' updated  
Amended CCN shapefile

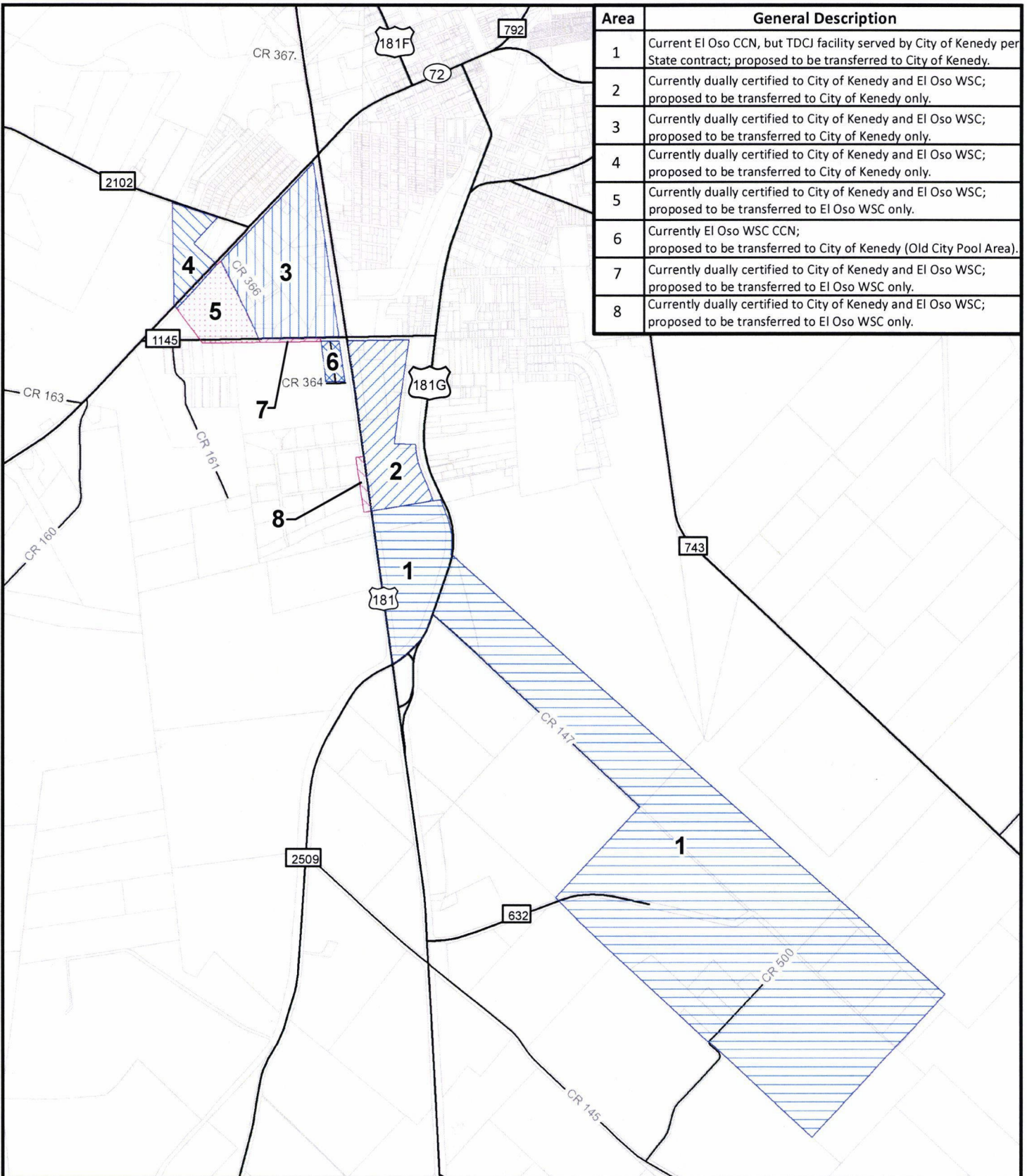


## **Appendix “B”**

Two updated maps supporting Applicants’ Application







|   |  |  |  |   |  |
|---|--|--|--|---|--|
| Scale: 0 1,250 2,500 Feet<br>Drawn By: KK Date: 10-14-19<br>Quad Name and No:<br>Berclair NW, TX 28097-F6<br>Projection: TX Statewide Mapping<br>System NAD 83 (Meters) |  | <b>City of Kenedy / El Oso WSC 13.248 Agreement - Proposed CCN Area</b><br><b>City of Kenedy / El Oso WSC</b><br>CCN No: 10725 / CCN No: 10570<br>Karnes County, Texas |  | <b>Wet Rock Groundwater Services, L.L.C.</b><br><b>Groundwater Specialists</b><br>TBPG Firm No: 50038<br>317 Ranch Road 620 South, Ste. 203<br>Austin, Texas 78734 Ph: 512.773.3226<br><a href="http://www.wetrockgs.com">www.wetrockgs.com</a> |  |
|---|--|--|--|---|--|

**OVERSIZED DOCUMENT(S)**

**TO VIEW**

**OVERSIZED DOCUMENT(S)**

**PLEASE GO TO**

**CENTRAL RECORDS**

**(512) 936-7180**

**FLASH DRIVE**  
**ATTACHED**

**TO VIEW PLEASE CONTACT**  
**CENTRAL RECORDS**  
**512-936-7180**