



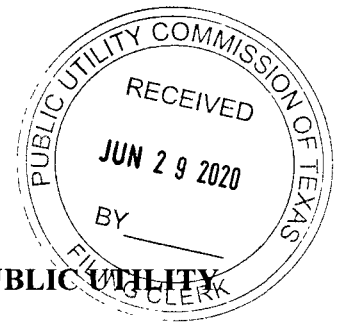
Control Number: 49926



Item Number: 37

Addendum StartPage: 0

**SOAH DOCKET NO. 473-20-3997-WS  
PUC DOCKET NO. 49926**



**APPLICATION OF CRYSTAL CLEAR  
SPECIAL UTILITY DISTRICT FOR A  
NAME CHANGE AND TO AMEND ITS  
SEWER CERTIFICATE OF  
OF CONVENIENCE AND NECESSITY  
IN COMAL, HAYS AND GUADALUPE  
COUNTIES**

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**BEFORE THE PUBLIC UTILITY**

**COMMISSION OF TEXAS**

**CITY OF SAN MARCOS' AMENDED LIST OF ISSUES**

COMES NOW the City of San Marcos, Texas ("City") and files this List of Issues in the above-referenced docket involving an amendment to a sewer certificate of convenience and necessity ("CCN") application ("Application") by Crystal Clear Special Utility District ("Applicant" or "Crystal Clear"). The Order of Referral in this case allows submission of issues by June 29, 2020. This Pleading is timely filed. The City would show as follows:

**I. LIST OF ISSUES**

1. Does the Applicant possess the financial, managerial, and technical capability to provide continuous and adequate service to the requested service area?
2. Does Applicant possess a TCEQ-approved system that is capable of meeting TCEQ's design criteria for sewer treatment plans, TCEQ rules, and the TWC?
3. Does the requested service area require the construction of a physically separate sewer system? If so, has Applicant proven that regionalization or consolidation with a retail public utility for public sewer service is not economically feasible?
4. Does Applicant's requested service area overlap with the certificated service area of the City of San Marcos?
5. Does Applicant's requested service area overlap with the certificated service area of other entities?
6. Does Applicant's requested sewer service area overlap with the extraterritorial jurisdiction of the City of San Marcos or any other municipality?

7. Is the requested sewer CCN amendment necessary for the service, accommodation, convenience, or safety of the public in the requested service area?

8. Does the balance of factors under TWC § 13.246(c) and TAC § 24.227(e) weigh in favor or against granting Applicant a CCN amendment to include the requested service area?

9. Is the served area currently receiving adequate sewer service?

10. Does the served area need sewer service or additional sewer service?

11. Have any landowners, prospective landowners, tenants, or residents in the requested service area requested sewer service?

12. Are there economic needs for additional sewer service in the requested service area?

13. Are there environmental needs for additional sewer service in the requested service area?

14. Are there written applications or requests for sewer service?

15. Are there reports or market studies demonstrating existing or anticipated growth in the requested service area?

16. What are the effects—including but not limited to regionalization, compliance, and economic effects—of granting Applicant a CCN amendment to include the requested service area on the Applicant, landowners in the requested service area, and any retail public utility that is already serving any area within 2 miles of the requested service area?

17. How will granting Applicant the CCN amendment affect the development plans of any municipality, including the City of San Marcos?

18. What is the feasibility of obtaining sewer service in the served area from an adjacent retail public utility?

19. Is Applicant financially capable of paying for the facilities necessary to provide continuous and adequate service?

20. Does Applicant have existing facilities adequate to provide continuous and adequate sewer service to the requested sewer service area? If not, are additional facilities needed to ensure that Applicant can provide continuous and adequate service to the requested service area?

21. What facilities are needed to serve the requested service area?

22. How will Applicant ensure its ability to construct said facilities?

23. Is Applicant financially stable?

24. How, if at all, would environmental integrity be affected by granting Applicant a CCN amendment to include the entire requested service area?

25. Is it probable that sewer service would be improved or costs to consumers in that area would be lowered by granting the requested certificate amendment?

26. How, if at all, would the land in the served area be affected by granting Applicant a CCN amendment to include the land?

27. Should the Commission require Applicant to provide a bond or other financial assurance to ensure that it provides continuous and adequate sewer service?

28. Does Applicant provide water or plan to provide water service in the future?

29. If the Commission grants Applicant a sewer CCN amendment, should the area added to Applicant's service area only include the area in which Applicant currently has facilities and is providing sewer service?

30. Alternatively, if the Commission grants Applicant a sewer CCN, should the area added to Applicant's service area only include the area in which it currently has facilities and is providing sewer service and to areas where it has a definite plan to construct facilities to provide sewer service?

31. Any other issue raised by the PUC Staff in its docket.

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 29th day of June 2020, 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.

Creighton R. McMurray  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7275  
(512) 936-7268 (facsimile)  
creighton.mcmurray@puc.texas.gov

Patrick L. Reznick  
Braun & Gresham, PLLC  
P.O. Box 1148  
Dripping Springs, Texas 78620  
512.894.3405 (fax)  
preznik@braungresham.com

### **ATTORNEYS FOR CARSON SELECT INVESTMENTS, LP**

Helen S. Gilbert  
Randall B. Wilburn  
Gilbert Wilburn, PLLC  
7000 N MoPac Expressway, Suite 200  
Austin, Texas 78731  
512.494.5341 (tel)  
512-472-4014 (fax)  
hgilbert@gwtxlaw.com  
rbw@gwtxlaw.com

### **ATTORNEYS FOR MCLB LAND, LLC**

Shan S. Rutherford  
Terrill & Waldrop  
810 West 10<sup>th</sup> Street  
Austin, Texas 78701  
(512) 474-9100 (tel)  
(512) 474-9888 (fax)  
srutherford@terrillwaldrop.com

### **ATTORNEYS FOR CRYSTAL CLEAR SPECIAL UTILITY DISTRICT**