

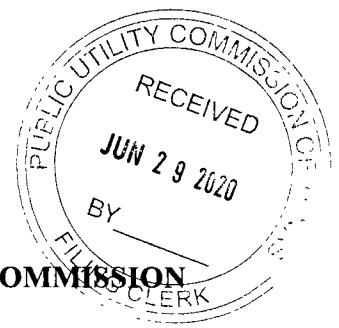


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**PUC DOCKET NO. 49926**

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

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**CARSON SELECT INVESTMENTS, LP'S LIST OF ISSUES**

NOW COMES, Carson Select Investments, LP ("Carson") and files this, its 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 and in support of this Carson would show as follows:

Carson fully supports the List of Issues filed by the City of San Marcos, Texas and in addition would like the additional List of Issues included.

1. Does the proposed discharge violate TCEQ's antidegradation policy and procedures, or negatively impact aquatic or terrestrial wildlife species, including livestock?
2. Is the draft permit protective of surface water and groundwater quality?
3. Do the nutrient limits in the draft permit comply with applicable Texas Surface Water Quality Standards?
4. Does the draft permit comply with applicable requirements to abate and control nuisance odors, as set forth in 30 TAC§ 309.13(e)?
5. Is the application complete and accurate?

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6. Do the Applicants' compliance histories or technical capabilities raise any issues regarding the Applicants' ability to comply with the material terms of the permit that warrant denying or altering the terms of the draft permit?

7. Is the issuance of the draft permit contrary to the state's regionalization policy or Texas Water Code § 26.0282?

8. Should the Commission deny or alter the terms and conditions of the draft permit based on the consideration of need under Texas Water Code § 26.0282?

9. Is the draft permit protective of the health of nearby residents?

10. How would the proposed facility negatively impact, or provide an increased risk of impact to, aquatic species, terrestrial wildlife and livestock along the proposed discharge route? Does the same impact, or potential increased risk, exist if the property owner utilized the City of San Marcos existing and adjacent system versus the new standalone facility being proposed by the applicant?

11. How would the proposed facility negatively impact, or provide an increased risk of impact to, water and groundwater quality along the proposed discharge route? Does the same impact, or potential increased risk, exist if the property owner utilized the City of San Marcos existing and adjacent system versus the new standalone facility being proposed by the applicant?

12. How would the proposed facility create, or provide an increased risk of creating, odor in the vicinity of the proposed location? Does the same impact, or potential risk, exist if the property owner utilized the City of San Marcos existing and adjacent system versus the new standalone facility being proposed by the applicant?

13. Did the applicant knowingly submit false, misleading and incomplete information to the commission in their application for the proposed facility? If so, how will the penalties, as outlined in the application, be enforced?

14. Any other issue raised by the PUC Staff in this docket.

Contrary to accusations and claims made by the applicant in various submittals to the commission, Carson has no plans to develop the property at this time or the foreseeable future. Carson has never visited with the City of San Marcos, Crystal Clear, or any other wastewater provider to discuss, contemplate or design a system that would serve the property. Furthermore, Carson has never visited with the City of San Marcos, or any other regulating authority, to discuss the subdivision, development or planning of the property for anything other than its existing agricultural operation. Carson is not against the proposed development that will be served by this application, but takes issue with the inherent risks that a standalone treatment plant poses to the property and agricultural operation versus the City of San Marcos existing and adjacent wastewater system.

Respectfully submitted,

BRAUN & GRESHAM, PLLC

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**ATTORNEYS FOR CARSON SELECT  
INVESTMENTS, LP**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on June 29, 2020 in accordance with Public Utility Commission Procedural Rule 22.74.

/s/Patrick L. Reznik  
Patrick L. Reznik

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**ATTORNEYS FOR MCLB LAND, LLC**

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