

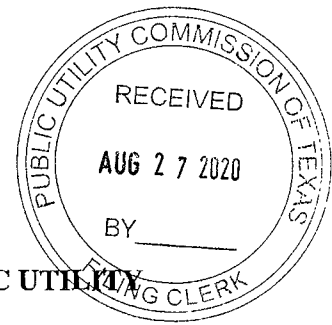


Control Number: 50041



Item Number: 25

Addendum StartPage: 0



PUC DOCKET NO. 50041

**APPLICATION OF
AIRW 2017-7, L.P., A TEXAS
LIMITED PARTNERSHIP,
FOR A CERTIFICATE OF
CONVENIENCE AND
NECESSITY**

§
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§
§
§
§

**BEFORE THE PUBLIC UTILITY
COMMISSION OF TEXAS**

**AFFIDAVIT OF MAILED NOTICE
RE-SENT TO THE CITY OF FRISCO, TEXAS,
IN PUC DOCKET NO. 50041**

**STATE OF TEXAS §
 §
COUNTY OF TRAVIS §**

Date: August 27, 2020

Affiant: Edmond R. McCarthy, Jr.

Affiant, Edmond R. McCarthy, Jr., after having been duly sworn, on oath swears that the following statements are true and correct, and within his personal knowledge:

1. I am the attorney of record for the Applicant, AIRW 2017-7 LP, a Texas limited partnership (the "Applicant"), in connection with its Application for a Certificate of Convenience and Necessity ("CNN") in PUC Docket No. 50041.
2. I am qualified and authorized to make this affidavit and file it with the Public Utility Commission of Texas on behalf of the Applicant in this PUC Docket No. 50041.
3. I am personally familiar with the notices given with this Application, and have complied with all notice requirements in the application and application acceptance letter, including the Administrative Law Judge's Order No. 7, dated August 12, 2020, directing that the Applicant to mail "Notices" as described in the August 10, 2020, memorandum of Patricia Garcia, PUC Staff.
4. On August 14, 2020, I mailed the Notices to the following persons and entities at the addresses below from the Capitol Station Post Office in Austin, Travis County, Texas:

City of Celina, Texas
302 W. Walnut Street
Celina, TX 75009

City of McKinney, Texas
P.O. Box 517
McKinney, TX 75070

City of Frisco, Texas
6891 Main Street
Frisco, TX 75035

Town of Prosper, Texas
P.O. Box 307
Prosper, TX 75078

North Texas Municipal Water District
P.O. Box 2408
Wylie, TX 75098

North Texas Groundwater Conservation District
P.O. Box 508
Gainesville, TX 76241

Honorable Chris Hill, Judge, Collin County, Texas
2300 Bloomdale Rd., Suite 4192
McKinney, TX 75071

AIRW-2017-7 LP
2505 N. State Highway 360, Suite 800
Grand Prairie, TX 75050

WRIA 2018-4 LP
2505 N. State Highway 360, Suite 800
Grand Prairie, TX 75050

WRIA 2018-5 LP
2505 N. State Highway 360, Suite 800
Grand Prairie, TX 75050

5. The mailed Notices referenced in Paragraph 4 above were sent both by postage prepaid certified mail and regular U.S. mail to the persons/addresses shown in the above Chart in Paragraph 4.
6. The addresses used for the mailed Notices referenced in Paragraph 4 above, including specifically for the City of Frisco, Texas, were obtained from the Commission's website at <http://www.puc.texas.gov/WaterSearch>.
7. The inquiry specific to the City of Frisco, Texas, address resulted in the site being redirected to <http://www.puc.texas.gov/WaterSearch/Utility?siteId=15591>, which yielded the following address:

CITY OF FRISCO
6891 MAIN STREET
FRISCO TX 75035

8. On August 27, 2020, both the copies of the mailed Notices to the City of Frisco, Texas, sent postage prepaid certified mail and regular U.S. mail by the undersigned Affiant on August 14, 2020, were received back by the Affiant with labels from the United States Postal Service that read:

**RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD**

Copies of the two envelopes so labeled are attached hereto as Appendix "A".

9. After rechecking to confirm the address above was the address found at the Commission directed website, the undersigned Affiant located the City of Frisco, Texas' website and found a different address indicated, *i.e.*:

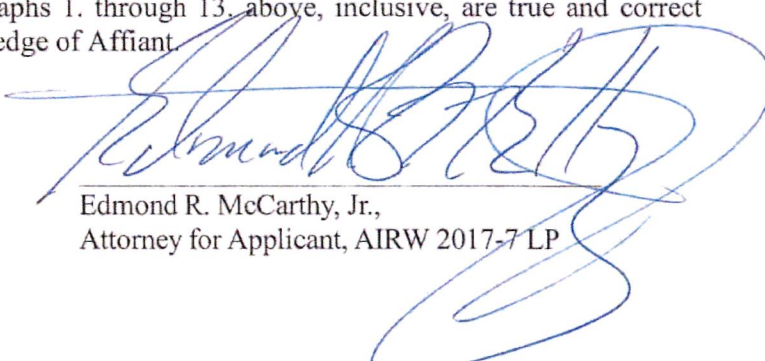
CITY OF FRISCO
6101 FRISCO SQUARE BLVD
FRISCO TX 75034

10. The undersigned Affiant then contacted the City by telephone to confirm the address listed in paragraph 9, above, and was told that since 2006, the address identified in in paragraph 9, above, is the proper address for mailing of notices to the City of Frisco, Texas.
11. On August 27, 2020, I mailed a second set of the Notice to the City of Frisco, Texas at the address below from the Capitol Station Post Office in Austin, Travis County, Texas:

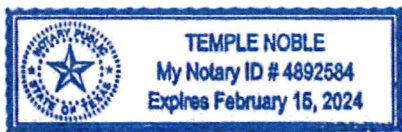
CITY OF FRISCO
6101 FRISCO SQUARE BLVD
FRISCO TX 75034

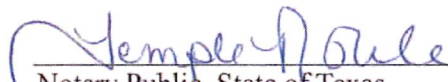
12. A copy of the Notice mailed to the City of Frisco with the corrected address, sent postage prepaid certified mail and regular U.S. mail, is attached hereto as Appendix "B."
13. A copy of the Postal Service's date stamped certified mail receipt for the Notice sent to the address identified in Paragraph 11., above, is attached hereto as Appendix "C."
14. Affiant's statements in paragraphs 1. through 13. above, inclusive, are true and correct and within the personal knowledge of Affiant.

Further Affiant sayeth not.


Edmond R. McCarthy, Jr.,
Attorney for Applicant, AIRW 2017-7 LP

SWORN TO AND SUBSCRIBED BEFORE ME by Edmond R. McCarthy, Jr., acting in his capacity as Attorney of Record for the Applicant in Docket No. 50041, AIRW 2017-7, a Texas limited partnership, on this, the 27th day of August, 2020, to certify which witness my hand and seal of office.




Notary Public, State of Texas
Printed Name: Temple Noble
Notary No.: 4892584
My Commission Expires: 2-15-24

Notary Seal: _____

CERTIFICATE OF SERVICE

I hereby certify by my signature below, that on this the 27th of August, 2020, a true and correct copy of the foregoing Affidavit of Mailed Notice in Docket No. 50041 was:

- (i) electronically e-filed with the Commission pursuant to Rule 22.74 and the Commission's Order in Docket No. 50664 addressing Covid-19 Pandemic conditions, and
- (ii) forwarded via postage prepaid regular first-class mail and/or e-mail, where available, to the Parties to Docket No. 50041 or their legal counsel at the locations shown on the attached service list.

/s/ Edmond R. McCarthy, Jr.
Edmond R. McCarthy, Jr.

SERVICE LIST

Ms. Kourtnee Jinks
Legal Division
Public Utility Commission of Texas
P.O. Box 13326
Austin, Texas 78711
Tel.: (512) 936-7265
Fax: (512) 936-7268
E-mail: kourtnee.jinks@puc.texas.gov

Representing Public Utility Commission of
Texas – Legal Division

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

Representing Petitioner - AIRW 2017-7,
L.P., a Texas limited partnership

Appendix “A”

Copy of the USPS “Return to Sender” Labeled Envelopes using the
Commission Directed Website to send Notices to the City of Frisco,
Texas, dated August 14, 2020, Mailed via Certified Mail, Return Receipt
Requested and via Regular U.S. Mail in Docket No. 50041

McCARTHY & McCARTHY, L.L.P.
1122 COLORADO ST., SUITE 2399
AUSTIN, TEXAS 78701

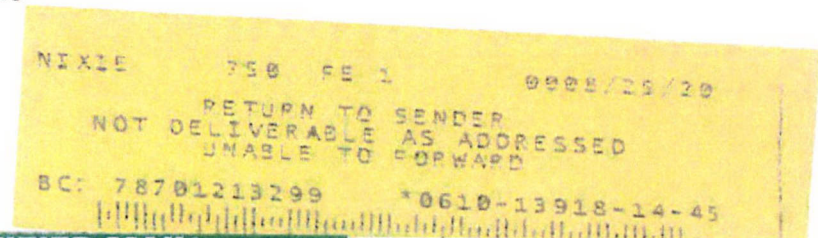


\$0.500
US POSTAGE
FIRST-CLASS
FROM 78701
AUG 13 2020
stamps
endicia



062S0011178971

City of Frisco, Texas
6891 Main Street
Frisco, TX 75035



7503434220 0004
787012132

CERTIFIED MAIL®

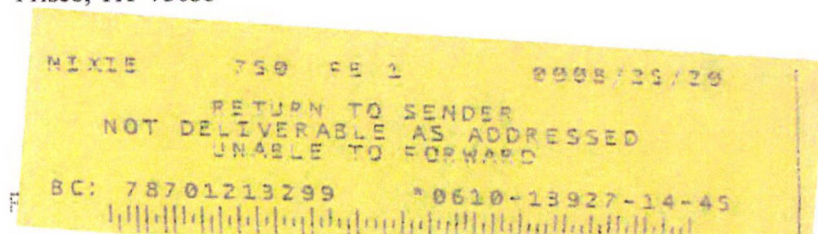
McCARTHY & McCARTHY, L.L.P.
1122 COLORADO ST., SUITE 2399
AUSTIN, TEXAS 78701



7018 3090 0001 5507 3449



City of Frisco, Texas
6891 Main Street
Frisco, TX 75035



7503434220 0004
787012132

Appendix "B"

Copy of Notice re-Mailed to the City of Frisco Texas,
via Certified Mail, Return Receipt Requested
and via Regular U.S. Mail in Docket No. 50041

Notice to Neighboring Systems, Landowners, Customers and Cities
NOTICE OF APPLICATION TO OBTAIN A CERTIFICATE OF CONVENIENCE AND NECESSITY TO
PROVIDE WATER UTILITY SERVICE IN COLLIN COUNTY, TEXAS

To: City of Frisco
(Neighboring System, Landowner, Customer or City)
6101 Frisco Square Blvd
(Address)
Frisco, TX 75034
(City) State Zip

Date Notice Mailed: August 27, 2020

AIRW 2017-7, LP has filed an application with the Public Utility Commission of Texas to obtain a water Certificate of Convenience and Necessity (CCN) No. and provide retail water utility service in Collin County.

The requested area is located approximately 7 miles west-northwest of downtown McKinney, Texas, and is generally bounded on the north by CR 123; on the east by CR 124; on the south by Wilson Creek; and on the west by N Custer Road. The total requested area includes approximately 138 acres and 0 current customers.

See enclosed map showing the requested area.

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. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

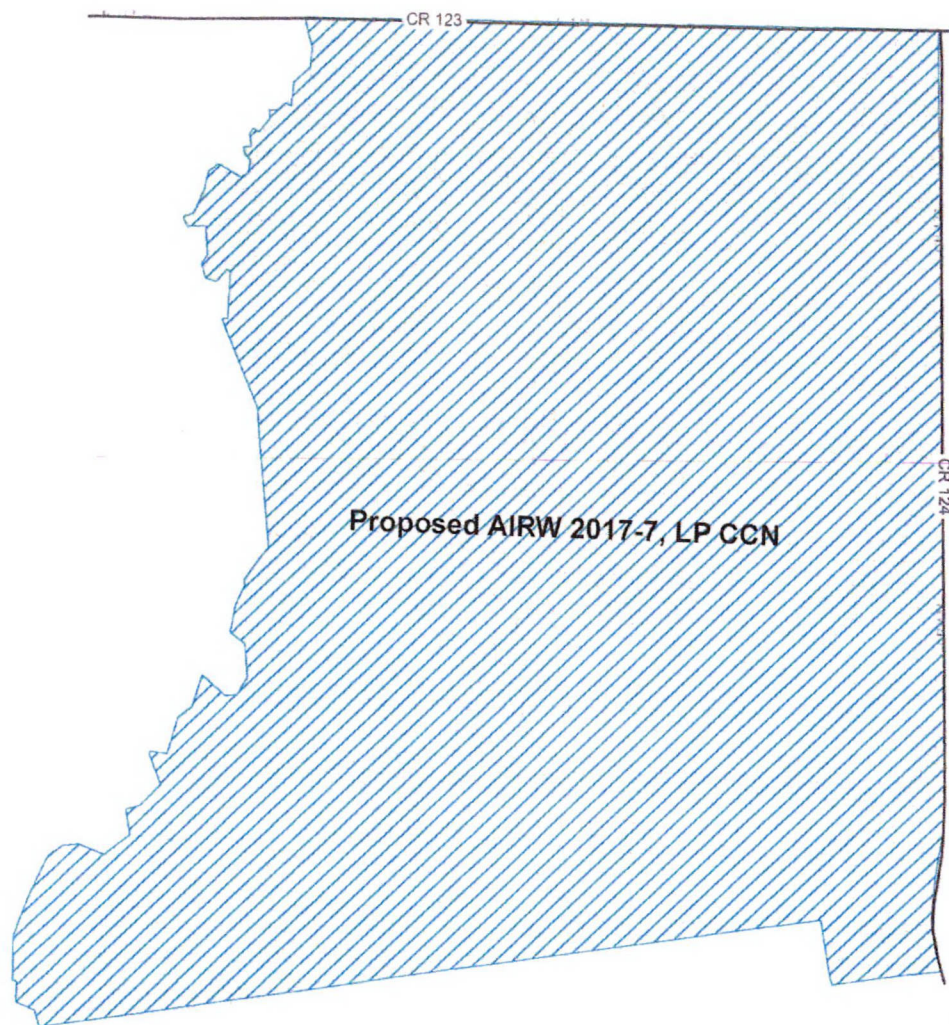
Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

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

Updated: April 13, 2020



Scale: 0 250 500 Feet

Drawn By: KK Date: 11-6-19

Quad Name and No:
McKinney West, TX 33096-B6

Projection: TX Statewide Mapping
System NAD 83 (Meters)



AIRW 2017-7, LP: CCN - Detailed Map

North Custer Road
Collin County, Texas



Wet Rock Groundwater Services, L.L.C.
Groundwater Specialists

TBPG Firm No: 50038
317 Ranch Road 620 South, Ste. 203
Austin, Texas 78734 Ph: 512.773.3226
www.wetrockgs.com

Appendix “C”

Copies of Certified Mail Receipt for Notice resent to the
City of Frisco, Texas, Via Certified Mail in Docket No. 50041

7018 3090 0001 5507 3524

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at usps.com ®.	
OFFICIAL US	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fees as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	
City of Frisco	
Street and Apt. No. or PO Box No.	
6101 Frisco Square Blvd.	
City, State, ZIP+4®	
Frisco, TX 75034	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

