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Public Utility Commission of Texas

Commissioner Memorandum

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TO: Commissioner Arthur C. D'Andrea
Commissioner Shelly Botkin

FROM: Chairman DeAnn T. Walker 

DATE: November 18, 2020

RE: November 19, 2020 Open Meeting – Item No. 19
Docket No. 50042 – *Application of Tri Try Water Supply Corporation to Obtain a Water Certificate of Convenience and Necessity in Stonewall County*

I recommend that the Commission make the following changes to the proposed order in this proceeding.

Proposed finding of fact 6 should be corrected to reflect the revised 19,260-acre requested area.

6. The requested area is located approximately one mile west of downtown Aspermont, Texas, and is generally bounded on the north by the intersection of County Road 465 and Farm-to-Market Road 2211, on the east by a point less than a mile west of the intersection of Farm-to-Market Roads 2211 and 610, on the south by County Road 476, and on the west by County Roads 421 and 423.

Proposed finding of fact 18 should be modified and proposed finding of fact 28 should be deleted to remove unnecessary and potentially incorrect information.

18. Tri Try WSC is currently providing water service to 64 customers in the 19,260-acre requested area through its existing public water system registered with the TCEQ under identification number 2170004 ~~and does not have any violations listed in the TCEQ's database.~~

- ~~28. Tri Try WSC does not have any violations listed in the TCEQ's database.~~

Proposed findings of fact 31 and 36 both state that there are no other water providers in the proximate area based on Commission Staff's amended final recommendation. However, in the application, Tri Try identified the City of Aspermont as a neighboring utility and in fact purchases treated water from Aspermont. Therefore, findings of fact 31 and 36 should be modified and a new finding of fact should be added after proposed finding of fact 31 to correct this factual error.

31. Tri Try is providing water utility service to customers in the requested service area using existing infrastructure. There are no other water providers in the proximate area from which customers could obtain service.
32. It is not feasible to obtain water utility service from an adjacent retail public utility.
- ~~3736.~~ Tri Try already serves 64 customers in the 19,260-acre requested area and will not need to construct a physically separate water system to serve the requested area. Accordingly, concerns of regionalization or consolidation do not apply. There are no other water retail public utilities in the proximate area; therefore, it is not feasible to serve the requested area through regionalization or consolidation with another public water system.

Finally, I propose delegating to the Office of Policy and Docket Management staff the authority to modify the order to conform to the Citation and Style Guide for the Public Utility Commission of Texas and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

I look forward to discussing this matter with you at the open meeting.