

Control Number: 50059



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DOCKET NO. 50059

2020 JAN 10 AM 10:47
PUBLIC UTILITY COMMISSION
FILED BY
FILING CLERK

APPLICATION OF DOUBLE DIAMOND §
UTILITIES COMPANY, INC., DOUBLE §
DIAMOND PROPERTIES §
CONSTRUCTION COMPANY, AND §
MIDWAY WATER UTILITIES, INC. §
FOR SALE, TRANSFER, OR MERGER §
OF FACILITIES AND CERTIFICATE §
RIGHTS IN HILL, PALO PINTO, §
JOHNSON, AND GRAYSON COUNTIES §

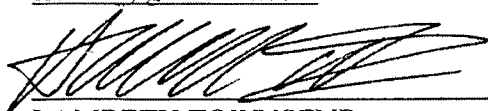
PUBLIC UTILITY COMMISSION
OF TEXAS

APPLICANTS' SUPPLEMENTAL PROOF OF NOTICE

Double Diamond Utilities Company, Inc., Double Diamond Properties Construction Company, and Midway Water Utilities (Applicants) file this Supplemental Proof of Notice, consisting of the Affidavit of William A. Faulk, III, attached hereto as Exhibit A. In Applicants' original Proof of Notice filing on December 2, 2019, they referenced that no address was available for the Aquilla Hackberry Creek Conservation District, a potentially affected entity. The Applicants have identified the correct address for Aquilla Hackberry Creek Conservation District, and on January 10, 2020, forwarded notice to that entity.

Respectfully submitted.

LLOYD GOSSELINK
ROCHELLE & TOWNSEND, P.C.
816 Congress Avenue, Suite 1900.
Austin, Texas 78701
Telephone: (512) 322-5800
Facsimile: (512) 472-0532
ltownsend@lglawfirm.com
cfaulk@lglawfirm.com



LAMBETH TOWNSEND
State Bar No. 20167500

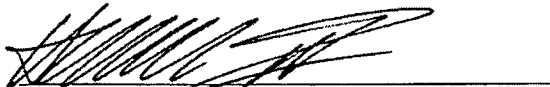
WILLIAM A. FAULK, III
State Bar No. 24075674

ATTORNEYS FOR APPLICANTS

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record in this proceeding on this 10th day of January, 2020, by hand delivery, via facsimile, and/or mailed by U.S. First Class Mail.

A handwritten signature in black ink, appearing to read 'W. A. Faulk, III', is written over a horizontal line.

WILLIAM A. FAULK, III

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES DOCKET NO. 50059

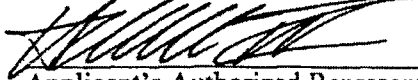
STATE OF TEXAS
COUNTY OF TRAVIS

Midway Water Utilities, Inc. has provided individual notice to the following entities and customers:

<u>Aquilla Hackberry Creek Conservation District</u>	<u>DATE OF NOTICE</u> <u>January 10, 2020</u>
_____	_____
_____	_____
_____	_____

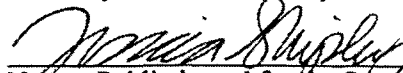
OATH

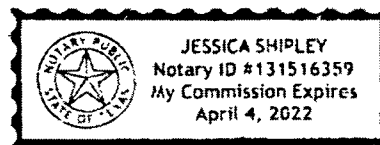
I, William A. Faulk, III, being duly sworn, file this form as Attorney of Record for Midway Water Utilities, Inc. (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.


Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 10th day of January, 2020, to certify which witness my hand and seal of office.


Notary Public in and for the State of Texas
Jessica Shipley
Print or Type Name of Notary Public



Commission Expires _____

Notice to Current Customers, Neighboring Systems, and Cities

MIDWAY WATER UTILITIES, INC. NOTICE OF INTENT TO PURCHASE WATER AND SEWER FACILITIES AND TO TRANSFER SERVICE AREAS FROM DOUBLE DIAMOND UTILITIES COMPANY, INC. WATER CCN NO. 12087 AND SEWER CCN NO. 20705, AND DOUBLE DIAMOND PROPERTIES CONSTRUCTION COMPANY’S WATER CCN NO. 13235 IN GRAYSON, HILL, JOHNSON, AND PALO PINTO COUNTIES, TEXAS

Date Notice Mailed: January 10, 2020

To: Aquilla Hackberry Creek CD
c/o Blair Russell, President
P.O. Box 246
Hillsboro, TX 76645

Midway Water Utilities, Inc. 12535 Reed Rd. Sugar Land, TX 77478
(Purchaser’s Name) (Address) (City), (State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase water and sewer facilities and to transfer water and sewer certificated service areas under CCN Nos. 12087, 13235, and 20705 in Grayson, Hill, Johnson, and Palo Pinto, TX from:

Double Diamond Utilities Company, Inc. & 5495 Belt Line Rd Ste 200 Dallas, TX 75254
Double Diamond Properties Construction Company
(Seller’s Name) (Address) (City), (State) (Zip Code)

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivision:

The requested areas to be transferred and subject to this transaction includes the following:

Rock Creek in Grayson County — CCN No. 13235

- The requested area is located approximately 2.8 miles northwest of downtown Gordonville, TX, and is generally bounded on the north by Lake Texoma and Paw Paw Creek Road; on the east by intersection of Liberty Road and Pine Grove Road; on the south by Farm to Market 901; and on the west by Farm to Market 901. The requested area includes approximately 1,415 total acres and 184 current customers.

Rock Creek in Grayson County — CCN No. 20705

- The requested area is located approximately 2.8 miles northwest of downtown Gordonville, TX, and is generally bounded on the north by Paw Creek Road; on the east by intersection of Liberty Road and Pine Grove Road; on the south by Farm to Market 901; and on the west by Farm to Market 901. The requested area includes approximately 1,219 total acres and 181 current customers.

White Bluff in Hill County — CCN Nos. 12087 and 20705

- The requested area is located approximately 5.8 miles northwest of downtown Whitney, TX, and is generally bounded on the north by County Road 1145; on the east by Farm to Market Road 933; on the south by Lake Whitney and Farm to Market Road 2604; and on the west by Lake Whitney. The requested area includes approximately 3,276 total acres and 1,236 current customers.

The Retreat in Johnson County — CCN Nos. 12087 and 20705

- The requested area is located approximately 6.5 miles southwest of downtown Rio Vista, TX, and is generally bounded on the north by Farm to Market Road 1434; on the east by Ham Creek; on the south by County Road 1108; and on the west by Farm to Market Road 1434. The requested area includes approximately 2,604 total acres and 287 current customers.

The Cliffs in Palo Pinto County — CCN Nos. 12087 and 20705

- The requested area is located approximately 11 miles southwest of downtown Graford, TX, and is generally bounded on the north by Possum Kingdom Lake; on the east by State Highway 16; on the south by intersection of State Highway 16 and Gaines Bend Drive; and on the west by Possum Kingdom Lake. The requested area includes approximately 1,241 total acres and 553 current customers.

The total requested area includes approximately 9,755 total acres and 2,444 current customers.

A copy of the map showing the requested area is available at: 1620 Grand Ave Parkway,
Pflugerville, TX 78660

This transaction will not have an effect on the current customer's rates and services.

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.

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.

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

Charles W. Profilet, Jr., P.E.
President
Monarch Utilities I L.P.