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**DOCKET NO. 50324**

<b>APPLICATION OF COUNTY LINE</b>	<b>§</b>	<b>BEFORE THE</b>
<b>SPECIAL UTILITY DISTRICT TO</b>	<b>§</b>	
<b>OBTAIN A SEWER CERTIFICATE OF</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>HAYS AND CALDWELL COUNTY</b>	<b>§</b>	<b>OF TEXAS</b>

**COUNTY LINE SPECIAL UTILITY DISTRICT'S  
AMENDED APPLICATION AND MOTION TO ADMIT ADDITIONAL EVIDENCE**

COMES NOW, County Line Special Utility District (CLSUD), by and through its undersigned attorneys of record, and files this Amended Application to obtain a sewer Certificate of Convenience and Necessity in Hays and Caldwell Counties, Texas and Motion to Admit Additional Evidence (Amended Application). In support thereof, CLSUD would respectfully show as follows:

**I. BACKGROUND**

On December 6, 2019, CLSUD filed an application for a sewer certificate of convenience and necessity (CCN) in Hays and Caldwell Counties (the Application) at the Public Utility Commission of Texas (the Commission). The Application initially contemplated a proposed sewer service area of over 17,000 acres. In working with Commission Staff as they processed the Application, CLSUD subsequently pared back its requested service area to 8,148 acres, and Commission Staff recommended approval of the Application, as supplemented and reduced, in its July 1, 2021 Supplemental Final Recommendation. The Administrative Law Judge (ALJ) issued a Revised Proposed Order for the Commission's approval on September 15, 2021. On October 18, 2021, Commission Counsel filed a Memorandum (OPDM Memo) requesting CLSUD to confirm whether it had received any written requests for sewer service within a purple color-coded area, described as "Existing City of Umland Residents," in the CCN map

CLSUD submitted in this Docket on November 3, 2020.<sup>1</sup> To address that request, CLSUD filed a Response to the OPDM Memo and Motion to Admit Evidence on October 21, 2021. In that Response, CLSUD submitted the following documents to support its contention that there was a need for CLSUD to obtain a sewer CCN over that purple color-coded area: (1) the City of Uhland's (Uhland) consent to the service area requested by the Application (Uhland's Consent), addressing an area containing 300 existing homes and businesses in the Uhland area that currently utilize septic systems and that should eventually connect to the centralized wastewater system (the Uhland Septic System Area) and (2) wastewater utility easements from 7 landowners owning 12 tracts of land that have been granted to CLSUD within Uhland's city limits (the Uhland Easement Area).<sup>2</sup>

At the Commission's Open Meeting on January 14, 2022, the Commissioners reviewed the Application and found that while Uhland's Consent was insufficient to demonstrate need for a sewer CCN over the 360-acre Uhland Septic System Area, CLSUD had demonstrated that the sewer CCN was needed over the Uhland Easement Area.

On January 25, 2022, the Commissioners issued an Order Remanding Proceeding to Docket Management, requiring CLSUD to amend its Application to revise its requested area to include the Uhland Easement Area and any other portion of the Uhland Septic System Area where CLSUD has received a request for service. To quantify and memorialize that directive, the Commissioners ordered CLSUD to identify (1) the number of acres that comprise the tracts with wastewater utility easements, which is the Uhland Easement Area; (2) the number of acres for any additional requests for service within the 360-acre area, which is Uhland Septic System

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<sup>1</sup> See, County Line SUD's Supplemental Application Information at 8 (Nov. 3, 2020).

<sup>2</sup> Some of these landowners own multiple, adjacent tracts.

Area; and (3) the total number of acres for the entire revised requested sewer CCN service area (collectively, the Three Issues).

Next, the ALJ issued Order No. 17 on February 8, 2022, requiring CLSUD's response following remand, and Order No. 18 on February 16, 2022, establishing a deadline of March 9, 2022, for CLSUD to file an amended application with the information described in the Commission's Order. Therefore, this Amended Application is timely filed.

## **II. AMENDED APPLICATION**

In accordance with the Commission's Order, CLSUD amends its Application to address the Three Issues, as follows:

1. The Uhland Easement Area consists of approximately 34 acres, and such Area remains in the sewer CCN service area requested in the Application, as amended in Section 2, below. To support, clarify, and complete the evidentiary record in this Docket on this issue, CLSUD submits a table, attached hereto as Attachment A, listing each landowner in the Uhland Easement Area that granted an easement to CLSUD and the acreage associated with each landowner, all of which is included in CLSUD's requested sewer CCN service area. Again, these landowners and easements were previously identified and provided by CLSUD to the Commission in CLSUD's October 21, 2021 filing.

2. There are 0 acres with additional requests for service or easements within the Uhland Septic System Area. CLSUD hereby removes the Uhland Septic System Area from the requested sewer CCN service area in this Docket. To clarify and complete the record, attached hereto as Attachment B is a map depicting the Uhland Septic System Area.

3. The total acreage sought by CLSUD for a sewer CCN through the Application, as amended by this Amended Application is 7,788 acres. Again, this acreage in part includes the Uhland Easement Area and does not include the Uhland Septic System Area. Attachment C

includes CLSUD's revised general location map, detailed map, and digital mapping data depicting the total requested sewer CCN service area (7,788 acres).

### **III. CONCLUSION AND PRAYER**

County Line Special Utility District respectfully requests that the Commission approve its Amended Application; grant its motion to admit the list of easements in Attachment A, map of the Uhland Septic System Area in Attachment B, and maps of the revised requested area in Attachment C into evidence in this Docket; and grant all other and further relief to which it may be entitled.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &  
TOWNSEND, P.C.**

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**ATTORNEYS FOR COUNTY LINE SPECIAL  
UTILITY DISTRICT**

**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on March 9, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

A handwritten signature in black ink, appearing to read 'D. J. Klein', is written over a horizontal line.

David J. Klein

**Attachment A**

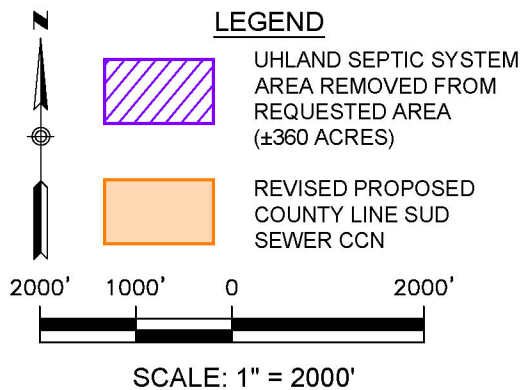
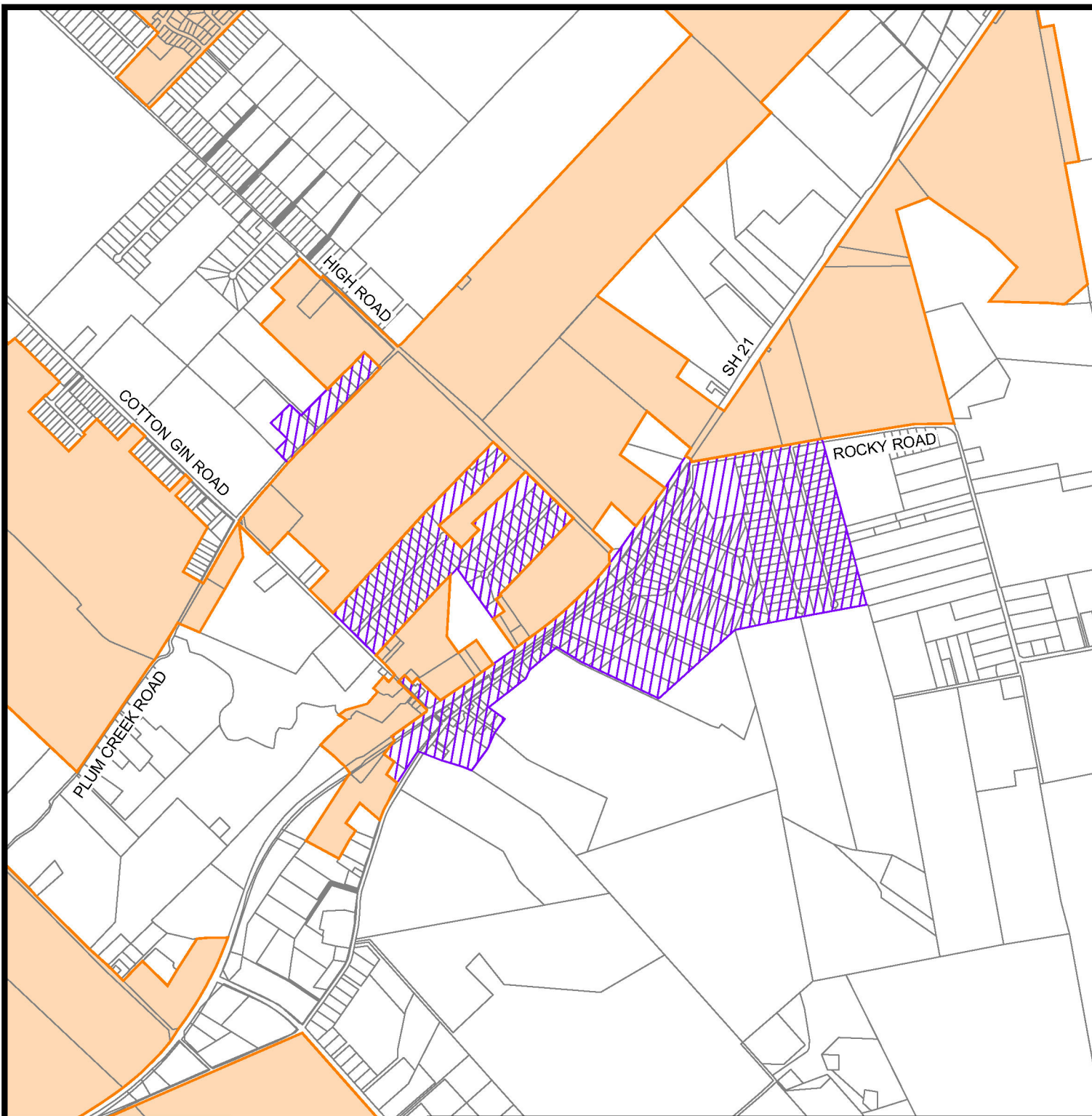
List of easements in the Uhland Easement Area filed with the Commission on October 21, 2021

<b>Names</b>	<b>Acreage</b>
Kara Janece Thomas and Jeremiah Gary Thomas	2
Poco Loco Supermercado #4, LLC fka Daly Lane, LLC	6
Socorro H. Huizar and Abel C. Rangel	5
St. John Lutheran Church <i>and</i> St. Johns Evangelical Church	3
Carmen Puente Hernandez and Jose I. Galvan	14
Rene Alejandro Urbano Campos	4
<b>Total</b>	<b>34</b>



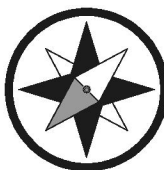
**Attachment B**

Map of Uhland Septic System Area



## COUNTY LINE SUD SEWER CCN UHLAND SEPTIC SYSTEM AREAS

MARCH 2022



**Southwest  
Engineers**

TBPE NO. F-1909  
[www.swengineers.com](http://www.swengineers.com)

### HEADQUARTERS

307 Saint Lawrence Street, Gonzales TX 78629  
P: 830.672.7546 F: 830.672.2034

### CENTRAL TEXAS

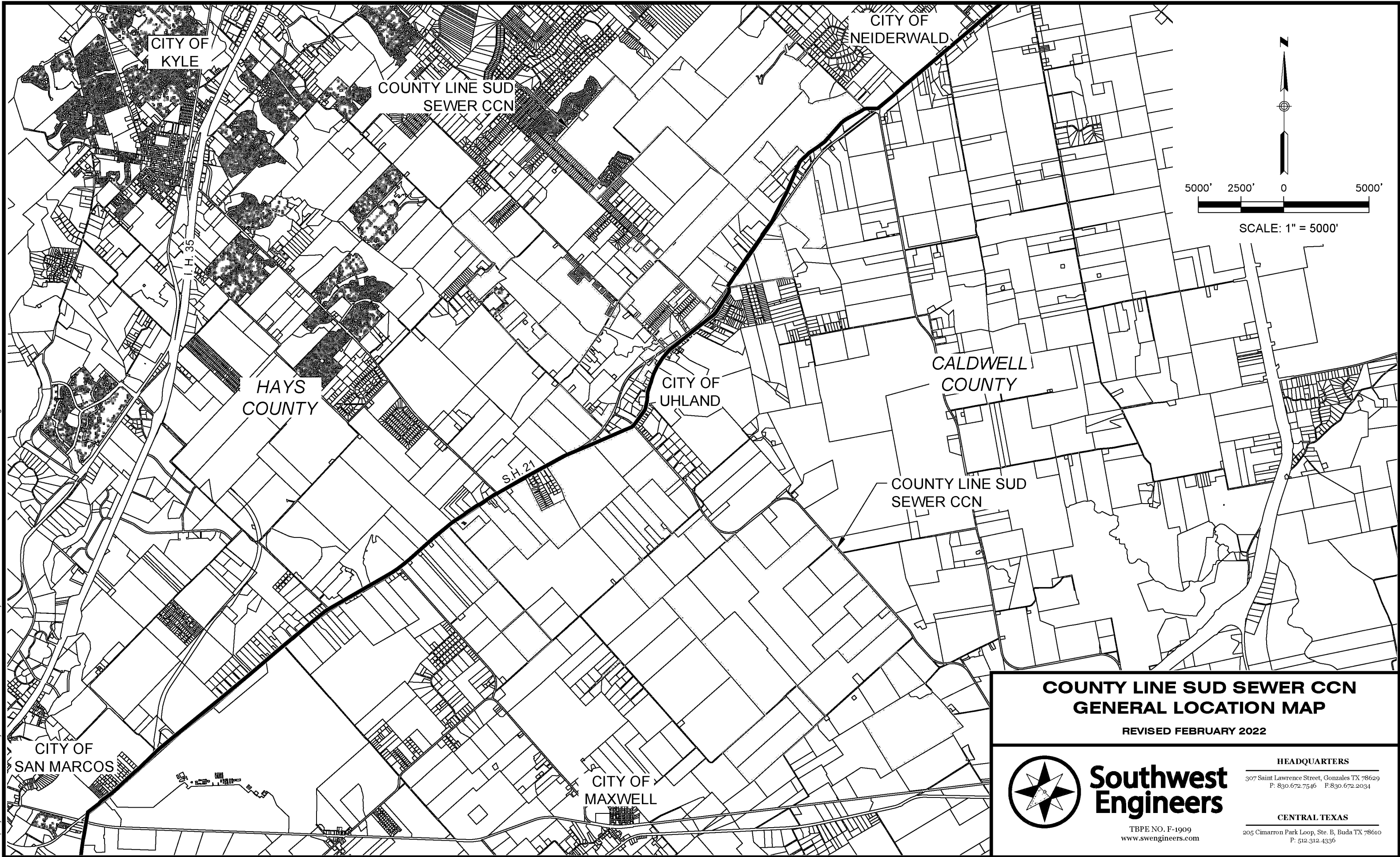
205 Cimarron Park Loop, Ste. B, Buda TX 78610  
P: 512.312.4336

### **Attachment C**

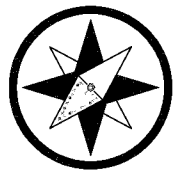
#### Mapping Information for the Revised Requested Area

*A copy of the digital mapping data is available on the Commission's Interchange under this Docket, per the Commission's e-filing procedures.*

O:\CompanyData\Clients\0017 - County Line SUD\0017-059-18 - Wastewater System Creation\CCN Creation\FINAL MAPS\FINAL MAPS.dwg



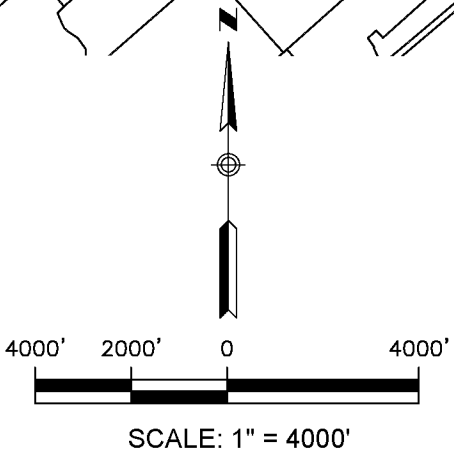
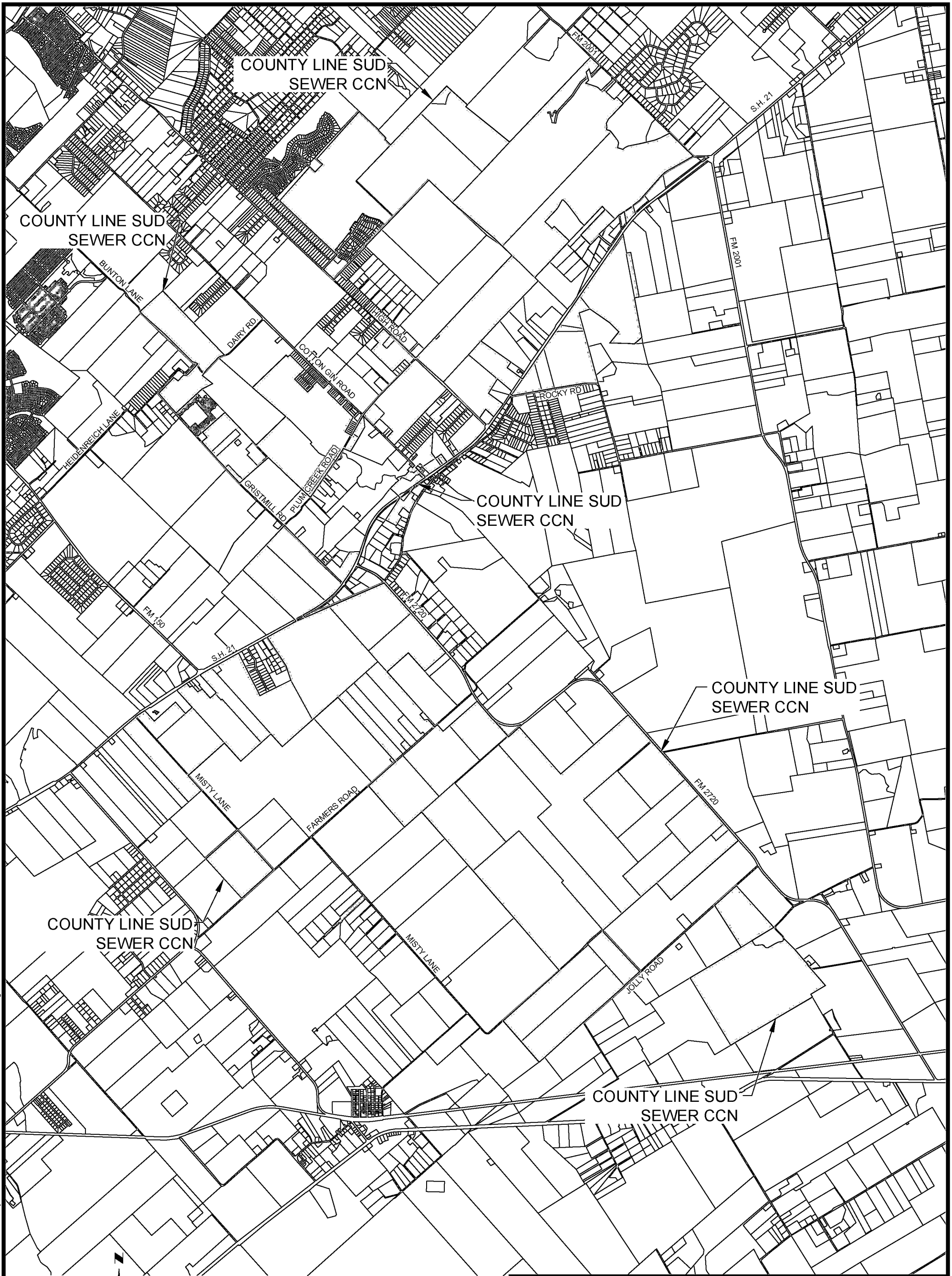
**COUNTY LINE SUD SEWER CCN  
GENERAL LOCATION MAP**  
REVISED FEBRUARY 2022



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O:\CompanyData\Clients\0017 - County Line SUD\0017-059-18 - Wastewater System Creation\CCN Creation\FINAL MAPS\FINAL MAPS.dwg



**COUNTY LINE SUD SEWER CCN  
DETAILED LOCATION MAP**

REVISED FEBRUARY 2022



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