



Control Number: 50405



Item Number: 23

Addendum StartPage: 0



PUC DOCKET NO. 50405

PETITION BY THE SANCTUARY
TEXAS, LLC,
FOR EXPEDITED RELEASE FROM
WATER CCN NO. 13201 HELD BY
AQUA TEXAS IN
DENTON COUNTY

§
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§
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§
§

BEFORE THE

PUBLIC UTILITY COMMISSION

OF TEXAS

**SUPPLEMENTAL AFFIDAVIT IN SUPPORT OF THE SANCTUARY TEXAS, LLC'S
REPLY TO AQUA TEXAS INC'S SUPPLEMENTAL RESPONSE AND COMMISSION
STAFF'S RECOMMENDATION ON FINAL DISPOSITION TO ITS PETITION FOR
STREAMLINED EXPEDITED RELEASE**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

The Sanctuary Texas, LLC files this Supplemental Affidavit in Support of The Sanctuary Texas, LLC's Reply to Aqua Texas Inc's Supplemental Response and Commission Staff's Recommendation on Final Disposition to Its Petition for Streamlined Expedited Release. This affidavit is filed in support of statements contains in ¶¶ 2, 4, 5 and Exhibit A to the Reply.

Respectfully submitted,

COATS | ROSE

By:

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**ATTORNEY FOR PETITIONER
THE SANCTUARY TEXAS, LLC**

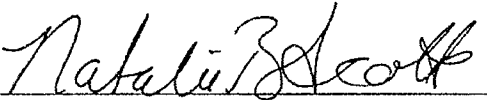
CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of August, 2020 a true and correct copy of this document was served on all parties of record in this proceeding by electronic mail and by filing on the PUC Interchange System.

Counsel for Aqua Texas, Inc.

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Natalie B. Scott

PETITION BY THE SANCTUARY	§	BEFORE THE
TEXAS, LLC,	§	
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 13201 HELD BY	§	PUBLIC UTILITY COMMISSION
BY AQUA TEXAS IN	§	
DENTON COUNTY	§	OF TEXAS

AFFIDAVIT OF MARLON MCMAKIN

STATE OF TEXAS §

COUNTY OF DENTON §

BEFORE ME, the undersigned notary, personally appeared Marlon McMakin, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1. “My name is Marlon McMakin. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am the Managing Member of The Sanctuary Texas, LLC, the Petitioner in the above-captioned matter.

3. I have met with Aqua Texas (“Aqua”) General Manager, Mr. Darryl G. Waldcock, regarding Aqua’s obligation and ability to provide water to the approximately 70.146 acre property (the “Property”) described in this matter on more than one occasion.

4. In our meetings, I informed Aqua that the Sanctuary intends to develop approximately 265 single-family residence lots on the Property, as evidenced by the preliminary plat approval, attached as Exhibit “A”.

5. Aqua informed me that they do not have the current capacity to serve The Sanctuary’s planned development.

6. Based on Aqua’s representations in our meetings as well as its representations in this Docket that the facilities committed to serving the Property amount to only: (1) a four-inch water line on the Property; (2) a stand-by meter on an uninhabited dwelling; (3) and facilities adjacent to the Property, it is clear that Aqua has not committed lines or facilities to the Property that will serve its future demand or meet its CCN obligations.

7. Attached hereto, as Exhibit “A” are the Preliminary Plat records for The Sanctuary At Sunset Cove, Town of Lake Wood Village.

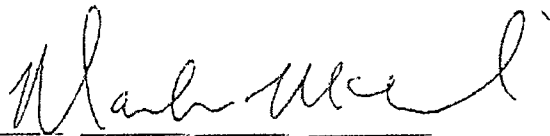
8 These said pages of records are kept by The Sanctuary in the regular course of business

9 It is the regular practice of said business for an employee or representative with knowledge of the act, event, incident, order, transaction, invoice, condition, photo, video recording, audio recording, opinion, or diagnosis, to make the record, or to transmit information thereof to be included in such record.

10. Exhibit "A-1" and "A-2" attached hereto are the originals or exact duplicates of the originals.

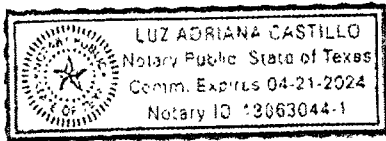
11. I request that the Public Utility Commission of Texas release the Property from water CCN No. 13201."

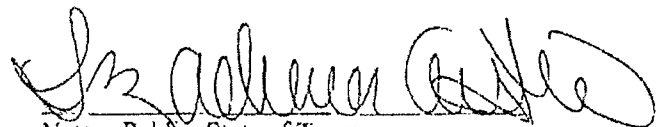
FURTHER AFFIANT SAYETH NOT.


Marlon McMakin

August 3rd, 2020

SWORN TO AND SUBSCRIBED TO BEFORE ME by Marlon McMakin on July 31, 2020.




Notary Public, State of Texas