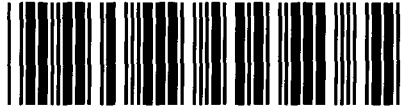




Control Number: 50480



Item Number: 13

Addendum StartPage: 0

DOCKET NO. 50480



APPLICATION OF CRYSTAL CLEAR
SPECIAL UTILITY DISTRICT AND
CITY OF SAN MARCOS FOR SALE,
TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN HAYS COUNTY

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PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF'S CORRECTED NOTICE FORM AND REQUEST FOR
EXTENSION**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Corrected Notice Form and Request for Extension. In support thereof, Staff shows the following:

I. BACKGROUND

On January 23, 2020, Crystal Clear Special Utility District (Crystal Clear SUD) and the City of San Marcos (San Marcos) (collectively, "Applicants") filed an application for sale, transfer, or merger of facilities and certificate of convenience and necessity (CCN) rights in Hays County. Crystal Clear SUD seeks to transfer its water service area held under CCN No. 10297 to San Marcos. The requested sale and transfer includes approximately 475 acres and 489 connections. Applicants filed supplemental information on March 20, 2020.

On April 28, 2020, Order No. 4 was issued establishing a deadline of June 5, 2020, for the applicant to file signed affidavits that the notice was given along with a copy of the notice sent to the affected parties and published in a newspaper of general circulation. Order No. 4 also established a deadline of June 12, 2020, for Staff to file a recommendation on sufficiency of notice. Therefore, this pleading is timely filed.

II. CORRECTED NOTICE FORM

Due to an inadvertent error the *Notice to Current Customers, Neighboring Systems, and Cities* had an incorrect acreage amount of 475 as reflected in the Applicants' original application. Staff has provided an attached corrected *Notice to Current Customers, Neighboring Systems, and Cities* which reflects the correct acreage amount of 575 acres. Due to this error the Applicants' will need to reissue notice.

III. REQUEST FOR EXTENSION

Pursuant to 16 TAC § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Due to the incorrect notice form provided by Staff the Applicants will need time to reissue notice with the corrected *Notice to Current Customers, Neighboring Systems, and Cities*. Staff requests the following procedural schedule be adopted to allow the Applicants to reissue notice:

Event	Date
Deadline for Applicant to file with the Commission signed affidavits that the notice was given along with a copy of the notice sent to the affected parties.	July 1, 2020
Deadline for Staff to file a recommendation on sufficiency of notice	June 13, 2020
Deadline to intervene	Thirty (30) days after notice is issued

IV. CONCLUSION

For the reasons stated above, Staff respectfully requests an order consistent with the foregoing request.

Dated: June 11, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Heath D. Armstrong
Managing Attorney

/s/ Robert Dakota Parish
Robert Dakota Parish
State Bar No. 24116875
1701 N. Congress Avenue
P.O. Box 13480
Austin, Texas 78711-3480
(512) 936-7442
(512) 936-7268 (facsimile)
Robert.Parish@puc.texas.gov

DOCKET NO. 50480

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 June 11, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Robert Dakota Parish
Robert Dakota Parish

Notice for Publication

**CITY OF SAN MARCOS CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
NO. 10298, NOTICE OF INTENT TO PURCHASE WATER FACILITIES AND TO
TRANSFER WATER SERVICE AREA UNDER CCN NO. 10297 FROM CRYSTAL CLEAR
SPECIAL UTILITY DISTRICT IN HAYS COUNTY, TEXAS**

<u>City of San Marcos</u>	<u>630 East Hopkins</u>	<u>San Marcos, TX</u>	<u>78666</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase Crystal Clear Special Utility District water facilities and to transfer water certificated service area under CCN No. 10297 in Hays County, TX from:

<u>Crystal Clear Special Utility District</u>	<u>2370 FM 1979</u>	<u>San Marcos, TX</u>	<u>78666</u>
(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:

Willow Creek Subdivision.

The **requested area to be transferred** is located approximately 2 miles southwest of downtown San Marcos, TX, and is generally bounded on the north by Los Santos Drive and Purgatory Creek Natural Area; on the east by Hunter Road; on the south by intersection of West McCarty Lane and Hunter Road; and on the west by West McCarty Lane. The **requested area to be transferred** includes approximately 575 total acres and 489 current customers. **See enclosed map showing the requested area or <https://www.sanmarcostx.gov/205/Water-Wastewater>.**

This transaction will have the following effect on the current customers' rates and services:

This transaction will result in the City of San Marcos charging customers of the Willow Creek Subdivision their water rates. The majority of customers will see lower monthly water bills.

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 a 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.

PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT DOCKET NO. 50480

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____,

who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

Notice to Current Customers, Neighboring Systems, and Cities

**CITY OF SAN MARCOS CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
NO. 10298, NOTICE OF INTENT TO PURCHASE WATER FACILITIES AND TO
TRANSFER WATER SERVICE AREA UNDER CCN NO. 10297 FROM CRYSTAL CLEAR
SPECIAL UTILITY DISTRICT IN HAYS COUNTY, TEXAS**

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PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND
AFFECTED PARTIES
DOCKET NO. 50480

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (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 _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____