

DOCKET NO. 50543

2021 JUN 14 AM 11:36

PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION OF SP UTILITY § BEFORE THE
COMPANY, INC. TO AMEND ITS §
CERTIFICATE OF CONVENIENCE AND §
NECESSITY AND FOR DUAL § PUBLIC UTILITY COMMISSION
CERTIFICATION WITH DREW T. §
SPENCER D/B/A CYPRESSWOOD §
ESTATES IN MONTGOMERY COUNTY OF TEXAS

SP UTILITY COMPANY, INC.'s
RESPONSE TO COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION

TO THE PUBLIC UTILITY COMMISSION STAFF, by and through their attorney of record Justin Adkins, Legal Division, Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326.

COMES NOW, SP Utility Company, Inc. ("SP Utility") and submits this Response to the Public Utility Commission Staff's ("Commission Staff") Fourth Request for Information ("RFI") pursuant to Tex. R. Civ. P. 190 through 198 and 16 Tex. Admin. Code § 22.144 ("TAC"). Pursuant to 16 TAC § 22.144(c)(2)(F), these responses may be treated as if they were filed under oath.

Respectfully submitted,

Helen S. Gilbert
State Bar No. 00786263
BARTON BENSON JONES PLLC
7000 N. MoPac Expwy, Suite 200
Austin, Texas 78731
Telephone: (210) 640-9174
Telecopier: (512) 472-4014

By: _____

Helen S. Gilbert

Helen S. Gilbert

**ATTORNEYS FOR SP UTILITY
COMPANY, INC.**

CERTIFICATE OF SERVICE

I hereby certify that I have or will serve a true and correct copy of the foregoing document via hand delivery, facsimile, electronic mail, overnight mail, U.S. mail, or Certified Mail Return Receipt Requested on all parties on the 14th of June 2021.

Helen S. Gilbert

Helen S. Gilbert

**RESPONSES TO COMMISSION STAFF'S FOURTH REQUEST FOR INFORMATION TO
SP UTILITY COMPANY, INC.
QUESTION NOS. STAFF 4-1 THROUGH 4-3**

Staff 4-1: Please provide the approval letter from the Texas Commission on Environmental Quality for the new distribution system to be installed by SP Utility to serve the customers in the area. A TCEQ approval letter was submitted in response to Staff RFI 3-1, but that approval letter was for the proposed water plant.

RESPONSE: Commission Staff continues to require not only the submittal but the approval of plans and specifications from TCEQ for SP Utility's proposed new water system, including its planned distribution system, despite the fact that it is not required for the pending CCN amendment. Title 16 Tex. Admin. Code § 24.233(a)(14)(A) expressly states that, "[p]lans and specifications are *only* required if the proposed change in the existing capacity is required by TCEQ rules." SP Utility is not seeking a change in existing capacity, nor is it required by TCEQ rules since it will not be serving an increased customer base. SP's investment in a new water system to replace the old, dilapidated system was made voluntarily and in response to the Commission's findings that failure to adequately maintain (sub-standard) facilities resulted in outages, repeated service interruptions and eventual abandonment. Although not required by rule, the plans and specifications submittal to TCEQ is attached hereto as Attachment A.

Staff 4-2: Please provide a list of neighboring utilities from which service was requested.

RESPONSE: See SP Utility's filing of June 4, 2021 in this docket (AIS # 57). Service requests by certified mail were made to H-M-W SUD (which refused service) and Aqua Texas, Inc. (which did not respond to the request). These same entities were also notified in accordance with Ms. Garcia's October 2 and 9, 2020 memoranda.

Staff 4-3: If service was not requested from neighboring utilities, please provide the reason(s) why.

RESPONSE: See Response to Staff 4-2 above, service requests were made and rejected or ignored.

DOCKET NO. 50543
ATTACHMENT A

From: Nathaniel Lail <n.lail@waterengineers.com>
Sent: Friday, June 4, 2021 5:01 PM
To: 'Vera Poe' <vera.poe@tceq.texas.gov>
Cc: 'R12PWS' <R12PWS@tceq.texas.gov>; 'ptrs@tceq.texas.gov' <ptrs@tceq.texas.gov>
Subject: Cypresswood Subdivision Water System - (PWS ID: 1700918)

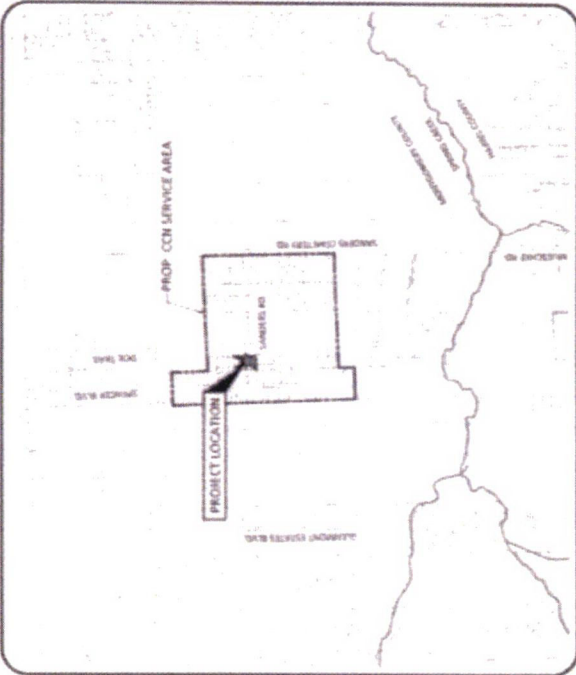
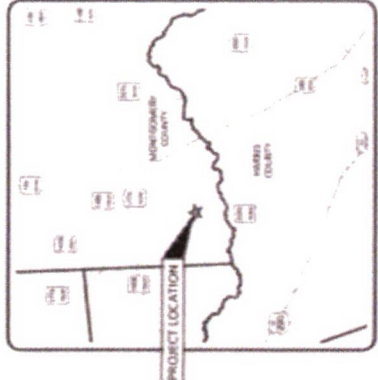
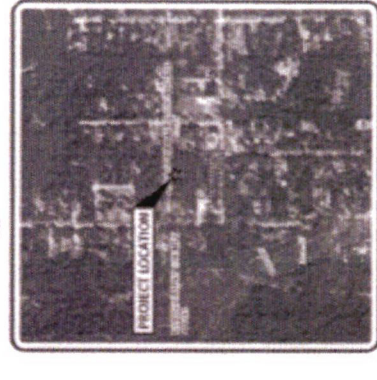
Dear Ms. Poe,

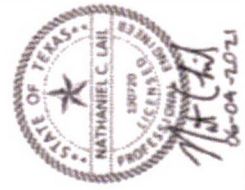
Please see the enclosed document submitted on behalf of the proposed improvements to be made to the Cypresswood Subdivision Water System's distribution system. We have submitted an original of the enclosed via UPS. Feel free to contact us with any questions. Have a great weekend.

Respectfully,

Nathaniel Lail, P.E.
WaterEngineers, Inc.
17230 Huffmeister Rd.
Cypress, TX ~ 77429
tel: 281-373-0500
fax: 281-373-1113
www.waterengineers.com

ATTACHMENT A

CYPRESSWOOD SUBDIVISION WATER SYSTEM		CYPRESSWOOD SUBDIVISION WATER SYSTEM 20414 SANDERS ROAD MAGNOLIA, TEXAS 77355		WATER & WASTE ENGINEERS, INC. 1200 WEST 19TH STREET SUITE 100 HOUSTON, TEXAS 77058 TEL: 713-774-0000 FAX: 713-774-0000		SHEET INDEX SHEET No. SHEET NAME 01 COVER SHEET 02 SERVICE AREA 03 WATER LINE DETAILS 04 GENERAL NOTES		COVER SHEET SHEET No.		01 of 04	
OWNER INFORMATION: SP UTILITY COMPANY, INC. P.O. BOX 690521 HOUSTON, TEXAS 77269 PROJECT LOCATION: 20414 SANDERS ROAD MAGNOLIA, TEXAS 77355  VICINITY MAP MONTGOMERY COUNTY, TEXAS  LOCATION MAP MONTGOMERY COUNTY, TEXAS  FLOOD PLAIN MAP ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) NO. 4810002003, THE PROJECT LOCATION IS WITHIN THE 100-YEAR FLOOD PLAIN.											



ATTACHMENT A

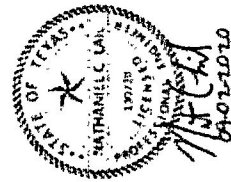
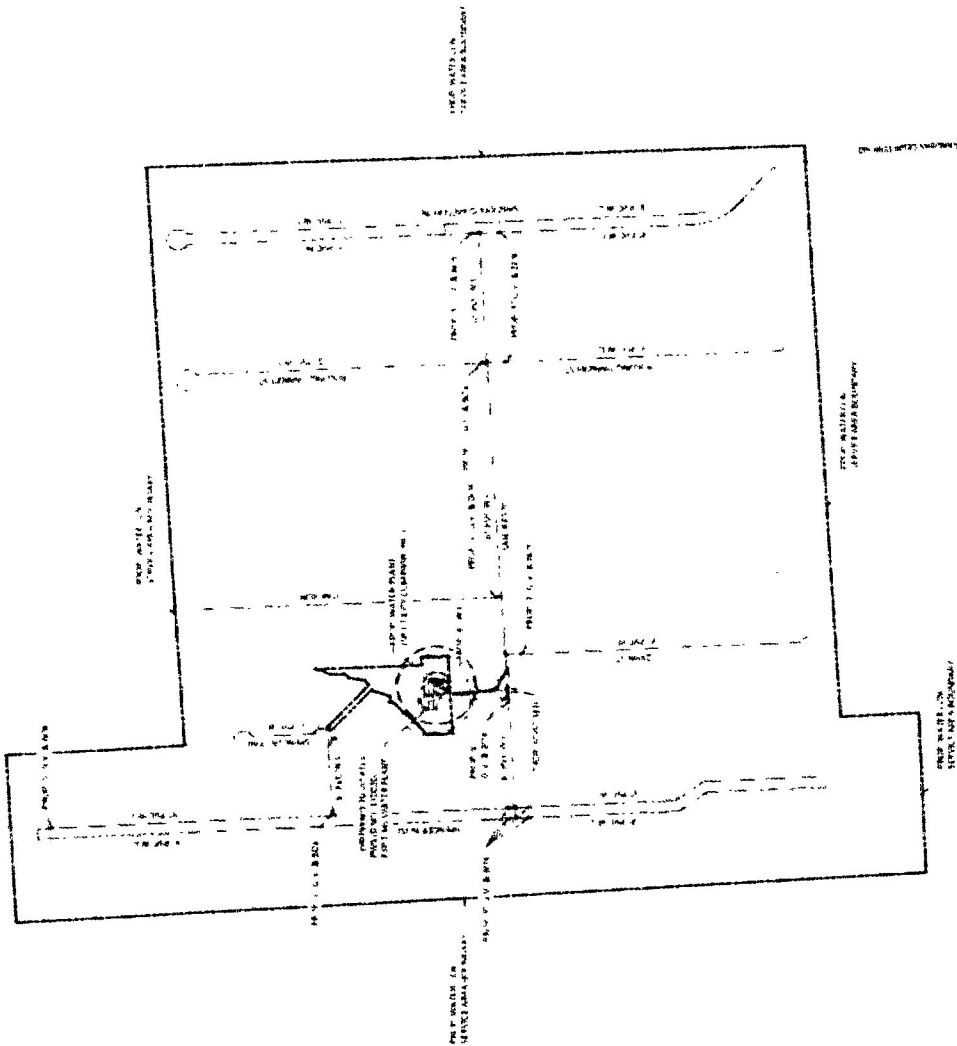
CYPRESSWOOD SUBDIVISION
WATER SYSTEM
MAINTENANCE RECORD

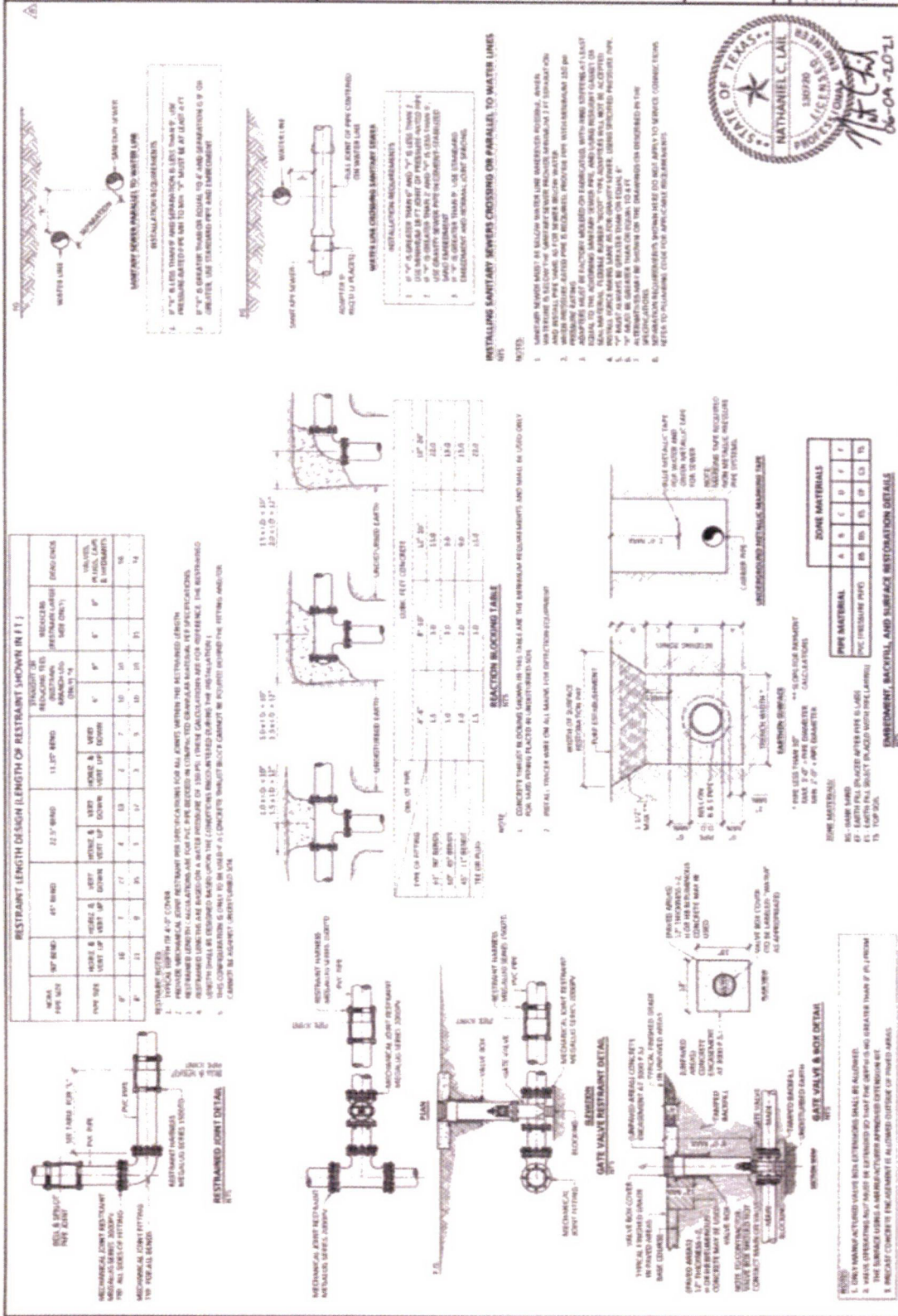
WATER ENGINEERS, INC.

SURVEY AREA

DATE: 02-17-03
PROJECT: 50543
SHEET: 1 OF 1

SECTION 101	SECTION 102
SECTION 103	SECTION 104
SECTION 105	SECTION 106
SECTION 107	SECTION 108
SECTION 109	SECTION 110
SECTION 111	SECTION 112
SECTION 113	SECTION 114
SECTION 115	SECTION 116
SECTION 117	SECTION 118
SECTION 119	SECTION 120





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