



Control Number: 50745



Item Number: 25

Peter M. Lake
Chairman

Will McAdams
Commissioner

Lori Cobos
Commissioner

Jimmy Glotfelty
Commissioner



Greg Abbott
Governor

Thomas J. Gleeson
Executive Director

2021 AUG 13 PM 2:27

Public Utility Commission of Texas

TO: Peter M. Lake, Chairman
Will McAdams, Commissioner
Lori Cobos, Commissioner
Jimmy Glotfelty, Commissioner

All Parties of Record

FROM: Stephen Journeay, Commission Counsel

DATE: 13 August 2021

RE: August 19, 2021 Open Meeting – Item 25

Docket No. 50745, – *Application of Lakeside Municipal Utility District No. 3 and Manville Water Supply Corporation to Decertify Area from Manville Water Supply Corporation's Certificate of Convenience and Necessity in Travis and Williamson Counties*

A proposed order in the above-referenced docket is posted for consideration and action by the Commission. If the Commission approves the proposed order, I recommend the following changes.

New findings of fact should be added to reflect the fact that Manville Water Supply Corporation has consented in writing to decertification and no longer provides water service to the requested decertification area. The subsequent findings of fact should be renumbered accordingly.

XX. Tony Graf, Manville WSC's general manager and authorized representative, consented to the requested decertification in an oath attached to the amended application.

XX. Manville WSC has provided written consent to decertify the 283 acres located within its service-area boundaries

XX. Manville WSC is no longer providing continuous and adequate water service in the 283 acres located within its boundaries.

Conclusion of law 1 should be modified to include the Texas Water Code's provision for decertification by the certificate holder.

1. The Commission has authority over this proceeding under TWC §§ 13.041, 13.242, 13.246, ~~and 13.250~~, and 13.254.

Conclusion of law 3 should be modified to more completely define Lakeside MUD No. 3.



- 3 Lakeside MUD No. 3 is a municipal utility district operating under Chapters 49 and 54 of the TWC and is a retail public utility as defined in TWC § 13.002(19).

A new conclusion of law should be added to state Lakeside MUD No. 3's obligation not to discontinue, reduce, or impair service as retail public utility that has not been granted a certificate of public convenience.

XX. Except for nonpayment of charges, nonuse or other similar reasons in the usual course of business, Lakeside MUD No. 3 may not discontinue, reduce, or impair retail water service to any ratepayer in the decertified area without approval of the Commission in accordance with TWC § 13.250(d).

A new ordering paragraph should be added to order Lakeside MUD No. 3 to comply with the above-referenced new conclusion of law.

XX. Except for nonpayment of charges, nonuse or other similar reasons in the usual course of business, Lakeside MUD No. 3 may not discontinue, reduce, or impair retail water service to any ratepayer within the decertified area without approval of the Commission.

Additionally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the *Citation and Style Guide for the Public Utility Commission of Texas* and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

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