



Control Number: 51044



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DOCKET NO. 51044 2021 JAN 28 PM 4:28

PETITION OF FSC LANCASTER, LTD.
TO AMEND ROCKETT SPECIAL
UTILITY DISTRICT'S CERTIFICATE
OF CONVENIENCE AND NECESSITY
IN DALLAS COUNTY BY EXPEDITED
RELEASE

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PUBLIC UTILITY COMMISSION
OF TEXAS

**ROCKETT SPECIAL UTILITY DISTRICT'S
RESPONSE TO COMMISSIONER MEMORANDUM
FOR CORRECTION TO FINDINGS OF FACT 38 AND 39**

COMES NOW, ROCKETT SPECIAL UTILITY DISTRICT ("Rockett") and files this Response to the Commissioner Memorandum filed on January 28, 2021 (the "Memorandum") for the Commission's consideration of Item No. 18 at the January 29, 2021 Open Meeting. In support thereof, Rockett respectfully shows as follows:

I. Corrections to the Modification of Findings of Fact 38 and 39

The Memorandum suggests modifications to Findings of fact 38 and 39 for clarity and accuracy; however, the measurements proposed are not quite accurate. Rockett has a 2-inch waterline which ends approximately **600 feet** from the southeast corner of the Property, not approximately 700 feet as proposed in the modification for Finding of fact 38 in the Memorandum.

Additionally, Rockett's 6-inch waterline is located approximately **280 feet** from the southwest corner of the Property, not 800 feet or more as proposed in the modification for Finding of fact 39 in the Memorandum. Attached to this Response as Attachment 1 is the supporting affidavit of Kay Phillips, Rockett's General Manager, which attests to the distances of Rockett's referenced 2-inch and 6-inch waterlines in relation to the Property, as provided above.

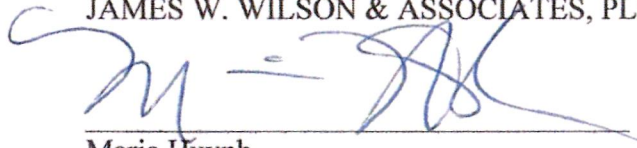
II. Rockett Maintains Its Position In This Proceeding

By submission of this Response, Rockett does not concede any position previously maintained in this proceeding; however, should the Commission issue any order that includes measurements for the distances of Rockett's 2-inch and 6-inch waterlines for Findings of fact 38 and 39, Rockett requests such findings to reflect the accurate distances of each waterline as identified in this Response.

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Respectfully submitted,

JAMES W. WILSON & ASSOCIATES, PLLC



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ATTORNEYS FOR ROCKETT SPECIAL
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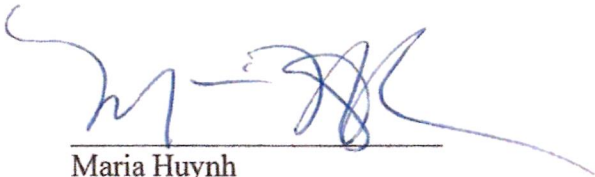
CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served on the following parties of record on January 28, 2021, via e-mail in accordance with the Commission's Order.¹

via e-mail: creighton.mcmurray@puc.texas.gov

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Attorneys for Petitioner

¹ *Issues Related to the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (Jul. 16, 2020).

ATTACHMENT 1

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BEFORE ME, the undersigned authority, on said date personally appeared Kay Phillips, who being first duly sworn states as follows:

“1. My name is Kay Phillips. I am over the age of 18 years of age and I am of sound mind and qualified to make this affidavit. I have personal knowledge of all facts stated herein. Since 2007, I have been the duly appointed general manager of Rockett Special Utility District (“Rockett”) and I am custodian of the records of Rockett.

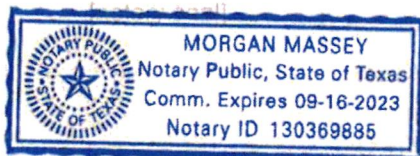
2. I have read the Commissioner Memorandum from Chairman DeAnn T. Walker dated and filed January 28, 2021 in PUC Docket No. 51044.


3. Regarding the proposed modification of Finding of fact 38, Rockett's 2-inch waterline is approximately 600 feet from the southeast corner of the Property, specifically the tract identified as "Parcel IV" in Rockett's Response to the Petition and Motion to Dismiss, Exhibit E, filed on August 21, 2020.

4. Regarding the proposed modification of Finding of fact 38, Rockett's 6-inch waterline is approximately 280 feet from the southwest corner of the Property, specifically the tract identified as "Parcel III" in Rockett's Response to the Petition and Motion to Dismiss, Exhibit E, filed on August 21, 2020."


Kay Phillips, General Manager
Rockett Special Utility District

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on the 28th day of January, 2021, by Kay Phillips, General Manager of Rockett Special Utility District, a political subdivision of the State of Texas.




Notary Public, State of Texas