

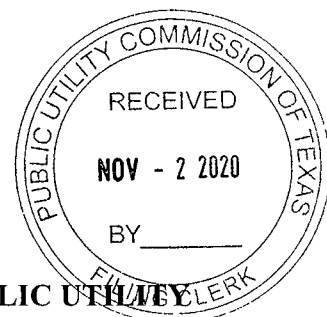


Control Number: 51114



Item Number: 12

Addendum StartPage: 0



DOCKET NO. 51114

PETITION OF IMPERIAL HEIGHTS,	§	BEFORE THE PUBLIC UTILITY
LTD. TO AMEND AQUA TEXAS,	§	
INC.'S CERTIFICATES OF	§	COMMISSION OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
HARRIS COUNTY BY EXPEDITED	§	
RELEASE	§	

**AQUA TEXAS, INC.'S RESPONSE TO IMPERIAL HEIGHTS, LTD.'S
EXCEPTIONS TO PROPOSED ORDER**

Aqua Texas, Inc. (Aqua) files this response to Imperial Heights, Ltd.'s (Petitioner) Exceptions to Proposed Order.¹ In support, Aqua shows as follows.

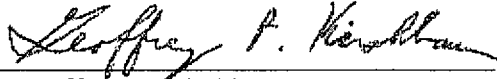
Petitioner's exceptions raise no new issues that were not previously briefed. The comparative capabilities of retail public utility providers are not relevant to streamlined expedited release (SER) matters and Aqua can lawfully serve CCN territory within a municipal utility district so long as Aqua's CCN is not removed. Moreover, Petitioner does not dispute that Aqua has water and wastewater lines within the subject property for which Petitioner seeks SER. Petitioner's interpretation of *Crystal Clear* is flawed, and the proposed order denying the SER requested aligns with recent Commission precedent.²

Aqua fully supports the proposed order and requests the Commission approve same. Aqua also seeks all and further relief to which it may be justly entitled at law or in equity.

¹ Imperial Heights, Ltd.'s Exceptions to Proposed Order (Oct. 26, 2020).

² See *Petition of Clay Road 628 Development, LP to Amend T&W Water Service Company's Certificate of Convenience and Necessity in Montgomery County by Expedited Release*, Docket No. 50261, Order Denying Streamlined Expedited Release at 2-4 (Apr. 29, 2020).

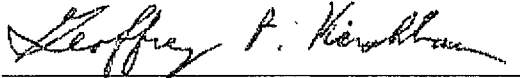
Respectfully submitted,

By: 
Geoffrey P. Kirshbaum
State Bar No. 24029665
TERRILL & WALDROP
810 W. 10th Street
Austin, Texas 78701
(512) 474-9100
(512) 474-9888 (fax)
gkirshbaum@terrillwaldrop.com

ATTORNEY FOR AQUA TEXAS, INC.

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 November 2, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.


Geoffrey P. Kirshbaum