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PETITION OF TRINITY BAY
CONSERVATION DISTRICT AND GULF
COAST AUTHORITY FOR APPROVAL
OF SERVICE AREA CONTRACT UNDER
TEXAS WATER CODE § 13.248 AND TO
AMEND CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
CHAMBERS COUNTY

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PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
OF TEXAS

CLARIFICATION IN RESPONSE TO ORDER NO. 4

COMES NOW Trinity Bay Conservation District (Trinity Bay) and Gulf Coast Authority (Gulf Coast) (collectively, Petitioners), together with the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, (collectively, the Parties) and files this clarification. In support thereof, the Parties show the following:

I. BACKGROUND

On August 20, 2020, Trinity Bay and Gulf Coast filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend sewer Certificate of Convenience and Necessity (CCN) numbers 20399 and 20465 in Chambers County. The Petitioners seek approval to transfer a portion of the service area under Gulf Coast’s sewer CCN number 20465 to Trinity Bay’s sewer CCN number 20399. The Petitioners’ service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

Staff’s December 3, 2020 final recommendation stated that the requested area is approximately 65,643 acres. However, the December 9, 2020 first amended joint proposed notice of approval stated that the requested area is approximately 65,875 acres. On December 29, 2020, Order No. 4 was filed, requiring clarification from the Parties regarding the acreage of the requested area by January 8, 2021. Therefore, this pleading is timely filed.

II. STATEMENT OF CLARIFICATION AND CORRECTION

The Parties have reviewed the filings made on December 3 and 9, 2020 and agree that the joint proposed notice of approval should have stated the acreage of the requested area as 65,643 acres. Under 16 TAC § 24.257(a)(3)(C), the Commission accepts digital mapping data in a shapefile format georeferenced in either NAD 83 Texas State Plane Coordinate System (US Feet)

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or in NAD 83 Texas Statewide Mapping System (Meters). The Parties have agreed to use the NAD 83 Texas Statewide Mapping System, which is what Staff used to determine the acreage stated in the final recommendation, because it corresponds to the projected coordinate system used in the Commission's GIS database.

III. CONCLUSION

The Parties submit this clarification of the discrepancy in the acreage of the requested area and respectfully request that the Notice of Approval issued in this docket reflect that the requested area consists of 65,643 acres.

Dated: January 6, 2021

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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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 January 6, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Daniel Moore
Daniel Moore