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DOCKET NO. 51269

2020 DEC 15 PM 2:24

PETITION TO REVOKE CYNDIE	§	PUBLIC UTILITY COMMISSION
PARK UNIT 1 WATER'S	§	FILED CLERK
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY UNDER TEXAS	§	
WATER CODE § 13.254 AND 16 TEXAS	§	
ADMINISTRATIVE CODE § 24.245	§	OF TEXAS

COMMISSION STAFF'S CLARIFICATION IN RESPONSE TO ORDER NO. 3

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Clarification in Response to Order No. 3. In support thereof, Staff shows the following:

I. BACKGROUND

On October 2, 2020, Staff filed a petition to revoke Juan L. Castillo, Grant J. Wiedemann, Fermin Valle, Richard Munoz and Marian Wiedemann dba Cyndie Park I Water Co-Op's (Cyndie Park) water certificate of convenience and necessity (CCN) number 12107. On November 19, 2020, the administrative law judge (ALJ) filed Order No. 3, directing Staff to provide clarification on the method of service of Staff's motion for entry of a default order by December 15, 2020. Therefore, this pleading is timely filed.

II. STAFF'S CLARIFICATION

In Staff's motion for entry of a default order, as filed on November 13, 2020, the certificate of service states that the pleading was sent via electronic mail. This was a templating error.

Staff has attached the affidavit of Francisco Castellanos, a clerk in the Commission's Central Records Division. Mr. Castellanos' affidavit states that he mailed Staff's motion for entry of a default order to the addresses listed in the petition on November 13, 2020 and includes the certified mail tracking sheet. Staff respectfully requests that this affidavit be admitted into evidence to demonstrate that notice was given to Cyndie Park in compliance with Commission rules and the Administrative Procedure Act.

III. CONCLUSION

For the reasons specified above, Staff respectfully recommends that the Commission enter Staff's previously filed default order to revoke Cyndie park's CCN.

Dated: December 15, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

/s/ Eleanor D'Ambrosio
Eleanor D'Ambrosio
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1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7021
(512) 936-7268 (facsimile)
eleanor.dambrosio@puc.texas.gov

**DOCKET NO. 51269
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 regular mail on December 15, 2020.

/s/ Eleanor D'Ambrosio
Eleanor D'Ambrosio

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ADMINISTRATIVE CODE § 24.245	§	

AFFIDAVIT OF FRANCISCO CASTELLANOS

	§
STATE OF TEXAS	§
TRAVIS COUNTY	§

BEFORE ME, the undersigned authority, on this day personally appeared, Francisco Castellanos, and being by me duly sworn, upon oath declared that the statements and capacity acted in are true and correct.

My name is Francisco Castellanos. I am a Clerk in the Central Records Division of the Public Utility Commission of Texas (Commission). I am over the age of twenty-one, and I am competent to make this Affidavit. In compliance with 16 Texas Administrative Code § 22.183(b), I mailed, by certified mail, a copy of Commission Staff's Response to Order No. 1: Motion for Entry of a Default Order to the last known addresses of Cyndie Park Unit 1 Water in the Texas Commission on Environmental Quality and the Commission's records on November 13, 2020.

Please see the attached tracking information for each item and a copy of the pleading.

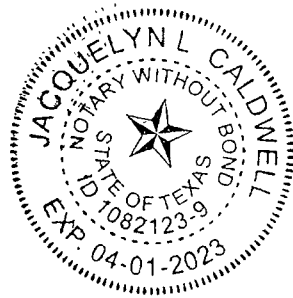
Cyndie Park Unit I Water
RR 1 BOX
Robstown, Texas
78380-9801

Grant Weidemann
Cyndie Park Unit I Water Co-op
PO Box 543
Nebraska City, NE 68410

Cyndie Park Unit I Water Co-op
Route 1, Box 10
Robstown, Texas 78380

Francisco Castellanos
AFFIANT: Francisco Castellanos

SWORN TO AND SUBSCRIBED BEFORE ME this 15th day of December 2020.



Jacquelyn L. Caldwell
Notary Public for the State of Texas



SENT on 11-13-20

Firm Mailing Book For Accountable Mail

Name and Address of Sender		Check type of mail or service		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.												
USPS Tracking/Article Number		Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1. 7001 0320 0000 9965 6156		Cyndie Park Unit I Water Co-op Route 1 Box 10 Robstown Texas 78380		2.00	35								2.85			
2. 7001 0320 0000 9965 6163		Grant Weidemann PO Box 543 Nebraska City NE 68410														
3. 7001 0320 0000 9965 6026		Cyndie Park Unit I Water RR 1 BOX Robstown Texas 78380-9801														
4.																
5.																
6.																
7.																
8.																
Total Number of Pieces Listed by Sender 3		Total Number of Pieces Received at Post Office 3		Postmaster For (Name of receiving employee)												