

Control Number: 51453



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PUBLIC UTILITY COMMISSION OF TEXAS





AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 51453

STATE OF TEXAS COUNTY OF TRAVIS

On December 10, 2020, Aqua provided individual notice to the following entities and customers:

All Affected Customers at their Current Billing Address

The Falls WSC PO Box 63074 Pipe Creek, TX 78063

Bandera County River Authority & Ground Water District PO Box 177 Bandera, TX 78003 Monarch Utilities 12535 Reed Road Sugar Land, TX 77478

Bandera County – The Honorable Judge Richard Evans PO Box 877 Bandera, TX 78003

OATH

I, Geoffrey P. Kirshbaum, being duly sworn, file this form as Attorney for Aqua Texas, Inc. (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.

F. Kirshbaun

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 30th day of December, 2020, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Commission Expires Feb. 25, 202 2



Notice for Publication

AQUA TEXAS, INC., CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13254, NOTICE OF INTENT TO PURCHASE A PORTION OF THE WATER FACILITIES AND TO TRANSFER UNCERTIFICATED SERVICE AREA FROM AQUA UTILITIES, INC. IN BANDERA COUNTY, TEXAS

| Aqua Texas, Inc. | 1106 Clayton Lane, Suite 400W | Austin, TX | 78723 |
|--------------------|-------------------------------|-----------------|------------|
| (Purchaser's Name) | (Address) | (City), (State) | (Zip Code) |

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase a portion of <u>Aqua Utilities</u>, <u>Inc.'s</u> water facilities and to transfer uncertificated service area in <u>Bandera</u> County, TX from:

| Aqua Utilities, Inc. | 1106 Clayton Lane, Suite 400W | Austin, TX | |
|----------------------|-------------------------------|-----------------|------------|
| (Seller's Name) | (Address) | (City), (State) | (Zip Code) |

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivision: Medina River Ranch and Blue Medina.

The requested area overlaps the district boundaries of the Bandera County River Authority. If Bandera County River Authority does not request a public hearing, the Commission shall determine that the district is consenting to the Aqua Texas, Inc.'s request to provide retail water utility service in the requested area.

The requested area is located approximately <u>7_mile(s)</u> southeast of downtown Bandera, Texas, and is generally bounded on the north by <u>Medina River</u>; on the east by <u>a line approximately 1 mile</u> west of FM 1283; on the south by <u>Medina River</u>; and on the west by <u>Medina River</u>. The total requested area includes approximately <u>474</u> acres and <u>75</u> current customers.

A copy of the map showing the requested area is available at: <u>Aqua Texas</u>, 512 Rodriguez <u>ST, Kerrville, TX 78028-4461</u>.

This transaction will not have an effect on the current customer's rates and services.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the uncertificated requested area, may file a written request with the Commission to be excluded

from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas Central Records 1701 N. Congress, P. O. Box 13326 Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

