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PUC DOCKET NO. 51513

**PETITION BY KEMPNER WATER
SUPPLY CORPORATION AND
CITY OF GEORGETOWN,
TEXAS FOR APPROVAL AND
ENFORCEMENT OF A CCN
TRANSFER AGREEMENT
DESIGNATING CERTIFICATE
OF CONVENIENCE AND
NECESSITY (CCN) SERVICE
AREAS UNDER TEXAS WATER
CODE § 13.248 IN BELL COUNTY**

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BEFORE THE PUBLIC UTILITY

COMMISSION OF TEXAS

**THE CITY OF KILLEEN'S
SUPPLEMENTAL MOTION TO INTERVENE
AND REQUEST FOR HEARING**

COMES NOW, The City of Killeen, Texas ("the City") and files this Supplemental Motion to Intervene and Request for Hearing in the above-captioned proceeding. In support of its Motion, the City shows as follows:

1. On November 12, 2020, Kempner Water Supply Corporation ("Kempner") and the City of Georgetown, Texas ("Georgetown") (collectively, "Applicants") filed a "Joint Petition for Approval and Enforcement of a CCN Transfer Agreement Designating Certificate of Convenience and Necessity ("CCN") Service Areas" in Bell County, Texas, pursuant to Texas Water Code ("TWC") § 13.248, and 16 Texas Admin. Code § 24.253 (the "Petition" or "Application").
2. The Applicant's Petition seeks to transfer certain service areas that are within the City of Killeen's extraterritorial jurisdiction ("ETJ") and within 0.2 miles of the City of Killeen's CCN (Water CCN 10041). The closest service area that Kempner Water Supply Corporation currently has (Water CCN 10456) to the service area that is sought to be transferred is, upon information and belief, more than 8 miles away.
3. The Applicant's Petition, therefore, implicates questions required by the Commission to be considered pursuant to 16 Tex. Admin. Code § 24.227(e), including, but not limited to, questions concerning the need for additional service in the requested area, including, but

not limited to: environmental needs; the effect of amending a CCN on any retail public utility that provides the same service and that is already serving any area within two miles of the boundary of the requested area (including regionalization and economic effects); the ability of the applicant to provide adequate service, including meeting the standards of the TCEQ and the commission, taking into consideration the current and projected density and land use of the requested area; the feasibility of obtaining service from an adjacent retail public utility; environmental integrity; and the effect on the land to be included in the requested area.

4. On December 8, 2020, the City filed a Motion to Intervene. On December 15, 2020 the City met and confirmed that it desired to intervene and Request a Hearing. This Supplemental Motion adopts and incorporates by reference its Motion filed on December 8, 2020.
5. The City seeks a formal hearing on this matter.
6. The City of Killeen's authorized representative in this matter is:

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(512) 366-9949 Facsimile
david@allawgp.com

7. The City of Killeen respectfully requests that all correspondence, pleadings, briefs, requests for information, responses to requests for information, and other documents in this proceeding be served upon their legal counsel.

Conclusion and Prayer

The City of Killeen respectfully requests that it be granted party status in this proceeding, and all such other and further relief as it may be justly entitled.

Respectfully submitted,

/s/ David J. Tuckfield

THE AL LAW GROUP, PLLC

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ATTORNEYS FOR

THE CITY OF KILLEEN, TEXAS

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 December 29, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ David J. Tuckfield

David J. Tuckfield