



## Filing Receipt

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**DOCKET NO. 51811**

<b>PETITION OF THE CITY OF</b>	<b>§</b>	
<b>GEORGETOWN AND JARRELL-</b>	<b>§</b>	
<b>SCHWERTNER WATER SUPPLY</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>CORPORATION FOR APPROVAL OF</b>	<b>§</b>	
<b>A SERVICE AREA CONTRACT UNDER</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TEXAS WATER CODE § 13.248 AND</b>	<b>§</b>	
<b>TO AMEND A CERTIFICATE OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>WILLIAMSON COUNTY</b>	<b>§</b>	

**JOINT RESPONSE OF THE CITY OF GEORGETOWN AND JARRELL-SCHWERTNER WATER SUPPLY CORPORATION TO ORDERS NO. 5 AND NO. 6 AND TO COMMISSION STAFF'S JULY 23, 2021 SUPPLEMENTAL SUFFICIENCY RECOMMENDATION**

This "Joint Response of the City of Georgetown (Georgetown) and Jarrell-Schwertner Water Supply Corporation (JSWSC) to Orders No. 5 and No. 6 and to Commission Staff's July 23, 2021 Supplemental Sufficiency Recommendation" supplements the February 11, 2021 petition and application of Georgetown and JSWSC for approval of a service area contract under Texas Water Code § 13.248 and to amend water Certificates of Convenience and Necessity (CCN) No. 12369 and CCN No. 10002 in Williamson County, Texas (Application), and addresses the alleged deficiencies described in the Commission Staff's sufficiency recommendation filed on July 23, 2021, as detailed in the memorandum of Pai Liu, Advisor, Infrastructure Division, dated July 19, 2021.

On July 26, 2021, the administrative law judge (ALJ) filed Order No. 5 requiring Georgetown and JSWSC (collectively, the Applicants) to supplement the Application to cure the deficiencies described in the Commission Staff's sufficiency

recommendation filed on July 23, 2021 and the memorandum of Pai Lui, Advisor, Infrastructure Division, dated July 19, 2021, by August 23, 2021. Also on September 20, 2021 the ALJ filed Order No. 6 also requiring Applicants to supplement the Application to cure deficiencies described in the Commission Staff's sufficiency recommendation memorandum filed on July 23, 2021. This pleading is in response to that request and is timely filed.

### I. ALLEGED DEFICIENCY

The memorandum of Pai Liu, Advisor, Infrastructure Division dated July 19, 2021 states, in pertinent part, as follows:

The maps and digital mapping data filed on June 3, 2021 for the requested area includes approximately 4,244 acres, whereas the agreement filed on February 25, 2021 and Georgetown's meeting minutes filed on March 2, 2021, both state the requested area includes approximately 4,288 acres.

JSWSC must submit the following item to resolve the mapping deficiency: JSWSC must clarify the approximate total acreage for the requested area to be transferred from Georgetown's CCN No. 12369 to JSWSC's CCN No. 10002.

The agreement to which Ms. Liu refers is the "Texas Water Code Section 13.248 Agreement – Retail Water Certificate of Convenience and Necessity Service Area Transfer Agreement" between the Applicants that is included in the Application (Agreement). The Agreement states, in the fourth recital or "WHEREAS clause," as follows (**emphasis added**):

WHEREAS, JSWSC desires to become the sole retail water service provider to customers within the **approximately** 4,288-acre area (**approximately** 6.7 square miles) shown on the maps attached as **Exhibit**

A and incorporated herein by this reference (the "Transfer Area"), and has existing facilities near the Transfer Area;

The portion of the Georgetown meeting minutes to which Ms. Liu refers (the Meeting Minutes) reads as follows (**emphasis added**):

U. Forwarded from the Georgetown Water Utility Advisory Board (GWUAB):

Consideration and possible action to approve the "Texas Water Code Section 13.248 Retail Water Certificate of Convenience and Necessity Service Area Transfer Agreement," between the City of Georgetown and Jarrell-Schwertner Water Supply Corporation ("JSWSC") relating to the transfer of **approximately** 4,288 acres (**approximately** 6.7 square miles) located in Bell and Williamson Counties from Georgetown's Water Certificate of Convenience and Necessity ("CCN") to JSWSC's Water CCN -- Chelsea Solomon, Control Center Manager

## **II. CONFIRMATION AND CLARIFICATION OF SIZE OF TRANSFER AREA**

When the Agreement was originally drafted and considered by Georgetown's City Council, only the **approximate** size of the Transfer Area was known. Applicants recognized that the Commission has strict mapping requirements and that the precise size of the Transfer Area was subject to change based on Commission Staff's mapping review. Therefore, the Agreement and the Meeting Minutes expressly stated that the size of the Transfer Area was "**approximate**."

After the Application was submitted, Commission Staff filed two Sufficiency Recommendations directed at mapping issues. The Applicants worked jointly to address the Commission Staff recommendations and submitted revised maps per the request of Commission Staff. The most recent Applicant filing, by JSWSC on June 3, 2021, contains the most recent mapping of the Transfer Area, and reveals that the actual size

of the Transfer Area is 4,244 acres, rather than the larger 4,288 acres estimated at the time of the Agreement and Application preparation.

By this Joint Response, the Applicants hereby clarify and confirm that they understand and agree that the Transfer Area is 4,244 acres in size, rather than 4,288 acres in size, and that the maps included in JSWCS's June 3, 2021 filing are true and correct and comport with their original intent as expressed in the Agreement and the Application.


### **III. CONCLUSION AND PRAYER**

For the reasons explained above, Applicants aver that the Agreement and Georgetown Minutes are not inconsistent with the Application, as modified in response to Commission Staff comments, inasmuch as the Agreement and Meeting Minutes expressly contemplated an adjustment in the size of the Transfer Area based on final PUC-approved mapping. Further, Applicants hereby confirm and clarify that the size of the Transfer Area is correctly shown and described in the June 3, 2021 response to Order No. 4 submitted by JSWSC. In conclusion, Applicants respectfully request that the Application be deemed administrative complete.

Dated: October 18, 2021.

/s/ Patricia Erlinger Carls  
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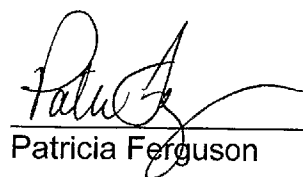
Respectfully submitted,

  
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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 October 18, 2021, in accordance with the Order Suspending Rules issued in Project No. 50664.

  
Patricia Ferguson