



## Filing Receipt

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**Control Number - 51811**  
**ItemNumber - 25**

**DOCKET NO. 51811**

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

**NOTICE OF APPROVAL**

This Notice of Approval addresses the petition of the City of Georgetown and Jarrell-Schwertner Water Supply Corporation for approval of a service-area contract under Texas Water Code (TWC) § 13.248 and to amend certificates of convenience and necessity (CCNs) in Williamson County. The petitioners seek to transfer 4,224 acres from Georgetown's service area under CCN number 12369 to Jarrell-Schwertner WSC's service area under CCN number 10002. The Commission approves the service-area contract and amends CCN numbers 12369 and 10002 accordingly.

**I. Findings of Fact**

The Commission makes the following findings of fact.

**Petitioners**

1. Georgetown is a municipality.
2. Georgetown operates, maintains, and controls facilities for providing water service in Williamson County under CCN number 12369.
3. Jarrell-Schwertner WSC is a Texas non-profit corporation registered with the Texas secretary of state under filing number 26719301.
4. Jarrell-Schwertner WSC operates, maintains, and controls facilities for providing water service under CCN number 10002 in Williamson and Bell counties.

5. Jarrell-Schwertner WSC owns and operates a public water system that is registered with the Texas Commission on Environmental Quality (TCEQ) under identification number 2460011.

**Petition**

6. On November 24, 2020, Georgetown and Jarrell-Schwertner WSC entered into an agreement (the service-area contract) whereby they agreed to transfer 4,224 acres of certificated service area from Georgetown under CCN number 12369 to Jarrell-Schwertner WSC's service area under CCN number 10002.
7. On February 25, 2021, Georgetown and Jarrell-Schwertner WSC filed the petition at issue in this proceeding, seeking approval of the service-area contract and to amend CCN numbers 12369 and 10002.
8. On March 2 and 26, June 3, October 18, and November 17, 2021, Georgetown and Jarrell-Schwertner WSC supplemented the petition.
9. The petition included a copy of the service-area contract executed by Georgetown and Jarrell-Schwertner WSC.
10. The 4,224 acres that will be transferred to Jarrell-Schwertner WSC's service area under CCN number 10002 are within Georgetown's certificated water service area in Williamson County.
11. The existing customers within the approximately 4,224 acres of service area to be transferred are currently being served by Jarrell-Schwertner WSC.
12. There will be no transfer of customers, assets, or facilities as a result of the service-area contract or petition.
13. In Order No. 7 filed on November 22, 2021, the administrative law judge (ALJ) found the petition, as supplemented, administratively complete.

**Notice**

14. On November 24, 2020, Georgetown's city council considered and approved the service-area contract at a public meeting.

15. The supplemented petition included a copy of the agenda and minutes from the November 24, 2020 city council meeting as well as a supporting affidavit from Karen Frost, Georgetown's assistant city secretary, and a supporting affidavit from Glenn Dishong, Georgetown's director of water utilities.
16. On November 11, 2020, Jarrell-Schwertner WSC considered and approved the service-area contract at a public meeting.
17. The petition included a copy of the agenda and minutes from the November 11, 2020 meeting as well as a supporting affidavit from Joe Simmons, Jarrell-Schwertner WSC's general manager.
18. In Order No. 4 filed on May 26, 2021, the ALJ found the notice sufficient.

#### **Map and Certificates**

19. On January 7, 2022, Commission Staff emailed its proposed map and certificates to Georgetown and Jarrell-Schwertner WSC.
20. On January 13, 2022, Jarrell-Schwertner WSC filed their consent to the proposed map and certificates.
21. On January 14, 2022, Georgetown filed their consent to the proposed map and certificates.
22. On February 18, 2022, the parties filed the proposed map and certificates as attachments to their joint proposed notice of approval and motion to admit evidence.

#### **Evidence**

23. On February 18, 2022, the parties filed a joint motion to admit evidence.
24. In Order No. 8 filed on February 24, 2022, the ALJ admitted the following evidence into the record of this proceeding: (a) the petition and all attachments filed on February 25, 2021; (b) Georgetown's supplement to the petition filed on March 2, 2021; (c) Jarrell-Schwertner WSC's response to Commission Staff's sufficiency recommendation and all attachments filed on March 26, 2021; (d) Jarrell-Schwertner WSC's response to Commission Staff's sufficiency recommendation and all attachments filed on June 3, 2021; (e) Georgetown and Jarrell-Schwertner WSC's joint response to Order Nos. 5 and 6 and to Commission Staff's July 23, 2021 supplemental sufficiency recommendation filed on October 18, 2021; (f) response of Jarrell-Schwertner WSC to Commission Staff's request

filed on November 17, 2021; (g) Commission Staff's fifth supplemental recommendation on sufficiency of petition and notice filed on November 19, 2021; (h) Jarrell-Schwertner's consent form filed on January 13, 2022; (i) Georgetown's consent form filed on January 14, 2022; (j) Commission Staff's recommendation on final disposition and all attachments filed on February 4, 2022; and (k) the map and certificates attached to the joint proposed notice of approval and motion to admit evidence filed on February 18, 2022.

**Informal Disposition**

25. More than 15 days have passed since the completion of the notice provided in this docket.
26. No person filed a protest or motion to intervene.
27. Georgetown, Jarrell-Schwertner WSC, and Commission Staff are the only parties to this proceeding.
28. No party requested a hearing and no hearing is needed.
29. Commission staff recommend approval of the petition.
30. This decision is not adverse to any party.

**II. Conclusions of Law**

The Commission makes the following conclusions of law.

1. The Commission has authority over the petition under TWC §§ 13.041 and 13.248.
2. Georgetown and Jarrell-Schwertner WSC are retail public utilities as defined in TWC § 13.002(19) and 16 Texas Administrative Code (TAC) § 24.3(31).
3. Under TWC § 13.248, contracts between retail public utilities designating areas to be served, when approved by the Commission, are valid and enforceable and incorporated into the affected CCNs.
4. The petition meets the requirements of TWC § 13.248 and 16 TAC § 24.253.
5. Public notice of the petition was provided in compliance with TWC § 13.248 and 16 TAC § 24.253(c).

6. The Commission processed the petition in accordance with the TWC, the Administrative Procedure Act,<sup>1</sup> and Commission rules.
7. Under TWC § 13.257(r) and (s), Georgetown and Jarrell-Schwertner WSC must each record a certified copy of the approved map and its respective certificate, along with a boundary description of its service area, in the real property records of Williamson County within 31 days of this Notice of Approval and must submit evidence of the recording to the Commission.
8. The requirements for informal disposition under 16 TAC § 22.35 have been met in this proceeding.

### **III. Ordering Paragraphs**

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

1. The Commission approves the service-area contract to the extent provided in this Notice of Approval.
2. The Commission amends Georgetown's CCN number 12369, as described in this Notice of Approval, and as shown on the map attached to this Notice of Approval.
3. The Commission amends Jarrell-Schwertner WSC's CCN number 10002, as described in this Notice of Approval, and as shown on the map attached to this Notice of Approval.
4. The Commission approves the map attached to this Notice of Approval.
5. The Commission issues the certificates attached to this Notice of Approval.
6. Georgetown must provide service to every customer and qualified applicant for water service within the approved service area under CCN number 12369 that requests water service and meets the terms of the Georgetown's water service policies, and such service must be continuous and adequate.
7. Jarrell-Schwertner WSC must provide service to every customer and qualified applicant for water service within the approved service area under CCN number 10002, that requests

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<sup>1</sup> Tex. Gov't Code §§ 2001.001–.903.

water service and meets the terms of Jarrell-Schwertner WSC's water service policies, and such service must be continuous and adequate.

8. Georgetown and Jarrell-Schwertner WSC must each comply with the recording requirements in TWC § 13.257(r) and (s) for the area in Williamson County affected by the petition and file in this docket evidence of the recording no later than 45 days after the date of this Notice of Approval.
9. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted herein.

**Signed at Austin, Texas the 1st day of March 2022.**

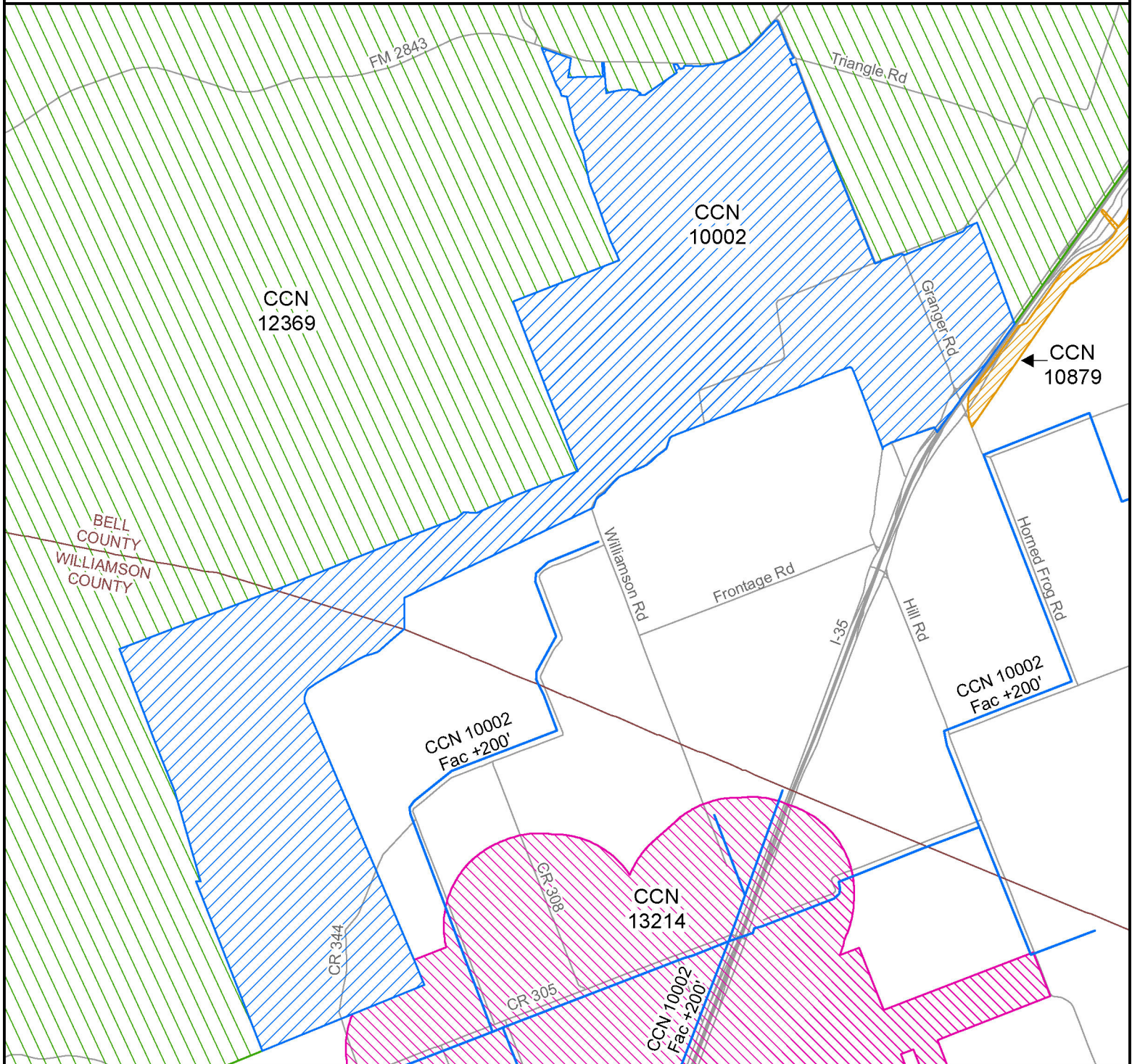
**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK**  
**ADMINISTRATIVE LAW JUDGE**




Jarrell-Schwertner Water Supply Corporation  
 Portion of Water CCN No. 10002  
 PUC Docket No. 51811  
 13.248 Agreement Amended CCN No. 10002 and  
 Decertified a Portion of City of Georgetown, CCN No. 12369 in Bell and Williamson Counties



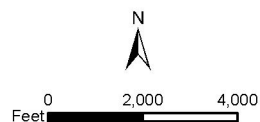
Public Utility Commission of Texas  
 1701 N. Congress Ave  
 Austin, TX 78701

**Water CCN**

-  10002 - Jarrell-Schwertner WSC
-  12369 - City of Georgetown
-  10879 - Salado WSC
-  13214 - City of Jarrell

**Water CCN Facilities +200'**

-  10002 - Jarrell-Schwertner WSC



Map by: Komal Patel  
 Date: December 14, 2021  
 Project: 51811JarrellSchwertner.mxd





# **Public Utility Commission of Texas**

**By These Presents Be It Known To All That**

## **Jarrell-Schwertner Water Supply Corporation**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Jarrell-Schwertner Water Supply Corporation is entitled to this

### **Certificate of Convenience and Necessity No. 10002**

to provide continuous and adequate water utility service to that service area or those service areas in Bell and Williamson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51811 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Jarrell-Schwertner Water Supply Corporation to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.



# **Public Utility Commission of Texas**

## **By These Presents Be It Known To All That City of Georgetown**

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, City of Georgetown is entitled to this

### **Certificate of Convenience and Necessity No. 12369**

to provide continuous and adequate water utility service to that service area or those service areas in Bell, Burnet, and Williamson Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51811 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Georgetown to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.