



Control Number: 51955



Item Number: 7

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DOCKET NO. 51955

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**PETITION OF AQUA TEXAS, INC.
AND PARKER COUNTY SPECIAL
UTILITY DISTRICT FOR APPROVAL
OF SERVICE AREA CONTRACT
UNDER TEXAS WATER CODE § 13.248
AND TO AMEND CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
PARKER COUNTY - ESTANCIA**

PUBLIC UTILITY COMMISSION

OF TEXAS

COMMISSION STAFF'S FINAL RECOMMENDATION

On March 3, 2021, Aqua Texas, Inc. (Aqua Texas) and Parker County Special Utility District (PCUSD) filed a petition for a service-area contract under Texas Water Code (TWC) § 13.248 and to amend their water certificates of convenience and necessity (CCN) in Parker County related to the Estancia development. With this application, PCSUD agrees to transfer a portion of its water service area under CCN number 12313 to Aqua Texas under water CCN number 13201. Both Aqua Texas and PCUSD filed Consent Forms on June 18, 2021 and June 28, 2021, respectively.

On May 3, 2021, the administrative law judge filed Order No. 2, establishing a deadline of July 7, 2021, for the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a final recommendation on the petition. Therefore, this pleading is timely filed.

I. FINAL RECOMMENDATION

As detailed in the attached memorandum of Pai Liu of the Commission's Infrastructure Division, Staff has reviewed the application and recommends that it be approved. Staff's review indicated that the application meets the applicable requirements of TWC Chapter 13 and 16 Texas Administrative Code (TAC) Chapter 24. There are no existing customers in the areas to be transferred.

Staff further recommends that the Petitioners file certified copies of the attached CCN map, along with a written description of the CCN service areas in the Parker County Clerk's Office, as required by TWC § 13.257(r) and (s). Staff has attached copies of the final map and certificates consented to by the Petitioners to this final recommendation.

On or before July 14, 2021, the parties will file joint proposed findings of fact and conclusions of law.

II. CONCLUSION

For the reasons discussed above, Staff respectfully recommends approval of the application.

Dated: July 7, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

Rustin Tawater
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/s/ Phillip Lehmann
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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 on July 7, 2021 in accordance with the Order Suspending Rules filed in Project No. 50664.

/s/ Phillip Lehmann
Phillip Lehmann

Public Utility Commission of Texas

Memorandum

TO: Phillip Lehmann, Attorney
Legal Division

FROM: Pai Liu, Policy Advisor
Infrastructure Division

DATE: July 7, 2021

RE: Docket No. 51955 – *Petition of Aqua Texas, Inc. and Parker County Special Utility District for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend a Certificate of Convenience and Necessity in Parker County - Estancia*

On March 30, 2021, Aqua Texas Inc. (Aqua Texas) and Parker County Special Utility District (Parker County SUD) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend the Aqua Texas's water certificate of convenience and necessity (CCN) No. 13201 and Parker County SUD's water CCN No. 12313 in Parker County, Texas. The Petitioners' TWC § 13.248 service area contract is being reviewed in accordance with 16 Texas Administrative Code (TAC) § 24.253.

The requested area includes 0 current customers and approximately 45 acres, comprised of 45 acres of transferred area from CCN No. 12313. The petition proposes the addition of approximately 45 acres to CCN No. 13201 and the subtraction of approximately 45 acres from CCN No. 12313.

Individual notice was not required for this petition because there are no affected customers in the area subject to the transfer.

The Petitioners submitted documentation to satisfy the notice requirements under 16 TAC § 24.253(c).

The petition meets all applicable statutory requirements of TWC Chapter 13 and 16 TAC Chapter 24 rules and regulations. Therefore, I recommend approval of the petition.

The Petitioners consented to the attached map and certificates on June 18, 2021 and June 28, 2021.



Public Utility Commission of Texas

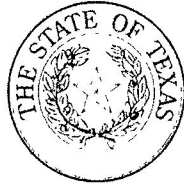
By These Presents Be It Known To All That

Parker County Special Utility District

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, Parker County Special Utility District is entitled to this

Certificate of Convenience and Necessity No. 12313

to provide continuous and adequate water utility service to that service area or those service areas in Palo Pinto and Parker Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51955 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 Parker County Special Utility District 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

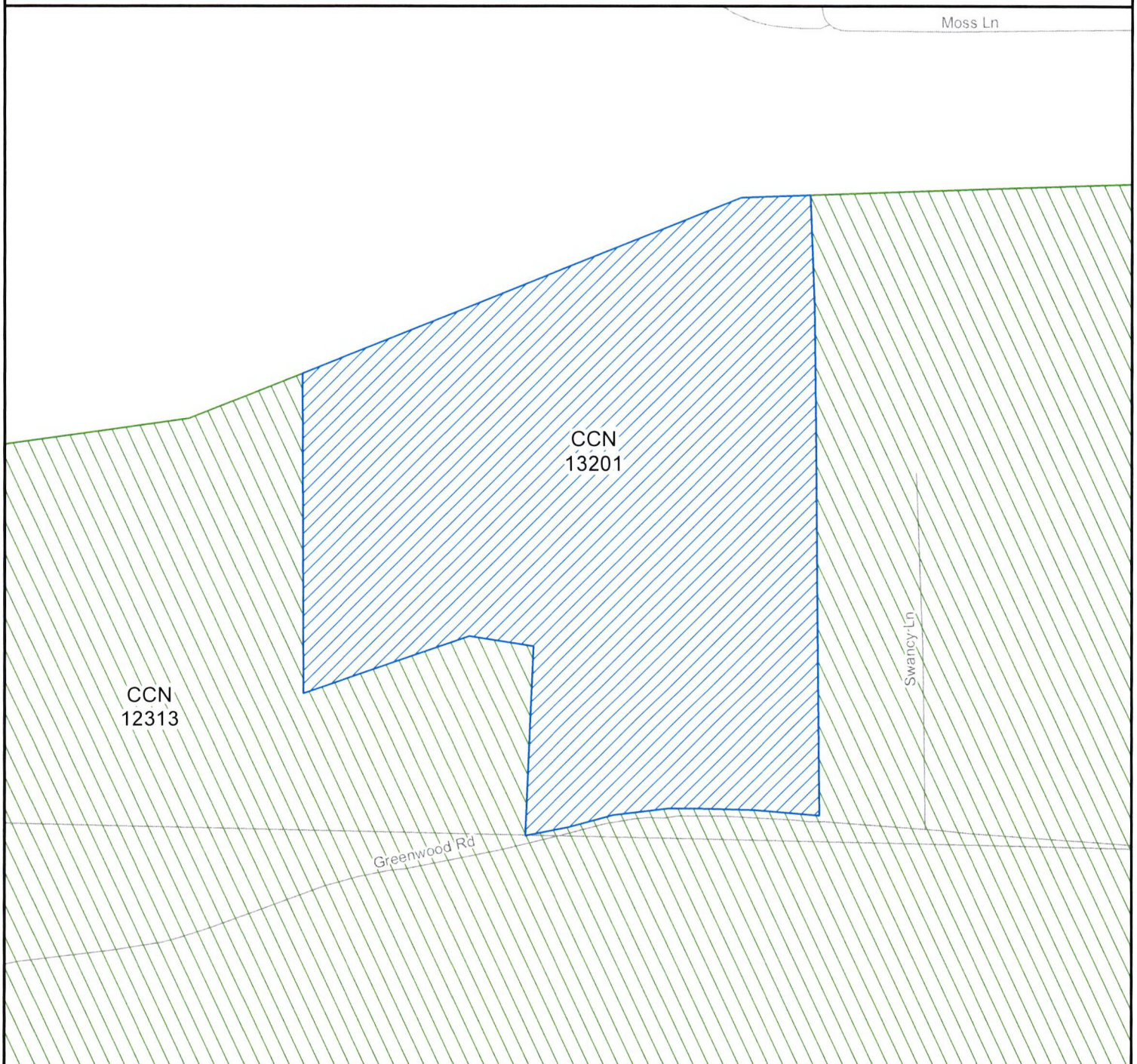
Aqua Texas, Inc.

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, Aqua Texas, Inc. is entitled to this

Certificate of Convenience and Necessity No. 13201



to provide continuous and adequate water utility service to that service area or those service areas in Anderson, Bosque, Camp, Cherokee, Collin, Cooke, Denton, Erath, Grayson, Gregg, Henderson, Hood, Hunt, Johnson, Kaufman, Marion, McLennan, Parker, Smith, Somervell, Tarrant, Wise, and Wood Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 51955 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 Aqua Texas, Inc. 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.

Aqua Texas, Inc.
Portion of Water CCN No. 13201
PUC Docket No. 51955
13.248 Agreement Amended CCN No. 13201 and
Decertified a Portion of Parker County Special Utility District, CCN No. 12313 in Parker County



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

Water CCN

-  13201 - Aqua Texas Inc
-  12313 - Parker County SUD

0 200 400
Feet



Map by: Komal Patel
Date created: June 8, 2021
Project Name: 51955AquaTexas.mxd