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DOCKET NO. 51956

PETITION OF AQUA TEXAS, INC. AND	§	PUBLIC UTILITY COMMISSION
PARKER COUNTY SPECIAL UTILITY	§	
DISTRICT FOR APPROVAL OF	§	OF TEXAS
SERVICE AREA CONTRACT UNDER	§	
TEXAS WATER CODE § 13.248 AND TO	§	
AMEND CERTIFICATES OF	§	
CONVENIENCE AND NECESSITY IN	§	
PARKER COUNTY – SADDLE CLUB	§	
ESTATES	§	

COMMISSION STAFF’S FINAL RECCOMENDATION

I. BACKGROUND

On March 30, 2021, Aqua Texas, Inc. (Aqua Texas) and Parker County Special Utility District (PCUSD) (collectively, Petitioners) filed a petition for approval of 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 Aqua Texas’s Saddle Club Estates Public Water System. 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 September 9, 2021 and August 30, 2021, respectively.

On July 8, 2021, Order No. 3 was filed, requiring Staff (Staff) for the Public Utility Commission (Commission) to file a final recommendation on the petition by September 16, 2021. Therefore, this pleading is timely filed.

II. 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. No PCSUD customers are being transferred from PCSUD to Aqua, but Aqua currently serves 11 customer connections in the transferred area. 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 September 23, 2021, the parties will file joint proposed findings of fact and conclusions of law.

V. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the foregoing recommendation.

Dated: September 16, 2021

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

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DOCKET NO. 51956

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 September 16, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Phillip Lehmann
Phillip Lehmann

Public Utility Commission of Texas

Memorandum

TO: Phillip Lehmann, Attorney
Legal Division

FROM: Pai Liu, Infrastructure Analyst
Infrastructure Division

DATE: September 16, 2021

RE: Docket No. 51956 – *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 Certificates of Convenience and Necessity in Parker County – Saddle Club Estates*

On March 30, 2021, Aqua Texas Inc. (Aqua Texas) and Parker County Special Utility District (PCSUD) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend Aqua Texas’s water certificate of convenience and necessity (CCN) No. 13201 and PCSUD’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 Petitioners filed an agreement requesting that Aqua Texas be permitted to continue to provide retail water utility service to 11 connections that are located within PCSUD’s water CCN No. 12313.

Specifically, Aqua Texas and PCSUD entered into a contractual agreement which permits Aqua Texas to provide water services within the agreed upon water certificated service area. The Petitioners will not transfer assets or facilities under the terms of the agreement.

The requested area includes 11 current customers and approximately 47 acres, comprised of 47 acres of transferred area from CCN No. 12313. The petition proposes the addition of approximately 47 acres to CCN No. 13201 and the subtraction of approximately 47 acres from CCN No. 12313.

On July 16, 2021, notice was provided to the affected customers in the area subject to the transfer. The customers are currently provided service by Aqua Texas. No assets or facilities are being transferred under the terms of the agreement

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 application/petition.

The Petitioners consented to the attached map and certificates on 8/30/2021 and 9/9/2021.