



Control Number: 52016



Item Number: 9

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**DOCKET NO. 52016**

**PETITION OF COUNTY LINE §  
SPECIAL UTILITY DISTRICT AND §  
POLONIA WATER SUPPLY §  
CORPORATION FOR APPROVAL §  
OF SERVICE AREA CONTRACT §  
UNDER TEXAS WATER CODE §  
13.248 AND TO AMEND §  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY IN CALDWALL §  
COUNTY**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

2021 JUN 23 AM 11:34  
FILED

**COMMISSION STAFF'S FINAL RECOMMENDATION**

**I. BACKGROUND**

On April 12, 2021, County Line Special Utility District (CLSUD) and Polonia Water Supply Corporation (Polonia) (jointly, 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 Caldwell County. With this application, Polonia agrees to transfer a portion of its water service area under CCN number 10240 to CLSUD under water CCN number 10292.

On May 18, 2020, the administrative law judge issued Order No. 3, establishing June 23, 2021, as the deadline for the Staff (Staff) of the Public Utility Commission (Commission) to file a final recommendation on the application, if no hearing is requested. This pleading is therefore timely filed.

**II. RECOMMENDATION ON FINAL DISPOSITION**

Staff has reviewed the application, and, as detailed in the attached memorandum of Pai Liu of the Infrastructure Division, recommends that it be approved. In accordance with this recommendation, the certificates and maps that the parties consented to in their filings of June 21,

2021, and June 22, 2021, are attached. On or before July 7, 2021, the parties will jointly file proposed findings of fact and conclusions of law.

### **III. CONCLUSION**

Staff respectfully requests that the Petitioners' application be approved.

Dated: June 23, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

Rustin Tawater  
Managing Attorney

/s/ Phillip Lehmann  
Phillip Lehmann  
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**DOCKET 52016**

**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 June 23, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Phillip Lehmann  
Phillip Lehmann

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Phillip Lehmann, Attorney  
Legal Division

**FROM:** Pai Liu, Infrastructure Analyst  
Infrastructure Division

**DATE:** June 23, 2021

**RE:** Docket No. 52016 –*Petition of County Line Special Utility District and Polonia Water Supply Corporation for Approval of a Service Area Contract Under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Caldwell County*

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On 4/12/2021, County Line Special Utility District (CLSUD) and Polonia Water Supply Corporation (Polonia) (collectively, Petitioners) filed a petition for approval of a service area contract under Texas Water Code (TWC) § 13.248 and to amend CLSUD's water certificate of convenience and necessity (CCN) No. 10292 and Polonia's water CCN No. 10420 in Caldwell 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 98 acres of transferred area (from CCN No. 10420).

The result of the petition will be the subtraction of approximately 98 acres from CCN No. 10420. The result of the petition will be the addition of approximately 98 acres to CCN No. 10292.

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 06/21/21 and 06/22/21.



# **Public Utility Commission of Texas**

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

## **County Line 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, County Line Special Utility District is entitled to this

### **Certificate of Convenience and Necessity No. 10292**

to provide continuous and adequate water utility service to that service area or those service areas Caldwell and Hays Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52016 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 County Line 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**

## **Polonia Water Supply Corporation**

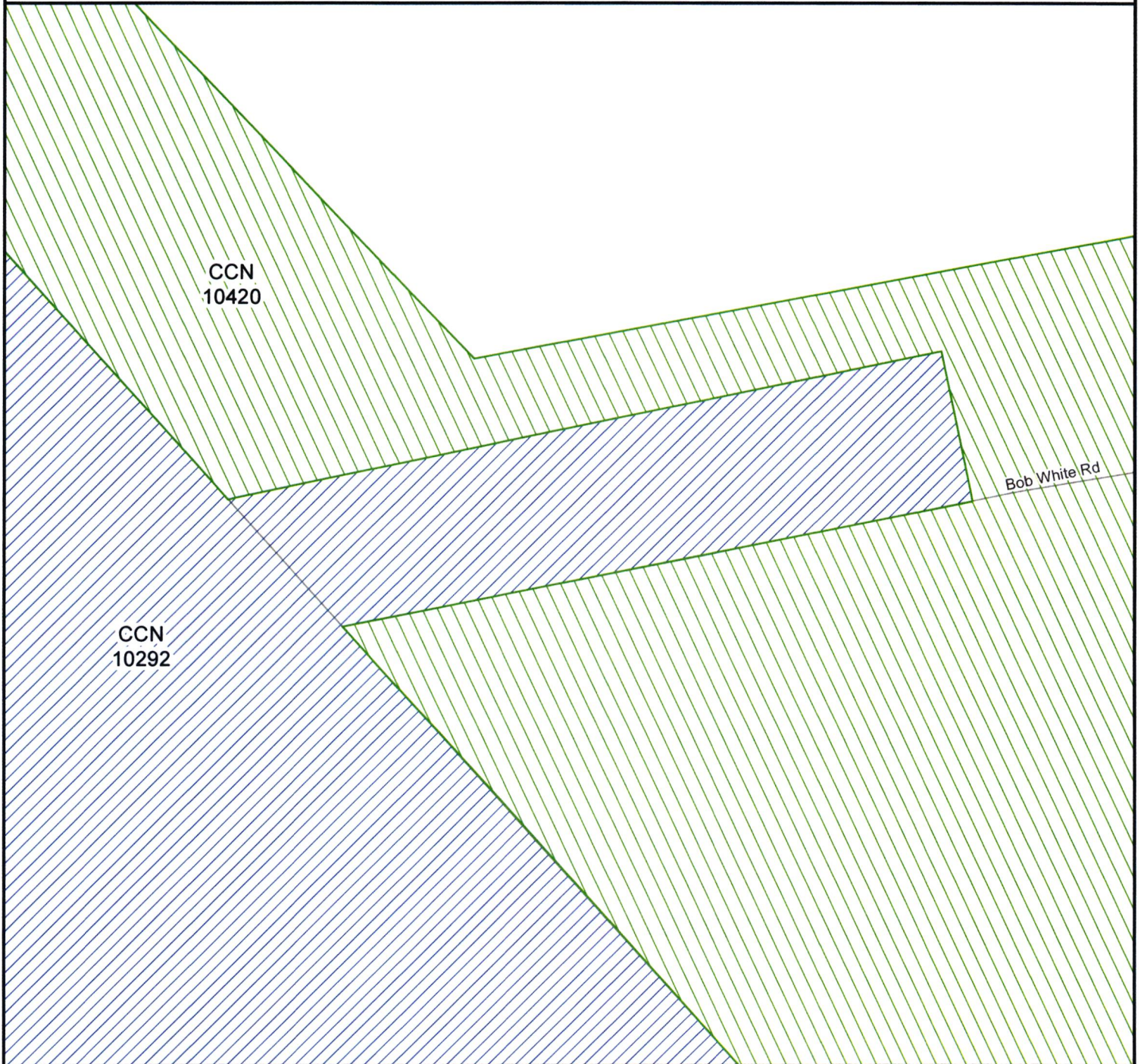
having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Polonia Water Supply Corporation is entitled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

### **Certificate of Convenience and Necessity No. 10420**

to provide continuous and adequate water utility service to that service area or those service areas in Bastrop and Caldwell Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52016 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 Polonia 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.



County Line SUD  
Portion of Water CCN No. 10292  
PUC Docket No. 52016  
13.248 Agreement Amended CCN No. 10292 and  
Decertified a Portion of Polonia WSC, CCN No. 10420 in Caldwell County



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

**Water CCN**

-  10292 - County Line SUD
-  10420 - Polonia WSC

0 450 900  
Feet



Map by: Komal Patel  
Date created: June 4, 2021  
Project Name: 52016CountyLineSUD.mxd