



Control Number: 52090



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PUC DOCKET NO. 52090

FILED

PETITION BY REDBIRD §
DEVELOPMENT, LLC FOR §
EXPEDITED RELEASE §
FROM WATER CCN NO. 11052 §
HELD BY DOBBIN PLANTERSVILLE §
WATER SUPPLY CORPORATION §

2021 JUL 12 AM 10:58
BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

REDBIRD DEVELOPMENT LLC'S SUPPLEMENTAL RESPONSE TO DOBBIN PLANTERSVILLE WATER SUPPLY'S MOTION TO DISMISS

COMES NOW, Redbird Development LLC's ("Redbird" or "Petitioner") and files Supplemental Response to Dobbin Plantersville Water Supply Corporation's ("Dobbin Plantersville") Response to Redbird Development LLC's Petition for Streamlined Expedited Release and Motion to Dismiss.

Redbird files this Affidavit of Perry Senn, general manager of Redbird, to support its arguments in its Response, previously filed on July 7, 2021. *See* Exhibit A, Affidavit of Perry Senn.

Wherefore, the Redbird respectfully requests that the Commission deny Dobbin Plantersville's motion to dismiss.

Respectfully submitted,

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BY: Emily W. Rogers
Emily W. Rogers

CERTIFICATE OF SERVICE

I certify that this Supplemental Response to Dobbin Plantersville Water Supply's Motion to Dismiss was provided to all parties of record via electronic mail or regular mail on July 12, 2021, in accordance with the Order Suspending Rules, issued in Project No 50664.

Emily W. Rogers
Emily W. Rogers

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PETITION BY REDBIRD § BEFORE THE
DEVELOPMENT, LLC FOR §
EXPEDITED RELEASE §
FROM WATER CCN NO. 11052 § PUBLIC UTILITY COMMISSION
HELD BY DOBBIN PLANTERSVILLE §
WATER SUPPLY CORPORATION § OF TEXAS

AFFIDAVIT OF PERRY SENN

STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned notary, personally appeared Perry Senn, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1. “My name is Perry Senn. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.
2. I am the Manager of Redbird Development, LLC (Redbird), the Petitioner in the above-captioned matter. As Manager, I am in charge of developing the land use plan, as well as working with the engineers and other professionals to plan for the provision of water and sewer service to the development and to ensure those services are reasonable and feasible.
3. Redbird owns approximately 388.5 acres of land in Montgomery, Texas, which is located within the boundaries of water Certificate of Convenience and Necessity No. 11052 issued to Dobbin Plantersville WSC Company. The property was purchased on or around April 15, 2021. There were no agreements or other commitments that were part of the property upon the sale relating to water or sewer service. This property is not receiving water service from Dobbin Plantersville WSC or any other water provider.
4. I am familiar with the Redbird property, its topography, the easements located on the property, and its proximity to Dobbin Plantersville’s water lines and the location of Water Plant No. 4 and No. 9. I’m also familiar with Redbird’s development plans for the property and its water and sewer service needs.
5. Redbird plans to develop the property with approximately 575 residential homes at full build out. Because the Redbird development will be a dense development, the water system must be capable of providing fire flows in addition to potable water

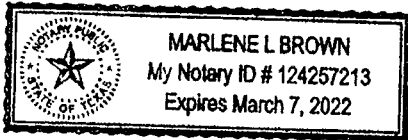
service. Redbird anticipates there will be 575 water and sewer connections that come online between June 2022 and July 2025.

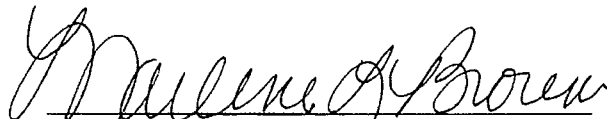
6. Redbird has no request for service with Dobbin Plantersville and has no contractual, either verbal or written, arrangement whereby Dobbin Plantersville has committed to constructing facilities, including Water Plant No. 9 or an expansion of Water Plant No. 4, to serve the Redbird tract.
7. Based upon my interactions with the Dobbin Plantersville, I concluded that Dobbin Plantersville did not have the facilities needed to provide potable water service and fire flows to the Redbird development.

FURTHER AFFIANT SAYETH NOT.


Perry Senn

SWORN AND SUBSCRIBED TO BEFORE ME by Perry Senn on
July 12, 2021.




Notary Public State of Texas