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PUC DOCKET NO. 52267

PETITION BY MOUNT ZION WATER §
SUPPLY CORPORATION FOR §
PARTIAL DECERTIFICATION OF §
OF ITS WATER CERTIFICATE OF §
CONVENIENCE AND NECESSITY §
NO. 10088 IN ROCKWALL COUNTY §

PUBLIC UTILITY COMMISSION
OF TEXAS

**MOUNT ZION WATER SUPPLY CORPORATION'S
PETITION FOR PARTIAL DECERTIFICATION**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Mount Zion Water Supply Corporation ("Mt. Zion") and files this Petition for Partial Decertification in relation to a portion of its water certificate of convenience and necessity ("CCN") No. 10088 located in Rockwall County, Texas ("Petition"). In support thereof, Mt. Zion would show the following.

I. PURPOSE OF THE PETITION AND DECERTIFICATION CRITERIA

Mt. Zion files this Petition to seek decertification of a portion of its CCN No. 10088 that is located inside the boundaries of a tract of land within the City of Rockwall corporate limits. The developer for the Tract requested water service for the Tract from the City of Rockwall and the City of Rockwall does not hold a water CCN. By agreement, Mt. Zion seeks Commission decertification for the area identified in **Exhibits A and B**.¹ Pursuant to Texas Water Code §13.254(a) and P.U.C. SUBST. R. 24.245(h), "The utility commission at any time after notice and hearing may...amend any certificate of public convenience and necessity with the written consent of the certificate holder."²

¹ The tracts of land described and depicted in Exhibits A and B shall be collectively hereinafter referred to as the "Tract."

² Texas Water Code §13.254(a); P.U.C. SUBST. R. 24.245(h).

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Mt Zion holds multiple CCN service areas under CCN No. 10088. While Mt. Zion intends to retain other service areas certificated under CCN No. 10088, Mt. Zion has agreed to seek removal of the Tract from its water CCN service area pursuant to Texas Water Code §13.254(a) and P.U.C. SUBST. R. 24.245(h).

II. REQUEST FOR DECERTIFICATION

Mt. Zion seeks Commission decertification for the Tracts which comprise approximately 11.126 acres. The Tract is located north of the downtown area of the City of Rockwall and is generally bounded on the west by John King Boulevard and located south of F.M. 522. The Administrative Officer for Mt. Zion provides factual information in support of this Petition in **Exhibit C**. Mt. Zion intends to retain its water CCN No. 10088 service territory for all areas not within the boundaries of the Tract.

Mt. Zion is not providing consent in this docket to remove any certificated service area in whole or in part other than the area shown in **Exhibit A and Exhibit B**. The type of relief sought here by Mt. Zion is distinguishable from CCN amendments authorized elsewhere in the Texas Water Code and Commission rules seeking to add CCN area.³ Mt. Zion does not seek to discontinue, reduce, or impair service to its certified areas or part of its certified area under Texas Water Code §13.250(b) and P.U.C. SUBST. R. 24.115 as it plans to remain the provider of “continuous and adequate service” within all its remaining CCN areas. Consequently, no standardized Commission application form applies to this petition and nothing further is specifically required from Mt. Zion to grant the relief requested herein.

³ See, e.g., Texas Water Code §13.244 and 13.246; P.U.C. SUBST. R. 24.227 and 24.257

Mt. Zion is seeking an amendment to its CCN as agreed upon between Mt. Zion and the developer of the Tract. Mt. Zion believes the information included with this Petition is sufficient for the Commission to grant this request. If more information is required, Mt. Zion respectfully requests that the Commission let Mt. Zion know as soon as possible.

III. CONCLUSION

Mt. Zion respectfully requests the Commission process this Petition and decertify the Tracts from Applicant's CCN No. 10088 pursuant to Texas Water Code §13.254(a) and P.U.C. SUBST. R. 24.245(h). If for any reason the Commission finds the information submitted with this Petition is insufficient for application acceptance, Mt. Zion respectfully requests that it be notified immediately and provided an opportunity to cure any deficiencies identified.

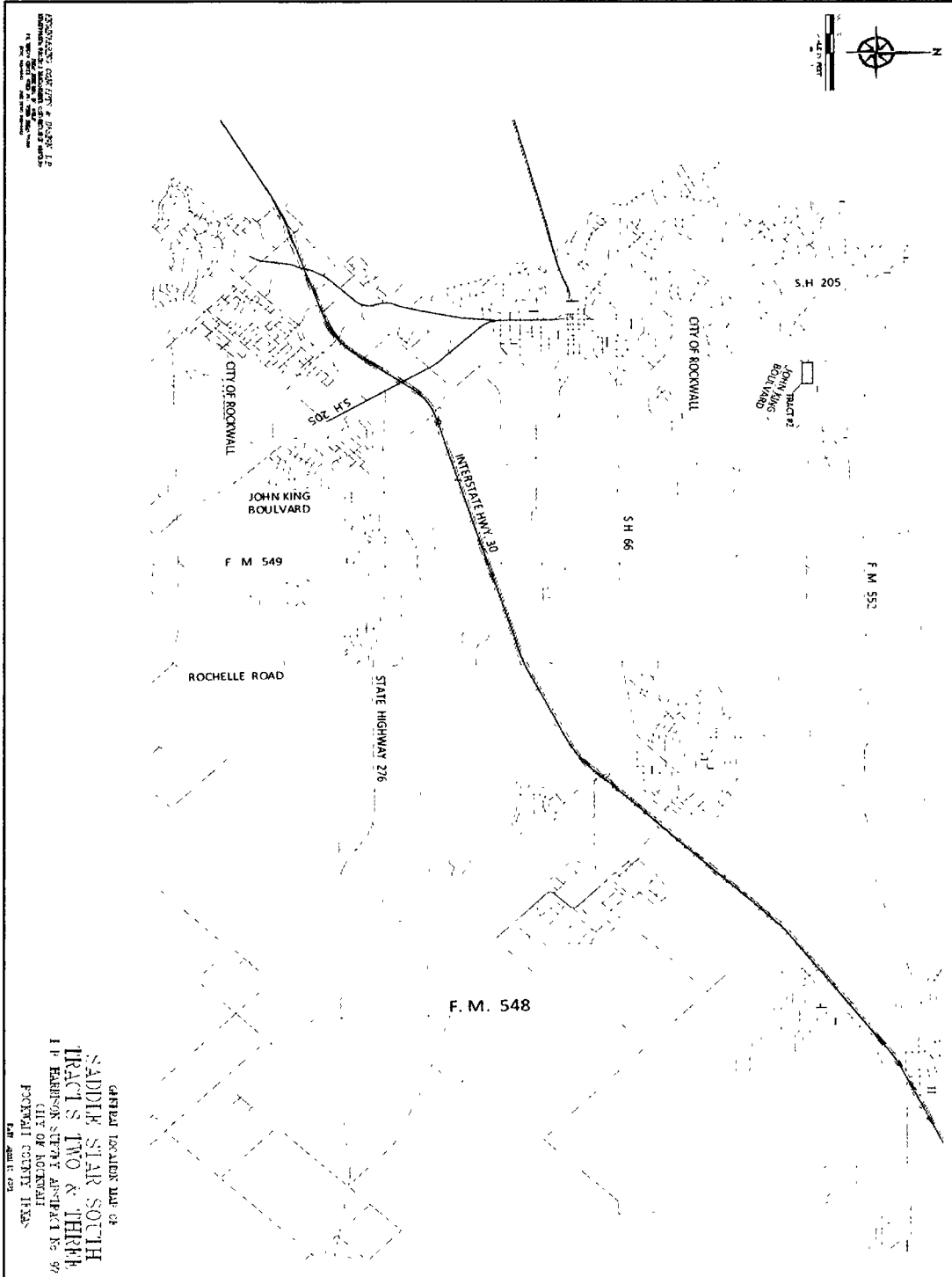
Respectfully submitted,

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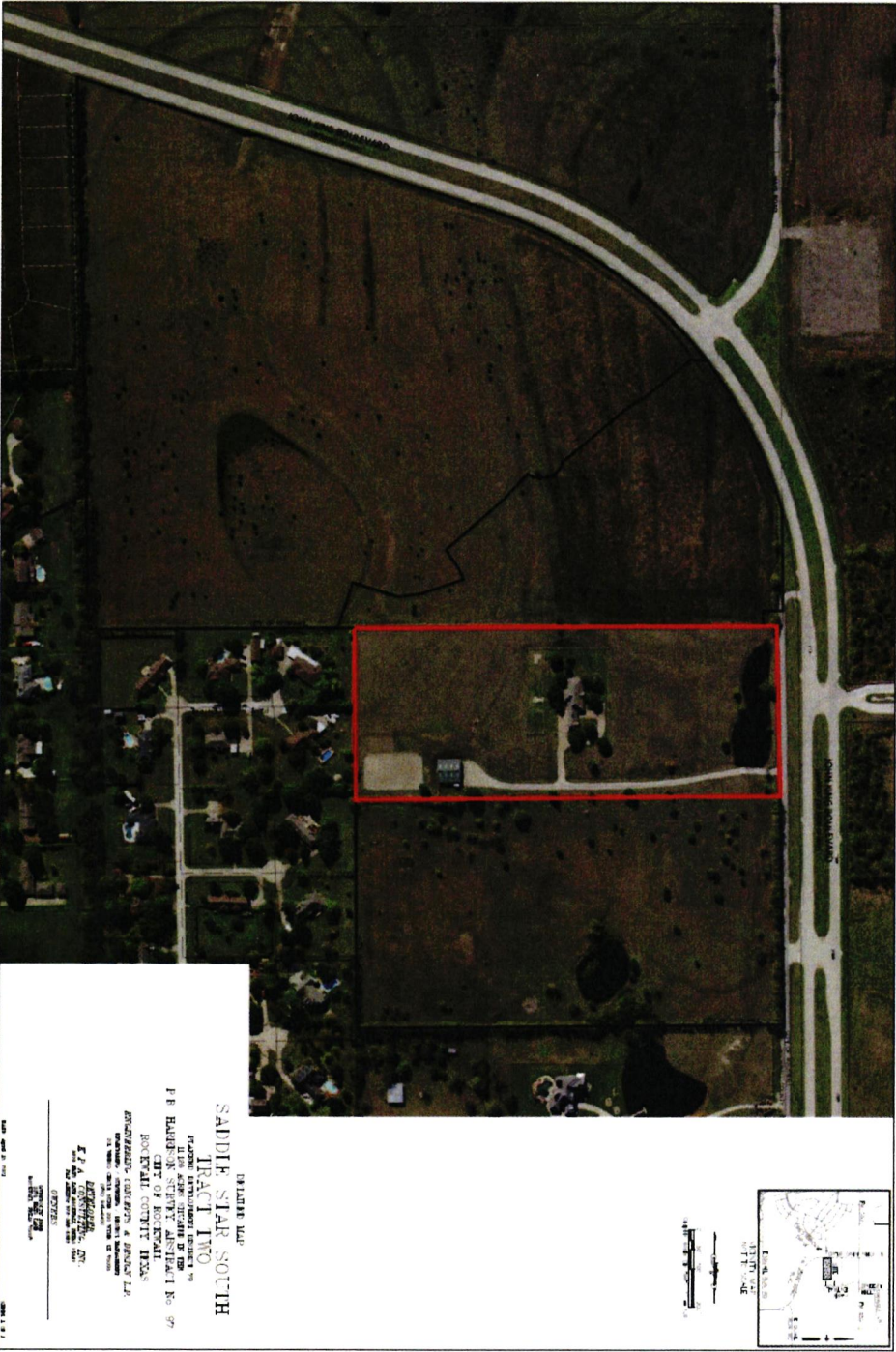
 /s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
State Bar No. 00791551

**ATTORNEY FOR MOUNT ZION WATER
SUPPLY CORPORATION**

**EXHIBIT A
GENERAL LOCATION MAP OF TRACTS**



**EXHIBIT B
DETAILED MAP OF TRACT**



**EXHIBIT C
DECLARATION OF ROBIN BALEY**

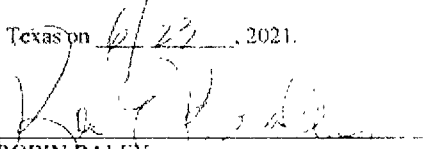
PETITION BY MOUNT ZION WATER § PUBLIC UTILITY COMMISSION
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DECLARATION OF ROBIN BALEY

Pursuant to Texas Civil Practices and Remedies Code Section 132.001, ROBIN BALEY, hereby subscribes to the following declarations under penalty of perjury:

1. My name is ROBIN BALEY, my date of birth is 5-21-63, and my address is PO Box 2034, Rockwall, Texas 75087. I declare under the penalty of perjury that all information in this document is true and correct.
2. I am the Office Administrator for Mt. Zion Water Supply Corporation ("Mt. Zion"). A position that I have held since 1996. As Office Administrator of Mt. Zion, I am authorized to sign this declaration stating the facts herein on behalf of Mt. Zion.
3. Mt. Zion holds certificate of convenience and necessity ("CCN") No. 10088 and Mt. Zion is filing a Petition for Partial Decertification of a portion of its water CCN located in Rockwall County, Texas.
4. The Tract, as defined in the Petition for Partial Decertification filed contemporaneously herewith, overlaps with the portion of CCN No. 10088 for which Mt. Zion seeks decertification. Mt. Zion executed an agreement with the developer of the Tract to seek the decertification for the release of the portion of CCN No. 10088 that encompasses the Tract.
5. If approved, the decertification will allow the Tract's landowner to fulfill its development plans.
6. Mt. Zion requests that the Public Utility Commission of Texas release the Tract from water CCN No. 10088.
7. I declare under the penalty of perjury that the foregoing is true and correct.

SIGNED in Rockwall County, Texas on 6/23, 2021.


ROBIN BALEY

DECLARATION OF ROBIN BALEY

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