



## Filing Receipt

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**Control Number - 52502**

**ItemNumber - 95**

**DOCKET NO. 52502**

<b>APPLICATION OF TEXAS WATER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SYSTEMS, INC. AND UNDINE TEXAS,</b>	<b>§</b>	
<b>LLC FOR SALE, TRANSFER, OR</b>	<b>§</b>	<b>OF TEXAS</b>
<b>MERGER OF FACILITIES AND</b>	<b>§</b>	
<b>CERTIFICATE RIGHTS IN GREGG,</b>	<b>§</b>	
<b>HENDERSON, SMITH, AND UPSHUR</b>	<b>§</b>	
<b>COUNTIES</b>	<b>§</b>	

**UNDINE SUPPLEMENTAL RESPONSE TO ORDER NO. 19**

COMES NOW, Applicant, Undine Texas, LLC ("Undine") and files this Supplemental Response to Order No. 19.

Attached as Exhibit A is the notice to affected parties and affidavits of publication associated with Undine's application.

Respectfully submitted,

**Gregg Law PC**



---

Peter T. Gregg  
State Bar No. 00784174  
910 West Ave., No. 3  
Austin, Texas 78701  
Phone: 512-522-0702  
Fax: 512-727-6070  
[pgregg@gregglawpc.com](mailto:pgregg@gregglawpc.com)

**Attorneys for Undine Texas, LLC**

**DOCKET NO. 52502**

**CERTIFICATE OF SERVICE**

I certify pursuant to the above signature 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 March 17, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.

**EXHIBIT A**

**Notice for Publication**

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO AMEND ITS CCN, TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12473 FROM TEXAS WATER SYSTEMS, INC., AND FOR DUAL CERTIFICATION WITH PORTIONS OF BOTH PRITCHETT WATER SUPPLY CORPORATION, CCN NO. 10478, AND CRYSTAL SYSTEMS TEXAS, INC., CCN NO. 10804, IN GREGG, HENDERSON, SMITH, AND UPSHUR COUNTIES, TEXAS

<u>Undine Texas, LLC</u>	<u>17681 Telge Road</u>	<u>Cypress, TX</u>	<u>77429</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend uncertificated service area to CCN No. 13260, for dual certification with portions of both Pritchett Water Supply Corporation, CCN No. 10478, and Crystal Systems Texas, Inc., CCN No. 10804, and to purchase all of the water facilities and to transfer water certificated service area under CCN No. 12473, in Gregg, Henderson, Smith, and Upshur Counties, TX from:

<u>Texas Water Systems, Inc.</u>	<u>7891 Highway 271</u>	<u>Tyler, TX</u>	<u>75708</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The requested area overlaps the district boundaries of the Upper Sabine Valley SWMD. If the Upper Sabine Valley SWMD does not request a public hearing, the Commission shall determine that the district is consenting to the Undine Texas, LLC's request to provide retail water utility service in the requested area.

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

**Camp Joy**

The requested area subject to this transaction is located within approximately 2 miles north-northeast of downtown Ore City, Texas, and is generally bounded on the north by a line approx. half mile south of Upshur County Landing Road; on the east by Lake O' the Pines; on the south by Upshur/Marion County Line; and on the west by North Front Street in Upshur County. The requested area includes approximately 406 acres and serves 119 customer connections.

**Cape Tranquility**

The requested area subject to this transaction is located within approximately 2 miles north of downtown Coffee City, Texas, and is generally bounded on the north by Jamison Drive; on the east and south by Lake Palestine; and on the west by approximately 200 feet west of County Road 4202 in Henderson County. The requested area includes approximately 81 acres and serves 70 customer connections.

**Country Club Estates**

The requested area subject to this transaction is located within approximately 2 miles south-southwest of downtown Gilmer, Texas, and is generally bounded on the north by State Highway 155; on the east by U.S. Highway 271 South; on the south by Sugar Creek; and on the west by Farm to Market 2685 in Upshur County. The requested area includes approximately 23 acres and serves 34 customer connections.

### **Friendship**

The requested area subject to this transaction is located within approximately 1.3 miles west of downtown Gilmer, Texas, and is generally bounded on the north by Lake Gilmer and Kelsey Creek; on the east by Brooks Creek and North Bradford Street; on the south by State Highway 154; and on the west by Farm to Market 852 and Kelsey Creek in Upshur County. The requested area includes approximately 1,091 acres and serves 92 customer connections.

### **Garden Acres**

The requested area subject to this transaction is located within approximately 4.5 miles west of downtown Longview, Texas, and is generally bounded on the north by Mistletoe Street; on the east by Swinging Bridge Road; on the south by Sabine River; and on the west by Hawkins Creek in Gregg County. The requested area includes approximately 256 acres and serves 79 customer connections.

### **Harmony and Rosewood**

The requested area subject to this transaction is located within approximately 6.2 miles west of downtown Gilmer, Texas, and is generally bounded on the north by Farm to Market 852; on the east by Farm to Market 1795 and State Highway 154; on the south by Cedar Road; and on the west by Raintree Lakes and Kelsey Creek in Upshur County. The requested area includes approximately 1,807 acres and serves 199 customer connections.

### **Mount Sylvan**

The requested area subject to this transaction is located within approximately 4.6 miles southwest of downtown Lindale, Texas, and is generally bounded on the north by Interstate Highway 20; on the east by the intersection of State Highway 110 and County Road 412; on the south by Neches River & County Road 49; and on the west by Mill Break Creek & Neches River in Smith County. The requested area includes approximately 4,880 acres (includes 12 acres to be decertified) and serves 312 customer connections.

### **Stallion Lake and Garden Valley Resort**

The requested area subject to this transaction is located within approximately 3.5 miles east-southeast of downtown Van, Texas, and is generally bounded on the north by the intersection of County Road 424 and State Highway 110; and east by State Highway 110; on the south by Neches River and Mill Break Creek; and on the west by County Road 426 in Smith County. The requested area includes approximately 2,087 acres and serves 211 customer connections.

**Approximate total acreage for the requested area includes 10,619 acres [10,631 acres minus 12 acres to be decertified] with 1,116 total customer connections, comprised of:**

- Transfer Areas from Texas Water Systems (CCN 12473) includes 5,669 acres;
- Decertify Areas from Texas Water Systems (CCN 12473) includes 12 acres;
- Uncertificated (add) Areas includes 4,921 acres;
- Dual Areas with Pritchett WSC (CCN 10478) includes 8 acres; and
- Dual Areas with Crystal Systems (CCN 10804) includes 21 acres.

**A copy of the map showing the requested area is available at: 17681 Telge Road, Cypress, Texas 77429**

The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Texas, LLC (in tariff as Rate Year 3, effective August 1, 2022), which are higher than the current rate for a 5/8" meter for Texas Water Systems, Inc. To

view a copy of the current approved tariff, go to: <https://undinellc.com/wp-content/uploads/Undine-Texas-LLC-Water-Tariff.pdf>

OR email [info@undinellc.com](mailto:info@undinellc.com) or call (713) 574-5953 to request a copy.

### **BILLING COMPARISON for a 5/8" meter**

#### **Water – all subdivisions except Camp Joy**

Existing	2,000 gallons: \$	<u>48.00</u>	/mo	New Rate	2,000 gallons: \$	<u>55.75</u>	/mo
Existing	5,000 gallons: \$	<u>57.00</u>	/mo	New Rate	5,000 gallons: \$	<u>62.98</u>	/mo
Existing	10,000 gallons: \$	<u>72.00</u>	/mo	New Rate	10,000 gallons: \$	<u>78.71</u>	/mo

#### **Water – Camp Joy only**

Existing	2,000 gallons: \$	<u>19.00</u>	/mo	New Rate	2,000 gallons: \$	<u>55.75</u>	/mo
Existing	5,000 gallons: \$	<u>25.00</u>	/mo	New Rate	5,000 gallons: \$	<u>62.98</u>	/mo
Existing	10,000 gallons: \$	<u>38.00</u>	/mo	New Rate	10,000 gallons: \$	<u>78.71</u>	/mo

*Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.*

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the uncertificated requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

# PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT  
DOCKET NO. 52502

STATE OF TEXAS  
COUNTY OF GREGG

Before me, the undersigned authority, on this day personally appeared JOSETTE GARRET,  
who being by me duly sworn, deposes and that (s)he is the

REGIONAL LEGAL CLERK of the LONGVIEW NEWS-JOURNAL  
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in GREGG  
(COUNTY/COUNTIES)

and generally circulated in GREGG, Texas;  
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

2/10/23 & 2/17/23  
(DATES)

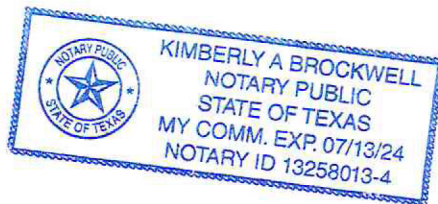
Joette Garret  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 17th day of February, 2023,  
to certify which witness my hand and seal of office.

Kimberly Brockwell  
Notary Public in and for the State of Texas

Kimberly A. Brockwell  
Print or Type Name of Notary Public

Commission Expires 07-13-24



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TRANSPORTATION

RECREATIONAL VEHICLES

2017 Heartland Torque T30 Toy Hauler. 2 slide outs, 2 a/c units, 2 axles, 2 entrance doors, seats 6 people, full bathroom & shower, full size refrigerator, light package, 20" electric power awning. \$20,000 (903)665-4381

FORD

2019 Ford Transit Connect XLT Wagon Passenger Wagon LWB 2.0L I4 Engine, 8-Speed Automatic Stock#K1431577 \$29,612 Call (903)686-1376

AUTO FOR SALE

2012 Tesla Model S Sedan, 103,697 miles, 88/90 mpg City/Hwy, Other Engine, 1-Speed Automatic, RWD \$30,802 Stock#CFP02543, Call (903)686-1376

Gorman McCracken VW MAZDA

KIA

2021 Kia Soul, 2021 Kia Soul Hatchback 2.0L I4 Engine, IVT, FWD \$20,121 Stock#M7794063 Call (903)686-1376

BUICK

2021 Buick Encore GX Select, 1.2L I-3, Engine, CVT, FWD \$25,278 Stock#MB044712 Call (903)686-1376

Gorman McCracken VW MAZDA

LAND ROVER

2019 Land Rover Discovery HSE SUV, 53,010 miles, 16/21 mpg City/Hwy, 3.0L V-6 Engine, ZF 8-Speed Automatic, AWD, \$38,326 Stock#KA081005 Call (903)686-1376

Gorman McCracken VW MAZDA

CADILLAC

2021 Cadillac XT5 Premium Luxury, 3.6L V-6 Engine, 9-Speed Automatic, AWD \$32,502 Stock#MZ107019 Call (903)686-1376

Gorman McCracken VW MAZDA

MAZDA

2021 Mazda 6 Touring, 2.5L I-4 Engine, 6-Speed Automatic, FWD \$24,753, Stock#M160790T Call (903)686-1376

Gorman McCracken VW MAZDA

CHEVROLET

2019 Chevrolet Blazer, RS, 3.6L V-6 Engine, 9-Speed Automatic, AWD \$31,159 Stock#KS564652 Call (903)686-1376

Gorman McCracken VW MAZDA

SUBARU

2015 Subaru Forester, 24/32 mpg City/Hwy, 2.5L I-4 Engine, Lineartonic CVT \$16,087 Stock#FH501646 Call (903)686-1376

Gorman McCracken VW MAZDA

VOLKSWAGEN

2021 Volkswagen Jetta 1.4T S Sedan, 1.4L I-4 Engine, 8-Speed Automatic with Tiptronic, FWD \$17,280 Stock#KM09235T Call (903)686-1376

Gorman McCracken VW MAZDA

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SPECIAL ANNOUNCEMENTS

Affordable Health Insurance Open Enrollment for Medicare Advantage, Jan 1st - Mar 31st. Enrolling for health insurance. Contact Yolanda Anderson 903-263-8735 (cell) 903-331-0971 (office) 1605 Judson Rd, Longview, TX

2019 Ford Edge ST, 2.7L V-6 Engine, 8-Speed Automatic, AWD \$26,186 Stock#KBC19990 Call (903)686-1376

Gorman McCracken VW MAZDA

FORD

2018 Ford F-150 XLT Truck Super-Crew Cab, 40,572 miles, 18/23 mpg City/Hwy, 5.0L V-8 Engine, 10-Speed Automatic, 4WD \$42,341 Stock#JKD32826 Call (903)686-1376

Gorman McCracken VW MAZDA

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SPECIAL ANNOUNCEMENTS

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Gorman McCracken VW MAZDA

2019 Ford Edge ST, 2.7L V-6 Engine, 8-Speed Automatic, AWD \$26,186 Stock#KBC19990 Call (903)686-1376

ANNOUNCEMENTS

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LEGAL NOTICES

THE STATE OF TEXAS

To: THE HEIRS AT LAW OF THE ESTATE OF MARY J KINNAMAN, DECEASED Greetings: You are commanded to appear by filing a written answer to the plaintiff's petition at or before 10 o'clock A.M. of the first Monday after the expiration of 42 days from the date of issuance of this Citation...

The name of the parties in said suit are: Matrix Financial Services Corporation Plaintiff and Estate of Mary J Kinnaman and The Heirs at Law of Estate of Mary J Kinnaman, Deceased Defendants,

The nature of said suit being substantially as follows, to wit: Suit To Remove Cloud From Title

The name and address of the attorney for plaintiff, or the address of plaintiff is: BRADLEY CONWAY 5601 DEMOCRACY DRIVE SUITE 265 PLANO TX 75024 972-532-0128

Issued this the 20th day of January, 2022 Given under my hand and seal of said Court, at office in Longview, Texas this the 20th day of January, 2023

Trey Hattaway, Clerk County Court at Law 2 Court (Purchaser's Name) R0, Box 711 Longview, Tx 75606 Gregg County, Texas Signed: 1/20/2023 10:46:33 AM By /s/ Debbie Kinney Deputy Debbie Kinney

Notice for Publication Docket No. 52502

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO AMEND ITS CCN, TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12473 FROM TEXAS WATER SYSTEMS, INC., AND FOR DUAL CERTIFICATION WITH PORTIONS OF BOTH PRITCHETT WATER SUPPLY CORPORATION, CCN NO. 10478, AND CRYSTAL SYSTEMS TEXAS, INC., CCN NO. 10804, IN GREGG, HENDERSON, SMITH, AND UPSHUR COUNTIES, TEXAS

Undine Texas, LLC 17681 Telige Road Cypress, TX 77429 (Seller's Name) (Address) (City), (State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend uncertificated service area to CCN No. 13260, for dual certification with portions of both Pritchett Water Supply Corporation, CCN No. 10478, and Crystal Systems Texas, Inc., CCN No. 10804, and to purchase all of the water facilities and to transfer water certificated service area under CCN No. 12473, in Gregg, Henderson, Smith, and Upshur Counties, TX from:

Texas Water Systems, Inc. 7891 Highway 271 Tyler, TX 75708 (Seller's Name) (Address) (City), (State) (Zip Code)

The requested area overlaps the district boundaries of the Upper Sabine Valley SWMD. If the Upper Sabine Valley SWMD does not request a public hearing, the Commission shall determine that the districts consenting to the Undine Texas, LLC's request to provide retail water utility service in the requested area.

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions: Camp Joy The requested area subject to this transaction is located within approximately 2 miles north-northeast of downtown Ore City, Texas...

Cape Tranquility The requested area subject to this transaction is located within approximately 2 miles north of downtown Coffee City, Texas, and is generally bounded on the north by Jamison Drive; on the east and south by Lake Palestine; and on the west by approximately 200 feet west of County Road 4202 in Henderson County.

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Mount Sylvan The requested area subject to this transaction is located within approximately 4.6 miles southwest of downtown Lindale, Texas, and is generally bounded on the north by Interstate Highway 20; on the east by the intersection of State Highway 110 and County Road 412; on the south by Neches River & County Road 49; and on the west by Mill Break Creek & Neches River in Smith County.

Stallion Lake and Garden Valley Resort The requested area subject to this transaction is located within approximately 3.5 miles east-southeast of downtown Van, Texas, and is generally bounded on the north by the intersection of County Road 424 and State Highway 110; on the east by State Highway 110; on the south by Neches River and Mill Break Creek; and on the west by County Road 426 in Smith County.

Approximate total acreage for the requested area includes 10,619 acres [10,631 acres minus 12 acres to be decertified] with 1,116 total customer connections, comprised of:

Table with 4 columns: Transfer Areas from Texas Water Systems (CCN 12473) includes 5,669 acres; Decertify Areas from Texas Water Systems (CCN 12473) includes 12 acres; Uncertificated (add) Areas includes 4,921 acres; Dual Areas with Pritchett WSC (CCN 10478) includes 8 acres; Dual Areas with Crystal Systems (CCN 10804) includes 21 acres.

A copy of the map showing the requested area is available at: 17681 Telige Road, Cypress, Texas 77429 The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Texas, LLC in tariff as Rate Year 3, effective August 1, 2022...

BILLING COMPARISON for a 5/8" meter Table with 4 columns: Water - all subdivisions except Camp Joy, Existing, New Rate, 2,000 gallons; Existing, New Rate, 5,000 gallons; Existing, New Rate, 10,000 gallons.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the uncertificated requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility.

Persons who wish to request this option should file the required documents with the: Public Utility Commission of Texas Central Records 1701 N. Congress, P. O. Box 13326 Austin, TX 78711-3326

LEGAL NOTICES

Published Notice to Creditors Notice is hereby given that letters of guardianship for the person and estate of Floyd James Mitchell were issued on February 7, 2023 in Docket No. 2023-0005-E, pending in the Gregg County Court at Law No. 2 of Gregg County, Texas to Michael Wayne Mitchell, Guardian, as guardian of the person and estate.

The residence of Guardian is in Gregg County, Texas and the mailing address is Guardian of the Person and Estate of Floyd James Mitchell, c/o Kristen J. Ishihara, 3000 HG Mosley Pkwy, Longview, TX 75605.

All persons having claims against this estate, which is currently being administered, are required to present them within the time and in the manner prescribed by law.

LIQUOR LICENSE

Application has been made with the Texas Alcoholic Beverage Commission for a BG permit, wine and beer retailers permit, by Saniyah & Alynah LLC doing business as Louisiana Cajun Cafe. To be located at 3052 N Eastman Rd., Ste. 101, Longview, 75605, Gregg County, Texas. Ali M Sayani Managing Member / Owner. ETXJOBS.com

EMPLOYMENT

HEALTH CARE

LVN's and RN's needed for pediatric and geriatric private duty in the Marshall, Longview, Kilgore, Overton and Henderson areas. Competitive pay. Benefits for full-time. Call Carolyn at 903-665-6131 for more information.

BUSINESS SERVICES

76yo former Airline Passenger Service Manager/Pinkerton Security Officer in search of house sitter position only. No pets. Pref in the evening to early morning. Longview location only. Leave message if no answer. (903)807-9888

I DO HOUSE CLEANING. Residential, commercial, & offices. Honest, reliable & efficient. References available. Maria (903)387-2835

MERCHANDISE

Bargains Galore Baker's rack, metal, heavy duty, \$80, (903)738-0392 Canon PIXMA MG2500 printer, not wireless, new, \$30. 903-720-6227

Crockpot, 4qt., black, locking lid, \$20, (903)238-5996 Fondue set, vintage, brown enamel, never used, \$10, (903)235-6972

Gait Belt, for patient transfer and walking, \$3, (903)235-6972 Ladies beige raincoat, size large, zip-in lining, \$15, (903)663-1854

Large concrete bird bath, \$30, (903)738-0392 Lg collection British Royalty books, mags, tapes, \$95. 903-720-6227

Speed Queen electric dryer, good condition, \$55, (903)918-0604 Stand mixer, white, 5 attachments, perfect condition, \$25, (903)238-5996

Tennis balls, 12 cans, slightly used, all for \$6, (903)663-1854

Twin mattress, used once, for small person or child, \$60, (903)297-4897

FIREARMS/ ACCESSORIES GUN and KNIFE SHOW Henderson, TX Rusk County Expo Center 3303 FM 13 February 11-12 SAT: 9AM - 5PM SUN: 9AM - 4PM Admission is \$8 \$2 off Admission for All Active Duty & Retired Military w/ID! G & S Promotions gunshowtrader.com 918-659-2201 \$1 off Admission with ad.

MEDICAL EQUIPMENT

Need A Hospitable Bed? I have a Medline Basic Homecare Hospital Bed (gently used), 80"x36", fully electric, 4 smooth-rolling casters, remote, mattress & side rails. Height 22.5". Weight capacity 450lbs. Head/foot/height adjustments. \$600. (903)240-6883

MISCELLANEOUS PVC Scraps Make reasonable offer. Call 903-927-5977

GARAGE SALES

ESTATE SALES

Living Estate Sale 106 Betty St Fri 2/10 50%OFF Sat 2/11 75% OFF 8am - 5pm Furniture, housewares, jewelry, teapot collections, vintage doll collections, designer purses, wall art, and more!

sold it in the classifieds. Call 903.758.3000

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# PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT  
DOCKET NO. 52502

STATE OF TEXAS  
COUNTY OF Henderson

Before me, the undersigned authority, on this day personally appeared Amy Hennessey,

who being by me duly sworn, deposes and that (s)he is the

Classified executive of the Athens Daily Review  
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in Henderson County  
(COUNTY/COUNTIES)

and generally circulated in Henderson County, Texas;  
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

2-19-2022 2-26-2022  
(DATES)

Amy Hennessey  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 8 day of March, 2022,  
to certify which witness my hand and seal of office.

Terry E Bell  
Notary Public in and for the State of Texas



Legal

Legal

Legal

Legal

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NOTICE OF PUBLIC HEARING

NOTICE is hereby given to owners of property adjacent to and to all other persons, as provided by the law, that the Planning & Zoning Commission for the City of Athens, Texas, will hold a public hearing for the items below on Monday, March 7, 2022 at 5:30 p.m. and the City Council will hold a public hearing on Monday, March 14, 2022 at 5:30 p.m. in the Civic Hall of the Cain Center, 915 South Palestine Street, Athens, Texas to consider the following request and at which time and place all interested persons will be given an opportunity to be heard.

Consider a request for a demolition order for the substandard structure located at 603 Lee St, also known as Lot 3, Block B of the F. M. Coker Addition, B. C. Walters Survey, Abstract 797. Owner: Jacqueline Williams.

Consider a request from Steve Grant of BB & G Properties, Inc. for approval of a zoning change from Industrial to Multi-Family – 2 for Tract 46, J. B. Atwood Survey, tract 19; located the northwest corner of Old Tyler Hwy and Short St, also known as Property ID R1759.

Consider a request from Amir Ali Jafri for approval of a zoning change from Commercial to Single-Family – 7 for Lot D, C. L. Loper, T. Parmer Survey, Abstract 782; located at 206 W Cayuga St.

Consider a request from Scott Barrett of Red Dot Corporation for approval of a zoning change from Single-Family – 5 to Commercial for Lots 1, 3, 5, 7, 9 & 17A of Block 4 and Lots 2-15 of Block 5 of West Hylands, T. Parmer Survey, Abstract 782; located at 1209 W Corsicana St, and also known as Property IDs C2557, C2558, R81189, R81191, R81193, R81194, R81196 & C122818.

Consider a request from request from Rogue Architects for approval of site plan for minor automotive repair use located in the Planned Development – 1 zoning district for Lot 7A of Athens Center, R. A. Clark Survey, Abstract 171; located at 1101 E Tyler St. Owner: SCC East Tyler Athens LLC

Docket No. 52502

Notice for Publication

UNDINE DEVELOPMENT, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 12407, NOTICE OF INTENT TO AMEND ITS CCN, TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12473 FROM TEXAS WATER SYSTEMS, INC., AND FOR DUAL CERTIFICATION WITH PORTIONS OF BOTH PRITCHETT WATER SUPPLY CORPORATION, CCN NO. 10478, AND CRYSTAL SYSTEMS TEXAS, INC., CCN NO. 10804, IN GREGG, HENDERSON, SMITH, AND UPSHUR COUNTIES, TEXAS

Undine Development, LLC      17681 Telge Road      Cypress, TX      77429  
(Purchaser's Name)      (Address)      (City), (State)      (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend uncertificated area to CCN No. 12407, for dual certification with portions of both Pritchett Water Supply Corporation, CCN No. 10478, and Crystal Systems Texas, Inc., CCN No. 10804, and to purchase all of the water facilities and to transfer water certificated service area under CCN No. 12473, in Gregg, Henderson, Smith, and Upshur Counties, TX from:

Texas Water Systems, Inc.      7891 Highway 271      Tyler, TX      75708  
(Seller's Name) (Address)      (City), (State)      (Zip Code)

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

Camp Joy

The requested area subject to this transaction is located within approximately 2 miles north-northeast of downtown Ore City, Texas, and is generally bounded on the north by a line approx. half mile south of Upshur County Landing Road; on the east by Lake O' the Pines; on the south by Upshur/Marion County Line; and on the west by North Front Street in Upshur County. The requested area includes approximately 406 acres and serves 119 customer connections.

Cape Tranquility

The requested area subject to this transaction is located within approximately 2 miles north of downtown Coffee City, Texas, and is generally bounded on the north by Jamison Drive; on the east and south by Lake Palestine; and on the west by approximately 200 feet west of County Road 4202 in Henderson County. The requested area includes approximately 81 acres and serves 70 customer connections.

Country Club Estates

The requested area subject to this transaction is located within approximately 2 miles south-southwest of downtown Gilmer, Texas, and is generally bounded on the north by State Highway 155; on the east by U.S. Highway 271 South; on the south by Sugar Creek; and on the west by Farm to Market 2685 in Upshur County. The requested area includes approximately 23 acres and serves 34 customer connections.

Friendship

The requested area subject to this transaction is located within approximately 1.3 miles west of downtown Gilmer, Texas, and is generally bounded on the north by Lake Gilmer and Kelsey Creek; on the east by Brooks Creek and North Bradford Street; on the south by State Highway 154; and on the west by Farm to Market 852 and Kelsey Creek in Upshur County. The requested area includes approximately 1,091 acres and serves 92 customer connections.

Garden Acres

The requested area subject to this transaction is located within approximately 4.5 miles west of downtown Longview, Texas, and is generally bounded on the north by Mistletoe Street; on the east by Swinging Bridge Road; on the south by Sabine River; and on the west by Hawkins Creek in Gregg County. The requested area includes approximately 256 acres and serves 79 customer connections.

Harmony and Rosewood

The requested area subject to this transaction is located within approximately 6.2 miles west of downtown Gilmer, Texas, and is generally bounded on the north by Farm to Market 852; on the east by Farm to Market 1795 and State Highway 154; on the south by Cedar Road; and on the west by Raintree Lakes and Kelsey Creek in Upshur County. The requested area includes approximately 1,807 acres and serves 199 customer connections.

Mount Sylvan

The requested area subject to this transaction is located within approximately 4.6 miles southwest of downtown Lindale, Texas, and is generally bounded on the north by Interstate Highway 20; on the east by the inter-section of State Highway 110 and County Road 412; on the south by Neches River & County Road 49; and on the west by Mill Break Creek & Neches River in Smith County. The requested area includes approximately 4,880 acres (includes 12 acres to be decertified) and serves 312 customer connections.

Stallion Lake and Garden Valley Resort

The requested area subject to this transaction is located within approximately 3.5 miles east-southeast of downtown Van, Texas, and is generally bounded on the north by the intersection of County Road 424 and State Highway 110; and east by State Highway 110; on the south by Neches River and Mill Break Creek; and on the west by County Road 426 in Smith County. The requested area includes approximately 2,087 acres and serves 211 customer connections.

Approximate total acreage for the requested area includes 10,619 acres [10,631 acres minus 12 acres to be decertified] with 1,116 total customer connections, comprised of:

- Transfer Areas from Texas Water Systems (CCN 12473) includes 5,669 acres;
- Decertify Areas from Texas Water Systems (CCN 12473) includes 12 acres;
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- Dual Areas with Pritchett WSC (CCN 10478) includes 8 acres; and
- Dual Areas with Crystal Systems (CCN 10804) includes 21 acres.

The requested area overlaps the district boundaries of the Upper Sabine Valley SWMD. If the Upper Sabine Valley SWMD does not request a public hearing, the Commission shall determine that the district is consenting to the Undine Development, LLC's request to provide retail water utility service in the requested area. The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Development, LLC, which are higher than the current rate for a 5/8" meter plus gallonage for Texas Water Systems, Inc. To view a copy of the current approved tariff, go to: <https://undinellc.com/Tariff/Undine%20Development%20Water%20Tariff.pdf>

Or email [info@undinellc.com](mailto:info@undinellc.com) or call (713) 574-5953 to request a copy.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

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# Texas Supreme Court hears arguments in state abortion case

**ALI LINAN**  
CNHI TEXAS STATEHOUSE REPORTER

AUSTIN — The Texas Supreme Court heard oral arguments Thursday on a narrow challenge to the state's law that created a near-total abortion ban. The case surrounds whether medical licensing officials have the authority to enforce the state's Senate Bill 8 passed last year, and in doing so, makes them a target for legal action. Senate Bill 8, also referred to as the Heartbeat Act, bans abortions in Texas after cardiac activity is detected in a fetus, usually around six weeks of pregnancy, before many women know they are pregnant. It was also designed to evade judicial review by instead deputizing private citizens as the enforcers, allowing them to bring lawsuits seeking damages of up to \$10,000 against anyone who "aids or abets" an abortion after a heartbeat is detected. Additionally, doctors, nurses and other medical professionals are potentially threatened with loss of licensure — managed by the Texas Medical Board and the Texas Board of Nursing — should a medical provider be sued for breaking the law. Marc Hearron, senior counsel at the Center for Reproductive Rights who argued on behalf of abortion advocates, said allowing medical licensing officials to revoke credentials constitutes an enforcement by a state agency. Therefore, abortion providers can sue licensing officials, allowing pro-choice advocates another avenue to block SB 8. Conversely, Solicitor General Judd Stone II, arguing on behalf of the state, said the law clearly prohibits enforcement by a state agency or official therefore making the argument moot. "The legislature has directed that no enforcement of that prohibition may be taken or threatened by the state," he said. "If a state official revoked a doctor's license as a consequence of violating SB 8, any ordinary individual would describe that as enforcement."

Even as Hearron argued that the state licensing boards have enforcement power per its code, Stone said that the justices could rule that the medical licensing officials do not have the power of enforce-

ment regarding SB 8, essentially ending the case for abortion advocates and their last-ditch effort to declare SB 8 unconstitutional.

Hearron admitted that if justices went this route, it would still be beneficial to his clients by providing "certainty" that they wouldn't lose their license solely for being sued due to an SB 8 violation.

Thursday's arguments are only the latest step in a string of court proceedings between the state and abortion advocates. The case, formally known as *Whole Woman's Health v. Jackson*, continues to circulate through the system making its way up to the U.S. Supreme Court before being returned to the lower courts.

While before SCOTUS in November, justices only answered a procedural question on whether abortion providers can sue judges, court clerks and others in their role as an enforcer of SB 8. The court struck down most of the case, only allowing abortion providers to continue the case against medical licensing officials, and sent the case back to the Fifth U.S. Circuit Court of Appeals.

The court of appeals then diverted the case to the Texas Supreme Court for further state law interpretation before the case goes before the appellate court once again.

Currently, the ban also remains in effect despite several opportunities for courts, including SCOTUS and the Fifth U.S. Circuit Court of Appeals, to place a stay on the law until legal issues are sorted out.

Texas' SB 8 made national headlines for its unique enforcement structure and stringent timeline on legal abortion access. It will also likely lead to other copycat laws in other states seeking to outlaw abortions, experts say.

However, it is the case currently before SCOTUS — *Dobbs v. Jackson Women's Health Organization* — may be the one to overturn the 1973 case *Roe v. Wade*, which legalized abortion. Should the conservative-leaning court overturn *Roe v. Wade*, Texas already has a trigger law in place that would ban abortions statewide.

A decision on the Mississippi case will likely come in June, at the end of the SCOTUS term, experts predict.

Legal

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- #55: Dental
- #45: Drivers/Transportation
- #18: Education
- #19: Engineering
- #20: Environmental
- #24: Factory & Warehouse
- #57: Health Care Assistants
- #44: Hotel & Hospitality
- #23: Human Resources
- #21: Insurance/Financial Services
- #25: Janitorial & Grounds Maintenance
- #26: Legal
- #27: Management
- #28: Materials & Logistics
- #29: Mechanics
- #30: Media & Advertising
- #58: Medical Records
- #56: Medical Technicians
- #53: Medical Therapists
- #52: Nursing
- #31: Office Administration
- #32: Operations
- #33: Personal Care
- #54: Pharmacy
- #46: Printing
- #34: Protective Services
- #35: Quality Control
- #48: Real Estate
- #36: Research & Development
- #37: Restaurant
- #38: Retail
- #39: Sales
- #51: Skilled Trades: Building General
- #47: Skilled Trades: Construction
- #40: Skilled Trades: Building Prof.
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- #42: Telephone/Cable
- #49: Travel and Recreation
- #43: Trucking

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### Avoid Abbreviations.

A few accepted and recognized abbreviations are OK, but an ad full of them just confuses the readers. They will go on to the next ad rather than decipher yours.

### Be Available.

List your telephone number so that the potential buyer will know how to contact you. State the best hours to call so they'll know when they can reach you.

### Consider Your Readers.

Put yourself in the reader's place. If you were considering buying this item, what would you want to know about it?

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201 S. Prairieville  
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**903-670-3400**

# PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT  
DOCKET NO. 52502

STATE OF TEXAS  
COUNTY OF SMITH

Before me, the undersigned authority, on this day personally appeared JOSETTE GARRETT,  
who being by me duly sworn, deposes and that (s)he is the

REGIONAL LEGAL CLERK of the TYLER MORNING TELEGRAPH  
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in SMITH  
(COUNTY/COUNTIES)

and generally circulated in SMITH, Texas;  
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

2/10/23 & 2/17/23  
(DATES)

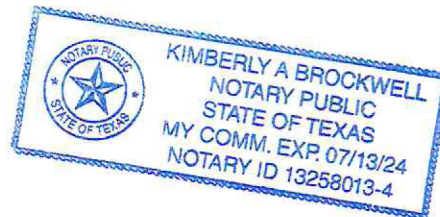
Joette Garrett  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 17th day of February, 2023,  
to certify which witness my hand and seal of office.

Kimberly A. Brockwell  
Notary Public in and for the State of Texas

Kimberly A. Brockwell  
Print or Type Name of Notary Public

Commission Expires 07-13-24







**PUBLISHER'S AFFIDAVIT**

**THE STATE OF TEXAS, COUNTY OF UPSHUR**

On this 27th day of FEBRUARY, 2023, personally appeared before me, the undersigned, a Notary Public in and for said County and State, William R. Greene, Publisher/Editor of The Gilmer Mirror, a newspaper published at Gilmer, County of Upshur, State of Texas, who, being by me duly sworn on oath, states that:

**PUBLIC NOTICE: UNDINE TEXAS LLC - TEXAS WATER SYSTEMS**

A true copy of which is hereto annexed, was published in said newspaper in its issue, FEBRUARY 16 & 23, 2023.

William R. Greene  
Publisher/Editor

Subscribed and sworn to before me, this the 27th day of FEBRUARY, 2023.

(Seal)



Suzanne Patterson  
Notary Public, Upshur County, Texas



# Gilmer Buckeyes finish regular season

By Mary L. Kirby

The Gilmer Buckeyes finished their regular season with two wins, a resounding 79-53 victory over Henderson Monday and 65-55 win over Spring Hill on Senior Night Feb. 7.

The early Senior Night was in conjunction with the Lady Buckeyes in anticipation of the girls bi-district game on Feb. 14 which will be reported in the Mirror next week. Ashton Haynes, Geramiah Noble, Zack Easley, and Caleb Dodd were the Buckeye seniors.

With their second win over Henderson, Gilmer finished the season 11-15, 6-6. Gilmer lost twice to District 17-4A leaders Center and Chapel Hill and to third place Kilgore. The Buckeyes won twice over Carthage, Spring Hill and Henderson.

Next up for the Buckeyes will be a bi-district game with the winner of the Jacksonville-Bullard contest played Tuesday. "Estactic," said Head Coach Jeff Smith when asked about his reaction to the 2022-23 season.

"I am proud of these young men," Smith continued. "They have been receptive for what we have said. They have bought into what we are trying to do and they have been coming together as a team. Their mentality toward basketball has changed.

While Gordon Ross proved to be the high point man for the night with 24 points, he did not have much support. Smiley scored 12, Landon 10 including a 3-pointer, Alexander hit a 3-pointer for his points, and Patel scored 2. Ross had two 3-pointers including one for the first Lion points of the game.

After Ross's basket tied the game at 3-3, Gilmer went on a

12-0 run to lead 15-3 and never looked back. Henderson did narrow the gap some in the first quarter to finish trailing 24-15 and 43-32 at halftime after Alec Sims hit a 3-pointer at the halftime buzzer.

Ashton Haynes opened the third quarter with the first of his two 3-pointers, Smiley responded with two of his buckets to cut the score to 46-36, and Haynes hit from downtown again with 6:17 left in the quarter for a 49-36 lead.

Starting with a free throw followed by a 3-pointer by Sims, Gilmer went on a 15-7 run with four Buckeyes joining Sims in the scoring, finishing the third quarter with a 64-43 lead.

In the fourth, Caleb Dodd found his range and scored all of his eight points including going 3/3 in free throws.

Gilmer finished with Kolby Webb the leading Buckeye scorer with 17 points including three 3-pointers. Geramiah Noble joined him in double figures with 15 including 4/6 free throw shooting and a 3-pointer.

Other Buckeyes scoring included 9 for Sims and Peco Hamilton with each hitting one 3-pointer, Haynes 6 with his two 3-pointers, Aron Bell and Brendan Webb 5 each, Zack Easley 3, and Jamar Byrd 2.

The week before, Gilmer trailed Spring Hill at halftime 37-24.

It was a different story in the second half.

Gilmer came out firing with eight of the 10 Buckeyes who scored that night connecting in the third quarter. Gilmer outpaced the Panthers 23-8 and took control of the match.

Leading 47-45 after three quarters, the Buckeyes kept

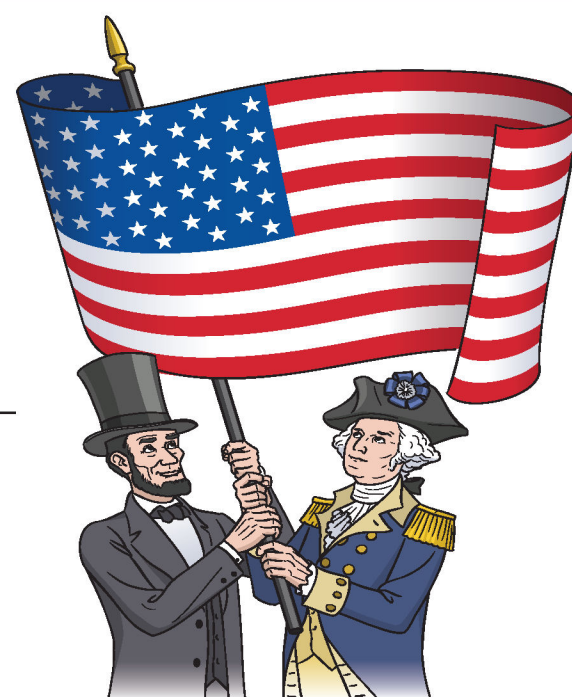
firing away as they outscored the Panthers 18-10 in the final eight minutes.

Spring Hill finished with three players in double figures, D. Yalverton with 14, J. Backett, 13 and P. Bassett with 11. Gilmer shut down Backett and two others in the second half.

Dodd led the Buckeyes in scoring with 12 points including hitting four of his five free throws coming on technicals. He joined Haynes, Hamilton, Jamar Byrd, and Sims in hitting a 3-pointer with only Haynes hitting his in the first half.

Haynes finished with 10 points, Hamilton 9, Noble 7, Webb 6, Easley 6, Jamar Byrd 3, Sims 8, Bell 2, and Ta'Erik Tate 2. (See related picture on Page 10A).

*We will be closed  
Monday,  
February 20, 2023  
in observance of  
President's Day*



713 U.S. HWY 271 N. • Gilmer, Texas • 903-843-5653



## 40th Community Expo

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*Docket No. 52502*

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The requested area subject to this transaction is located within approximately 2 miles north-northeast of downtown Ore City, Texas, and is generally bounded on the north by a line approx. half mile south of Upshur County Landing Road; on the east by Lake O' the Pines; on the south by Upshur/Marion County Line; and on the west by North Front Street in Upshur County. The requested area includes approximately 406 acres and serves 119 customer connections.

#### Cape Tranquility

The requested area subject to this transaction is located within approximately 2 miles north of downtown Coffee City, Texas, and is generally bounded on the north by Jamison Drive; on the east and south by Lake Palestine; and on the west by approximately 200 feet west of County Road 4202 in Henderson County. The requested area includes approximately 81 acres and serves 70 customer connections.

#### Country Club Estates

The requested area subject to this transaction is located within approximately 2 miles southwest of downtown Gilmer, Texas, and is generally bounded on the north by State Highway 155; on the east by U.S. Highway 271 South; on the south by Sugar Creek; and on the west by Farm to Market 2685 in Upshur County. The requested area includes approximately 23 acres and serves 34 customer connections.

#### Friendship

The requested area subject to this transaction is located within approximately 1.3 miles west of downtown Gilmer, Texas, and is generally bounded on the north by Lake Gilmer and Kelsey Creek; on the east by Brooks Creek and North Bradford Street; on the south by State Highway 154; and on the west by Farm to Market 852 and Kelsey Creek in Upshur County. The requested area includes approximately 1,091 acres and serves 92 customer connections.

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The requested area subject to this transaction is located within approximately 4.5 miles west of downtown Longview, Texas, and is generally bounded on the north by Mistletoe Street; on the east by Swinging Bridge Road; on the south by Sabine River; and on the west by Hawkins Creek in Gregg County. The requested area includes approximately 256 acres and serves 79 customer connections.

#### Harmony and Rosewood

The requested area subject to this transaction is located within approximately 6.2 miles west of downtown Gilmer, Texas, and is generally bounded on the north by Farm to Market 852; on the east by Farm to Market 1795 and State Highway 154; on the south by Cedar Road; and on the west by Raintree Lakes and Kelsey Creek in Upshur County. The requested area includes approximately 1,807 acres and serves 199 customer connections.

#### Mount Sylvania

The requested area subject to this transaction is located within approximately 4.6 miles southwest of downtown Lindale, Texas, and is generally bounded on the north by Interstate Highway 20; on the east by the intersection of State Highway 110 and County Road 412; on the south by Neches River & County Road 49; and on the west by Mill Break Creek & Neches River in Smith County. The requested area includes approximately 4,880 acres (includes 12 acres to be decertified) and serves 312 customer connections.

#### Stallion Lake and Garden Valley Resort

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**Approximate total acreage for the requested area includes 10,619 acres [10,631 acres minus 12 acres to be decertified] with 1,116 total customer connections, comprised of:**

- Transfer Areas from Texas Water Systems (CCN 12473) includes 5,669 acres;
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- Dual Areas with Crystal Systems (CCN 10804) includes 21 acres.

**A copy of the map showing the requested area is available at:** 17681 Telge Road, Cypress, Texas 77429

The proposed transaction may change the current customers' rates and services to the current approved rates and services of Undine Texas, LLC (in tariff as Rate Year 3, effective August 1, 2022), which are higher than the current rate for a 5/8" meter for Texas Water Systems, Inc. To view a copy of the current approved tariff, go to: <https://undinellc.com/wp-content/uploads/Undine-Texas-LLC-Water-Tariff.pdf>

OR email [info@undinellc.com](mailto:info@undinellc.com) or call (713) 574-5953 to request a copy.

#### BILLING COMPARISON for a 5/8" meter

##### Water - all subdivisions except Camp Joy

Existing	2,000 gallons:	\$ 48.00 /mo	New Rate	2,000 gallons:	\$ 55.75 /mo
Existing	5,000 gallons:	\$ 57.00 /mo	New Rate	5,000 gallons:	\$ 62.98 /mo
Existing	10,000 gallons:	\$ 72.00 /mo	New Rate	10,000 gallons:	\$ 78.71 /mo

##### Water - Camp Joy only

Existing	2,000 gallons:	\$ 19.00 /mo	New Rate	2,000 gallons:	\$ 55.75 /mo
Existing	5,000 gallons:	\$ 25.00 /mo	New Rate	5,000 gallons:	\$ 62.98 /mo
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Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the uncertificated requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

Notice Form Updated: October 22, 2021

Public Notice

ENGINEERING SERVICES  
PUBLIC NOTICE  
REQUEST FOR  
QUALIFICATIONS

The City of Gilmer plans to apply for the upcoming 2023/2024 Texas Community Development Block Grant from the Texas Department of Agriculture. Accordingly, the City is seeking to contract with a qualified Engineering firm to prepare all preliminary and final design plans and specifications, and to conduct all necessary interim and final inspections. These services are being solicited to assist the City in its application preparation and project implementation of a TxCDBG contract, if awarded, to support eligible activities in the City of Gilmer.

Please submit three (3) hard copies and one (1) electronic copy of your proposal of services and a statement of qualifications for the proposed services to the address below: City of Gilmer, Attn: Kim Smith, 110 Buffalo Street, Gilmer, Texas, 75644. Electronic copy may be submitted to: ksmith@etex.net.

Proposals shall be received by the City no later than 4:00 pm on March 6, 2023 to be considered. The City reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. Section 3 Residents and Business Concerns, Minority Business Enterprises, Small Business Enterprises and Women Business Enterprises are encouraged to submit proposals.

The City of Gilmer is an Affirmative Action/Equal Opportunity Employer. Servicios de traducción están disponibles por petición.

Public Notice

GIFTED AND TALENTED  
REFERRAL WINDOW OPEN

The Gifted and Talented program in Gilmer Schools will open referrals for students in **Grades 1-11** on **February 27, 2023.**

The Gifted and Talented program offers the opportunity for academic challenges for students who are capable of functioning at advance levels. If you feel your child would qualify for the program, please email Taylor Parsons, Coordinator of Special Programs, at [taylor.parsons@gilmerisd.org](mailto:taylor.parsons@gilmerisd.org) to request a parent referral packet. Referral packets are available in English and Spanish and must be received on or before **March 10, 2023.** Referral packets may be returned to any Gilmer ISD campus or delivered to GISD Admin office at 245 North Bradford St. For additional questions, please email [taylor.parsons@gilmerisd.org](mailto:taylor.parsons@gilmerisd.org) or call 903-841-7400.

Public Notice

PUBLIC NOTICE  
REQUEST FOR PROPOSALS

GILMER VARSITY ATHLETIC  
WEIGHT EQUIPMENT  
GILMER, TEXAS

Gilmer ISD will receive Competitive Sealed Proposals for the "GILMER VARSITY ATHLETIC WEIGHT EQUIPMENT" until 2:00 p.m. local time on Wednesday March 8, 2023. Proposals shall be addressed to Rick Albritton Address: 245 N Bradford St, Gilmer, TX 75644.

This project consists of weight equipment for 20 lift stations.

Copies of the Proposal Documents may be obtained by contacting Beverly Bobo, CFO, Gilmer ISD at (903) 841-7400 or [bobob@gilmerisd.org](mailto:bobob@gilmerisd.org).

Gilmer ISD reserves the right to accept or reject any or all proposals.

Public Notice

PERIODO DE TIEMPO PARA HACER REFERENCIA PARA DOTADOS Y TALENTOSOS GRADOS 1-11

El programa Dotados y Talentosos en las escuelas de Gilmer abrirá referencias para estudiantes en los **Grados 1-11 el 27 de febrero de 2023.**

El programa Dotados y Talentosos ofrece la oportunidad de retos académicos para los estudiantes que son capaces de funcionar en niveles avanzados. Si cree que su hijo calificaría para el programa, envíe un correo electrónico a Taylor Parsons, Coordinadora de Programas Especiales, a [taylor.parsons@gilmerisd.org](mailto:taylor.parsons@gilmerisd.org) para solicitar un paquete de referencia para padres.

Los paquetes de referencia están disponibles en inglés y español. Deben llenarlos y entregar el día o antes del **10 de marzo de 2023.** Los paquetes de referencia pueden devolverse a cualquier campus de Gilmer ISD o entregarse en la oficina de administración de GISD en 245 North Bradford St. Si tiene preguntas adicionales, envíe un correo electrónico a [taylor.parsons@gilmerisd.org](mailto:taylor.parsons@gilmerisd.org) o llame al 903-841-7400.

Public Notice

ADVERTISEMENT FOR  
PROPOSALS

GILMER STADIUM TRACK  
REFURBISHMENT PROJECT  
GILMER, TEXAS

Gilmer High School will receive Competitive Sealed Proposals for the "Stadium Track Refurbishment Project" until 2:00 p.m. local time on Wednesday March 9th. Proposals shall be addressed to Rick Albritton Address: 245 N Bradford St, Gilmer, TX 75644.

This project consists of the refurbishment of stadium track with base matt and structural spray, with alternate of full pour topper. Track is to also be re-riped.

Copies of the Proposal Documents including Drawings and Technical Specifications may be obtained by contacting the Engineer, CEI Engineering Associates, Inc., Attention, Jeff Bresee at (817) 507-8305 or [jbresee@ceieng.com](mailto:jbresee@ceieng.com). Paper copies will be sent via mail upon payment of \$125.00 (non-refundable) for each printed set. Electronic copies are available via email without charge.

A non-mandatory pre-proposal meeting will be held on March 1st, 2023 at 11:00 am local time at the Administration Building located at 245 N Bradford St, Gilmer, TX 75644.



**Get Results!**  
Advertise Your  
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In The Gilmer Mirror!  
903-843-2503

# Four file in Big Sandy for two council seats

By Phillip Williams

With only hours remaining for any potential write-in candidates to file, four candidates had filed by late Tuesday morning to run for two at-large Big Sandy City Council seats in the May 6 municipal election.

Those four and the only candidate for mayor, current Councilwoman Linda Baggett, will be the only candidates whose names will appear on the ballot.

Baggett is running for the mayoral seat held by Rex Rozell, who is running for the council instead of re-election as mayor.

Joining him in the council race for the seats held by Baggett and retiring incumbent Christine Jones are Sally Allen, Vanessa Ervin and Collette Stec, said City Administrator Laura Rex.

All offices are up for election to two-year terms. A drawing for the order in which candidates' names will be listed on the ballot is set for 1:30 p.m. Monday at City Hall, said Rex.

# American Legion post sets worn flag ceremony

By Phillip Williams

American Legion R.E. (Peppy) Blount Post No. 320 in Gilmer is seeking worn or tattered American flags to be destroyed in a April 15 ceremony according to U.S. Code, said Legionnaire Jimmy Sanders.

The public ceremony is scheduled for 1 p.m. behind the Legion's meeting place, which is the old fire station facing on Harrison Street. (The parking lot where it will be held is off Silver Alley.) The Gilmer High School Air Force Junior ROTC will assist with burning the flags in a barrel.

U.S. Code guidelines, issued by the federal government, state that when a flag "is in such condition that it is no longer a fitting emblem for display, the flag should be destroyed in a dignified way, preferably by burning."

The Legion has held several such public flag retirement ceremonies.

Flags to be retired may be taken to any of four locations in Gilmer: the Legion headquarters, the Gilmer Fire Department, Computer Tech or Williams Furniture Co.

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Docket No. 52502

Notice for Publication

UNDINE TEXAS, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13260, NOTICE OF INTENT TO AMEND ITS CCN, TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12473 FROM TEXAS WATER SYSTEMS, INC., AND FOR DUAL CERTIFICATION WITH PORTIONS OF BOTH PRITCHETT WATER SUPPLY CORPORATION, CCN NO. 10478, AND CRYSTAL SYSTEMS TEXAS, INC., CCN NO. 10804, IN GREGG, HENDERSON, SMITH, AND UPSHUR COUNTIES, TEXAS

Undine Texas, LLC (Purchaser's Name)	17681 Telge Road (Address)	Cypress, TX (City), (State)	77429 (Zip Code)
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has submitted an application with the Public Utility Commission of Texas (Commission) to amend uncertificated service area to CCN No. 13260, for dual certification with portions of both Pritchett Water Supply Corporation, CCN No. 10478, and Crystal Systems Texas, Inc., CCN No. 10804, and to purchase all of the water facilities and to transfer water certificated service area under CCN No. 12473, in Gregg, Henderson, Smith, and Upshur Counties, TX from:

Texas Water Systems, Inc. (Seller's Name)	7891 Highway 271 (Address)	Tyler, TX (City), (State)	75708 (Zip Code)
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The requested area overlaps the district boundaries of the Upper Sabine Valley SWMD. If the Upper Sabine Valley SWMD does not request a public hearing, the Commission shall determine that the district is consenting to the Undine Texas, LLC's request to provide retail water utility service in the requested area.

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

**Camp Joy**

The requested area subject to this transaction is located within approximately 2 miles north-northeast of downtown Ore City, Texas, and is generally bounded on the north by a line approx. half mile south of Upshur County Landing Road; on the east by Lake O' the Pines; on the south by Upshur/Marion County Line; and on the west by North Front Street in Upshur County. The requested area includes approximately 406 acres and serves 119 customer connections.

**Cape Tranquility**

The requested area subject to this transaction is located within approximately 2 miles north of downtown Coffee City, Texas, and is generally bounded on the north by Jamison Drive; on the east and south by Lake Palestine; and on the west by approximately 200 feet west of County Road 4202 in Henderson County. The requested area includes approximately 81 acres and serves 70 customer connections.

**Country Club Estates**

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**Garden Acres**

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**Stallion Lake and Garden Valley Resort**

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**Approximate total acreage for the requested area includes 10,619 acres [10,631 acres minus 12 acres to be decertified] with 1,116 total customer connections, comprised of:**

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Notice Form Updated: October 22, 2021