



Filing Receipt

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PUC DOCKET NO. 52655

PETITION OF McCART ST, LLC	§	PUBLIC UTILITY COMMISSION
TO AMEND BOLIVAR WATER	§	
SUPPLY CORPORATION'S	§	OF TEXAS
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN DENTON	§	
COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE	§	

RESPONSE OF BOLIVAR WATER SUPPLY CORPORATION

Bolivar Water Supply Corporation ("Bolivar") hereby submits this Response ("Response") to the Original Petition of McCart St, LLC to Amend Bolivar Water Supply Corporation's Certificate of Convenience and Necessity in Denton County by Streamlined Expedited Release ("Petition") filed on September 28, 2021, with the Public Utility Commission of Texas ("PUC" or "Commission"). The Petition seeks to remove, amend, decertify, or release from Bolivar's CCN No. 11257 approximately 251 acres of land in Denton County, Texas.

Order No. 1 in this docket provided a November 4, 2021, deadline for Bolivar's response. This Response is therefore timely filed.

I. RESPONSE

Bolivar is fully capable of providing continuous and adequate retail water service to the Property. Bolivar has lines readily available to provide service to the Petitioner.

Petitioner has filed the Petition instead of receiving excellent service from an existing provider that boasts long standing compliance with existing standards for customer service. Bolivar understands that the landowner will be required to pay compensation for the adverse impacts of the decertification on Bolivar. Such compensation is required by law. Therefore, if the Commission grants the Petition, Bolivar demands that a compensation phase be initiated to determine the amount of compensation that landowner must pay to Bolivar for the decertification, according to Texas Water Code § 13.254 and 16 Tex. Admin. Code § 24.245.

Bolivar seeks full compensation allowed by law, if the Petition is granted, in order to compensate Bolivar for the planning, design, construction, stranded investment, and other costs that are allocable to the Petitioner. Bolivar further seeks full compensation as set forth in Chapter 21 of the Texas Property Code and 16 Tex. Admin. Code § 24.245(j).

II. CONCLUSION

Bolivar respectfully requests that the Commission, if the Petition is granted, award full compensation allowed by law to Bolivar. Bolivar additionally requests all other relief to which it may be justly entitled.

Respectfully submitted,

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/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.
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**ATTORNEY FOR BOLIVAR WATER
SUPPLY CORPORATION**

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 the 4th day of November, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.

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PUBLIC UTILITY COMMISSION

OF TEXAS

STATE OF TEXAS

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COUNTY OF DENTON

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DECLARATION OF JAMES PARKMAN

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

1. My name is James Parkman, my date of birth is 09-16-1958 and my address is 4151 FM 455 West, Sanger, Texas 76266. I declare under the penalty of perjury that all information in this document is true and correct.
2. I am the General Manager of the Bolivar Water Supply Corporation.
3. I have reviewed Bolivar Water Supply Corporation's Response to the Original Petition of McCart St, LLC to Amend Bolivar Water Supply Corporation's Certificate of Convenience and Necessity in Denton County by Streamlined Expedited Release.
4. Bolivar Water Supply Corporation seeks full compensation allowed by law, if the Petition is granted, in order to compensate Bolivar for the planning, design, construction, stranded investment, and other costs that are allocable to the Petitioner. Bolivar Water Supply Corporation further seeks full compensation as set forth in Chapter 21 of the Texas Property Code and 16 Tex. Admin. Code § 24.245(j).
5. I declare under the penalty of perjury that the foregoing is true and correct.

SIGNED in Denton County, Texas on November 4, 2021


JAMES PARKMAN