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PUC DOCKET NO. 52774

PETITION OF MCCART ST, LLC	§	BEFORE THE PUBLIC UTILITY
TO AMEND CITY OF DENTON’S	§	COMMISSION OF TEXAS
CERTIFICATES OF CONVENIENCE	§	
AND NECESSITY IN DENTON	§	
COUNTY BY	§	
EXPEDITED RELEASE	§	

PETITIONER’S SUPPLEMENT & CLARIFICATION TO THE APPLICATION

In response to Order No. 3 issued in this matter, McCart St, LLC (“Petitioner”), files this Supplement & Clarification to the Application.

Order No. 3 noted that the original affidavit mentioned that McCart St, LLC identified itself as a “co-owner” of the 251-acre tract at issue in this case. This was a clerical error and was not correct. McCart St, LLC is, in fact, the sole owner of the 251-acre tract at issue in this case.

Attached to this filing is Amended Exhibit D, “Supplemental Affidavit of William J. Savage” (hereafter “Supplemental Affidavit”).

The Supplemental Affidavit makes clear McCart St, LLC is, in fact, the sole owner of the 251-acre tract at issue in this case.

Petitioner requests that this Supplemental Affidavit replace the Exhibit D that was attached to the Original Petition in this matter.

Respectfully submitted,

/s/ David Tuckfield

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ATTORNEYS FOR PETITIONER
MCCART ST, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Petition was served on City of Denton on this the 2nd day of February 2022, by First Class US Mail:

The City of Denton
901-A Texas Street
Denton, TX 76209

/s/ David Tuckfield
David J. Tuckfield

AMENDED EXHIBIT D

SUPPLEMENTAL AFFIDAVIT OF WILLIAM SAVAGE

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, personally appeared William Savage, who, being by me duly sworn, deposed as follows:

“My name is William Savage, I am of sound mind, capable of making this affidavit, and I am personally familiar with the facts stated herein, which are true and correct.

1. I am the CEO of McCart St, LLC and signing on behalf of McCart St, LLC, owner of approximately 251 acres in Denton County Texas. This property is located within the Water and Sewer Certificates of Convenience and Necessity Nos. 10195 and 20072 held by City of Denton. This property is more properly shown on maps on Exhibit A of the Petition of McCart St, LLC to Amend City of Denton’s Water and Sewer Certificates of Convenience and Necessity Nos. 10195 and 20072 in Denton County by Streamlined Expedited Release pursuant to Texas Water Code §13.2541 and 16 TAC §24.245(l) (Petition).
2. McCart St, LLC has been the owner of this property for over 2 years and the real property does not have any water or sewer connections or meters located thereon.
3. McCart St, LLC has not requested any retail water or sewer service from City of Denton, has not paid any service reservation or standby fees, nor does it have any agreements with City of Denton to provide retail water or sewer service to the above-referenced real property.

4. The above-referenced real property does not receive any water or sewer service from City of Denton.
5. Exhibit B to the Petition contains large and small scale maps as well as a CD-ROM containing digital data, which depict the property and shows that the property is within City of Denton's CCN Nos. 10195 and 20072 in Denton County Texas.
6. Exhibit C to the Petition is proof that a copy of the Petition was mailed to City of Denton, Certified Mail Return Receipt Requested, on the same day that the Petition was submitted to the Commission.
7. This affidavit is in support of de-certifying City of Denton's water and sewer Certificates of Convenience and Necessity No. 10195 and 20072 pursuant to Section 13.2541, *Texas Water Code* and Rules of the Commission Section 24.245(l)."

FURTHER AFFIANT SAYETH NOT.

MCCART ST, LLC,
A DELAWARE LIMITED LIABILITY COMPANY

By: _____
 Name: William J. Savage, CEO
 Its Managing Partner

STATE OF TEXAS §
 §
 COUNTY OF TARRANT §

ACKNOWLEDGED, SUBSCRIBED, AND SWORN TO before me, the undersigned notary public, by William Savage, CEO, McCart St, LLC on behalf of McCart St, LLC on this _____ day of _____ 2021, to certify which witness my hand and official seal.

 Notary Public, State of Texas