



## Filing Receipt

**Received - 2022-02-22 12:19:20 PM**

**Control Number - 52880**

**ItemNumber - 24**

**DOCKET NO. 52880**

**APPLICATION OF TEXAS LANDING §  
UTILITIES AND CSWR-TEXAS §  
UTILITY OPERATING COMPANY, LLC § PUBLIC UTILITY COMMISSION  
FOR SALE, TRANSFER, OR MERGER §  
OF FACILITIES AND CERTIFICATE § OF TEXAS  
RIGHTS IN POLK AND MONTGOMERY §  
COUNTIES**

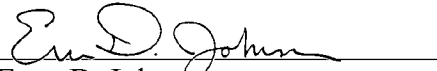
**CSWR-TEXAS UTILITY OPERATING COMPANY, LLC'S  
PROOF OF NOTICE**

CSWR-Texas Utility Operating Company, LLC (“CSWR Texas”) submits Proof of Notice in response to Order No. 3, which was issued in this proceeding on January 25, 2022. Order No. 3 directs CSWR Texas to submit this Proof of Notice by February 22, 2022; accordingly, this pleading is timely filed.

Attached to this pleading as Exhibit A is an Affidavit of Notice to Current Customers, Neighboring Utilities and Affected Parties and a copy of the notice provided to all entities and persons, including the maps that were attached to the notice. Also attached is Highly Sensitive Exhibit B, which is a list of all recipients to whom notice was provided, including those entities Staff specifically requested CSWR Texas notify. Highly Sensitive Exhibit B contains Highly Sensitive Protected Materials as defined in the Protective Order, including customer-specific information. The notice and proof of notice are provided in the form and manner described by Ms. Garcia’s memorandum attached to Commission Staff’s recommendation issued on January 21, 2022. Notice was completed on February 18, 2022.

Respectfully submitted,

L. Russell Mitten  
General Counsel  
Central States Water Resources, Inc.  
1650 Des Peres Rd., Suite 303  
St. Louis, MO 63131  
(314) 380-8595  
(314) 763-4743 (Fax)




Evan D. Johnson  
State Bar No. 24065498  
C. Glenn Adkins  
State Bar No. 24103097  
Coffin Renner LLP  
1011 W. 31<sup>st</sup> Street  
Austin, Texas 78705  
(512) 879-0900  
(512) 879-0912 (fax)  
evan.johnson@crtxlaw.com  
glenn.adkins@crtxlaw.com

**ATTORNEY FOR CSWR-TEXAS  
UTILITY OPERATING COMPANY, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of February 2022, notice of the filing of this document was provided to all parties of record via electronic mail in accordance with the Order Suspending Rules, issued in Project No. 50664.



Evan D. Johnson

# PUBLIC UTILITY COMMISSION OF TEXAS



## AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 52880

STATE OF MISSOURI  
COUNTY OF ST. LOUIS

\_\_\_\_\_ has provided individual notice to the following entities and customers:

	DATE OF NOTICE
<u>Neighboring Utilities</u>	<u>2/18/22</u>
<u>Affected Parties</u>	<u>2/18/22</u>
<u>Current Customers</u>	<u>2/18/22</u>
_____	_____

### OATH

I, Aaron Silas, being duly sworn, file this form as Regulatory Case Manager (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.

Aaron Silas  
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 22nd day of February, 2022, to certify which witness my hand and seal of office.

Meranda K. Keubler  
Notary Public in and for the State of Texas

meranda K. Keubler  
Print or Type Name of Notary Public



MERANDA K. KEUBLER  
My Commission Expires  
November 13, 2022  
St. Louis County  
Commission #14631487

Commission Expires 11/13/22

**Docket No. 52880**

**Notice to Current Customers, Neighboring Systems, and Cities**

CSWR-TEXAS UTILITY OPERATING COMPANY, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NOS. 13290 AND 21120, NOTICE OF INTENT TO PURCHASE WATER AND SEWER FACILITIES AND TO TRANSFER WATER AND SEWER SERVICE AREA UNDER CCN NOS. 11997 AND 20569 FROM TEXAS LANDING UTILITIES IN POLK AND MONTGOMERY COUNTIES, TEXAS

To: \_\_\_\_\_ Date Notice Mailed: 2/18/2022  
(Name of Customer, Neighboring System, or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City)                      State                      Zip)

CSWR-Texas Utility Operating Co.                      1650 Des Peres Rd. Suite 303, St. Louis, MO 63131  
(Purchaser's Name)                      (Address)                      (City), (State)                      (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase all of the water facilities and to transfer water certificated service area under CCN No. 11997 and all of the sewer facilities and to transfer sewer certificated service area under CCN No. 20569, in Polk and Montgomery Counties, TX from:

Texas Landing Utilities                      P.O. Box 2110                      Onalaska, TX                      77360  
(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 subdivision:  
Deerwood (Sections 3, 4, 5, & 6), Goode City, Texas Landing, Mangum Estates, & Bullfrog Basin.

**Deerwood (Deerwood Subdivision- Sections 3, 4, 5, & 6) in Montgomery County:**

The *requested water area* includes 101 customer connections, is located approximately 9 miles east of downtown Conroe, Texas, and is generally bounded on the north by Cabo San Lucas; on the east and south by White Rock Road; and on the west by Crockett Martin Road. The *requested water area* includes approximately 128 acres.

**Goode City in Montgomery County:**

The *requested water area* includes 67 customer connections, is located approximately 5 miles west of downtown Cleveland, Texas, and is generally bounded on the north by a point .25 mile north of Solon Trail; on the east by a point .3 mile east of Gill Road; on the south by BNSF Railroad; and on the west by Lee Turner Road and Highway 105 East. The *requested water area* includes approximately 205 acres.

**TX Landing Area 1** (includes Texas Landing, Mangum Estates, and Bullfrog Basin Subdivisions) in Polk County:

The *requested water area* includes 47 customer connections, is located approximately 4 miles west of downtown Livingston, Texas, and is generally bounded on the north by West Tempe Creek; on

the east by East Tempe Creek; on the south by Terrell Road and Mr. Service; and on the west by the intersection of Mangum Road and Sparrow Hawk Drive. The *requested water area* includes approximately 418 acres of transferred area from Texas Landing Utilities (CCN No. 11997) to CSWR (CCN No. 13290).

**TX Landing Area 2 and TX Landing Sewer** (includes Texas Landing Subdivision) in Polk County:

The *requested water and sewer area* includes 95 water and 119 sewer customer connections, is located approximately 6 miles west of downtown Livingston, Texas, and is generally bounded on the north by Bird Lane; on the east by Farm to Market 3126; on the south by Chuckwagon; and on the west by Lake Livingston. The *requested water area* and *sewer area* includes approximately 93 acres of transferred area from Texas Landing Utilities (CCN Nos. 11997 and 20569) to CSWR (CCN Nos. 13290 and 21120).

- The **total requested water area** includes **310 water customer connections** and approximately **844 acres** of transferred area from Texas Landing Utilities (CCN No. 11997) to CSWR (CCN No. 13290).
- The **total requested sewer area** includes **119 sewer customer connections** approximately **93 acres** of transferred area from Texas Landing Utilities (CCN No. 20569) to CSWR (CCN No. 21120).

**See enclosed map showing the requested area.**

This transaction will not have an effect on the current customer's rates and services.

*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.*

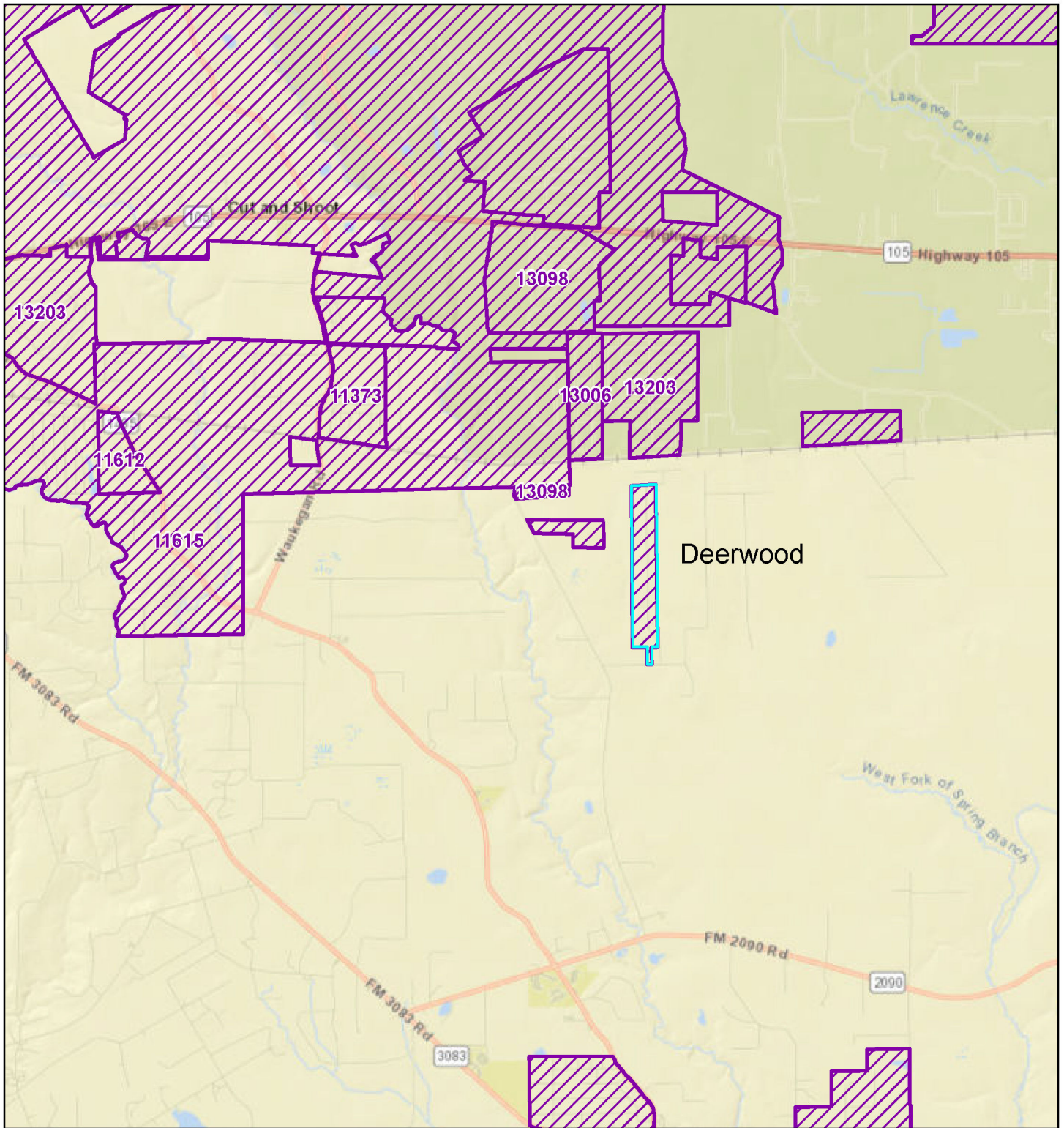
If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary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

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

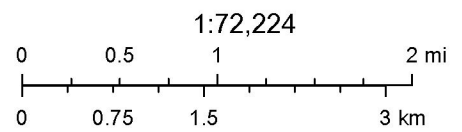
Aaron Silas  
Utility Representative

CSWR-Texas  
Utility Name

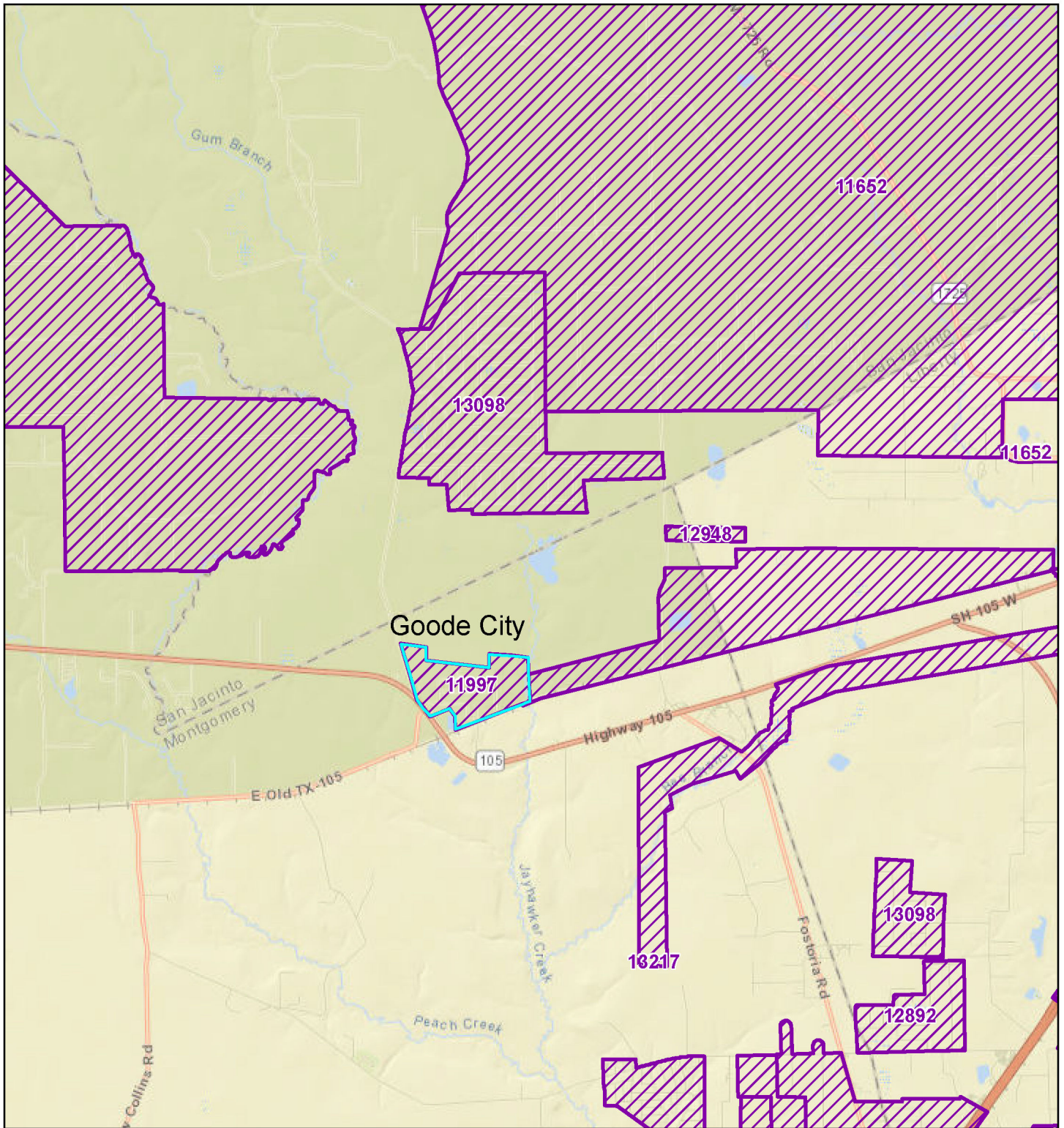
# Requested Area - CCN 11997 (Deerwood)



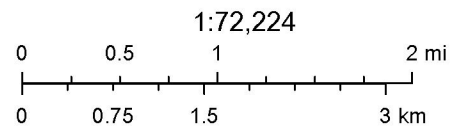
November 18, 2021



# Requested Area - CCN 11997 (Goode City)

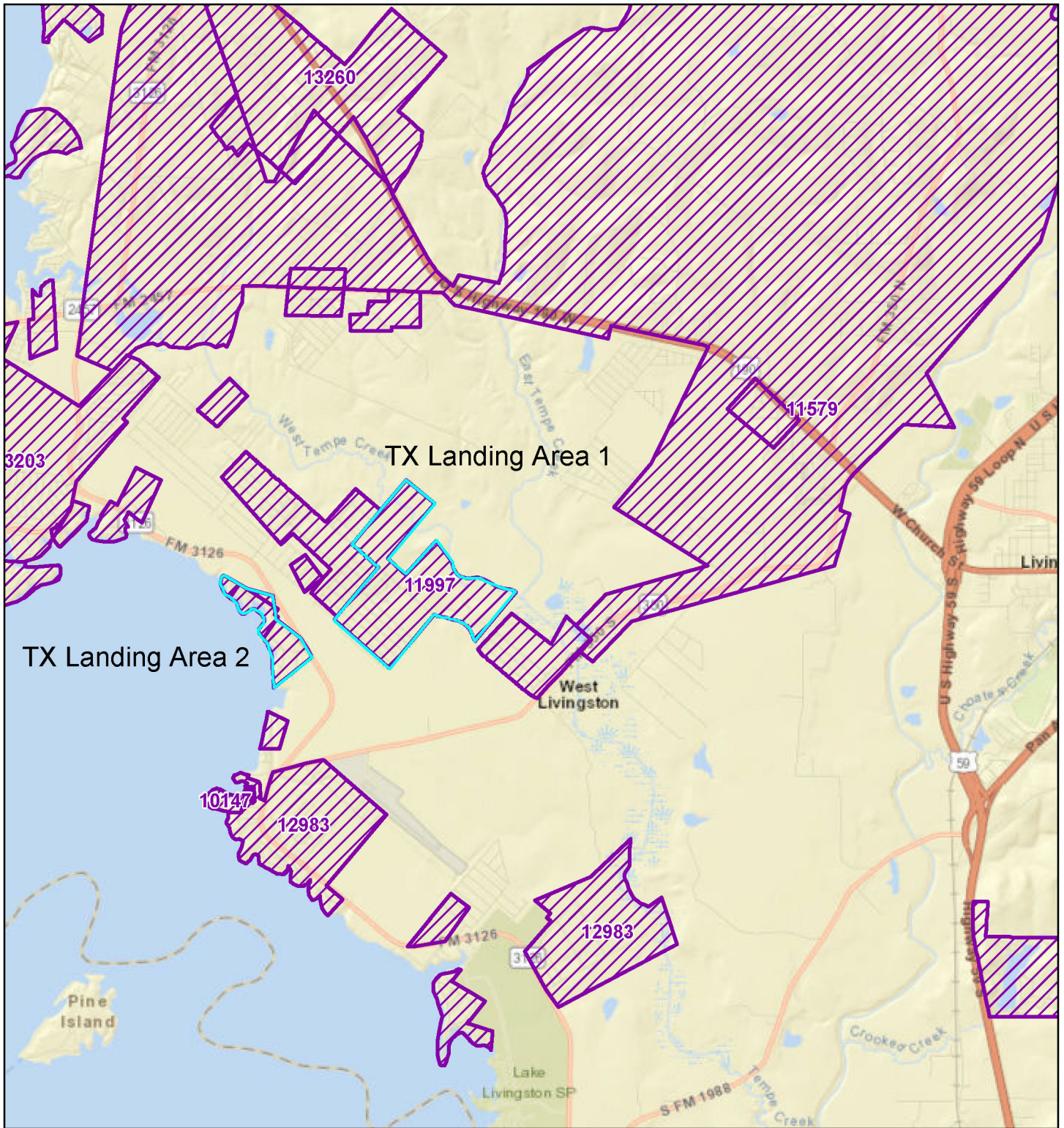


November 18, 2021

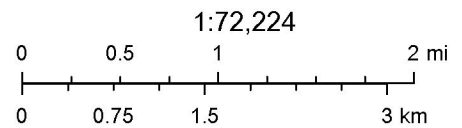




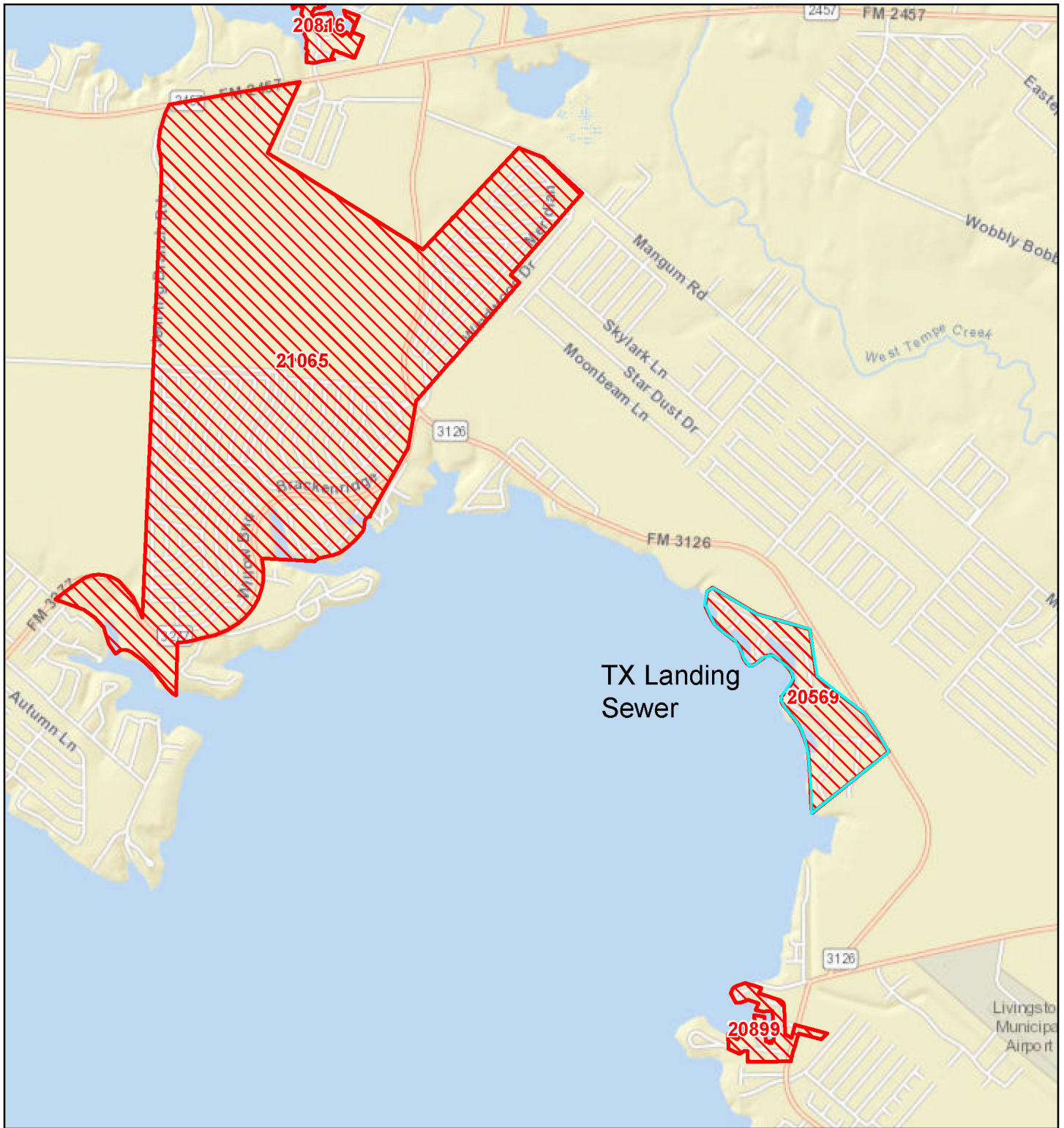
# Requested Area - CCN 11997 (TX Landing Area 1 & 2)



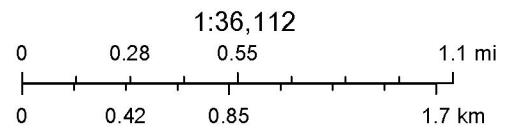
November 18, 2021



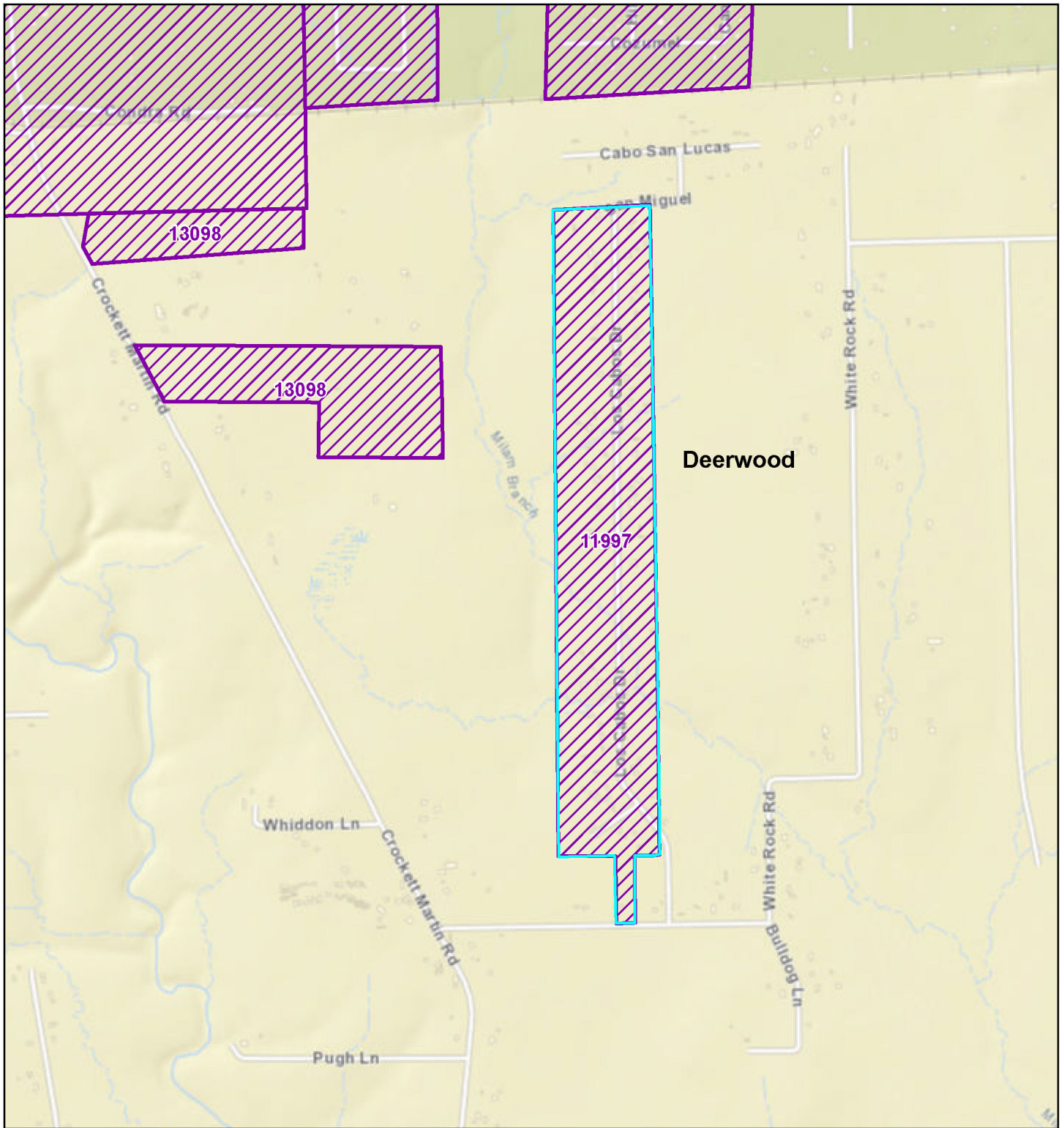
# Requested Area - CCN 20569 (TX Landing Sewer)



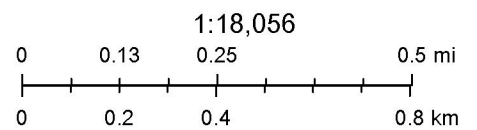
November 18, 2021



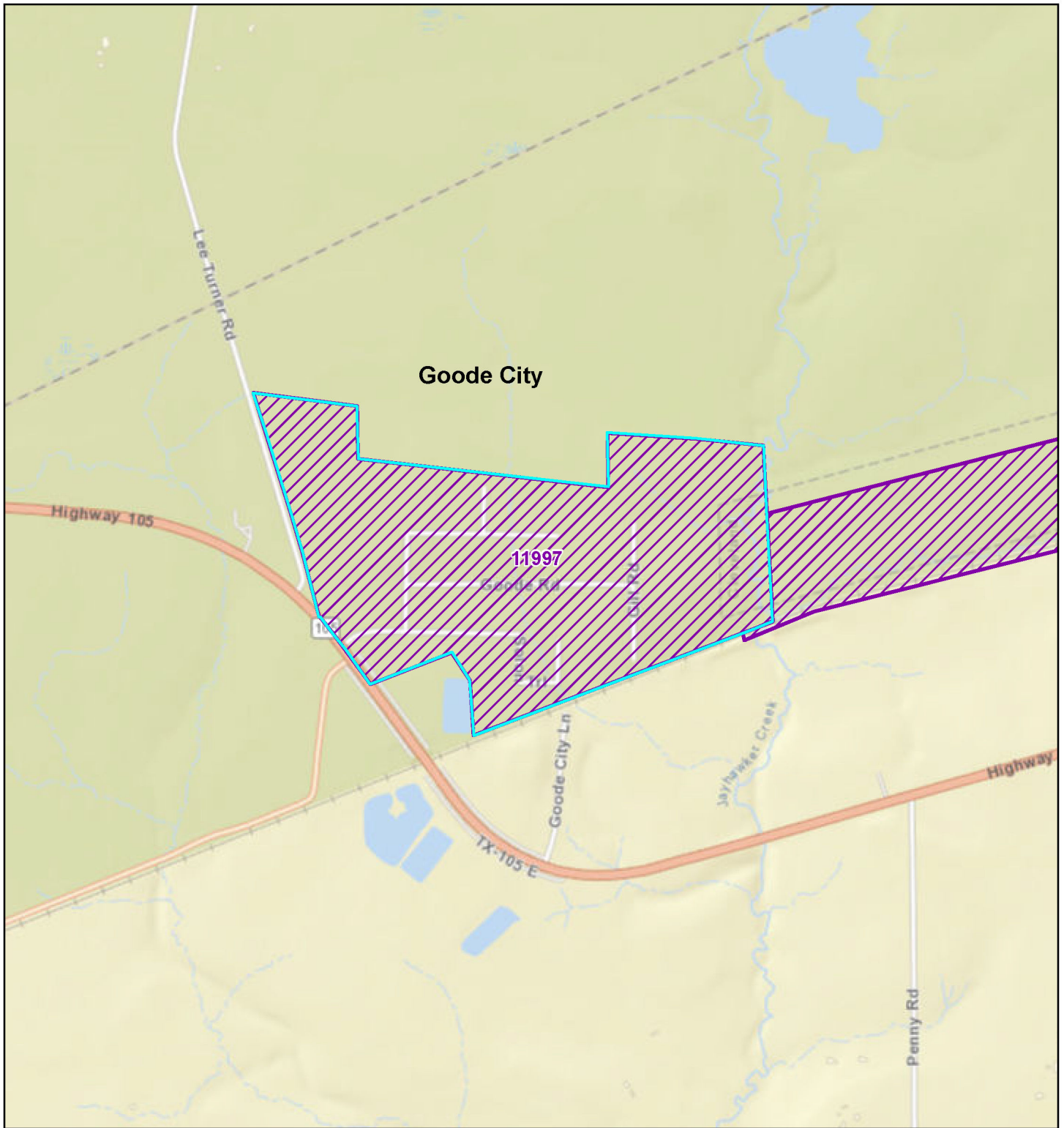
# Requested Area - CCN 1997 (Deerwood)



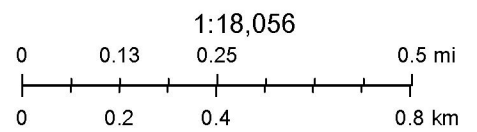
November 18, 2021



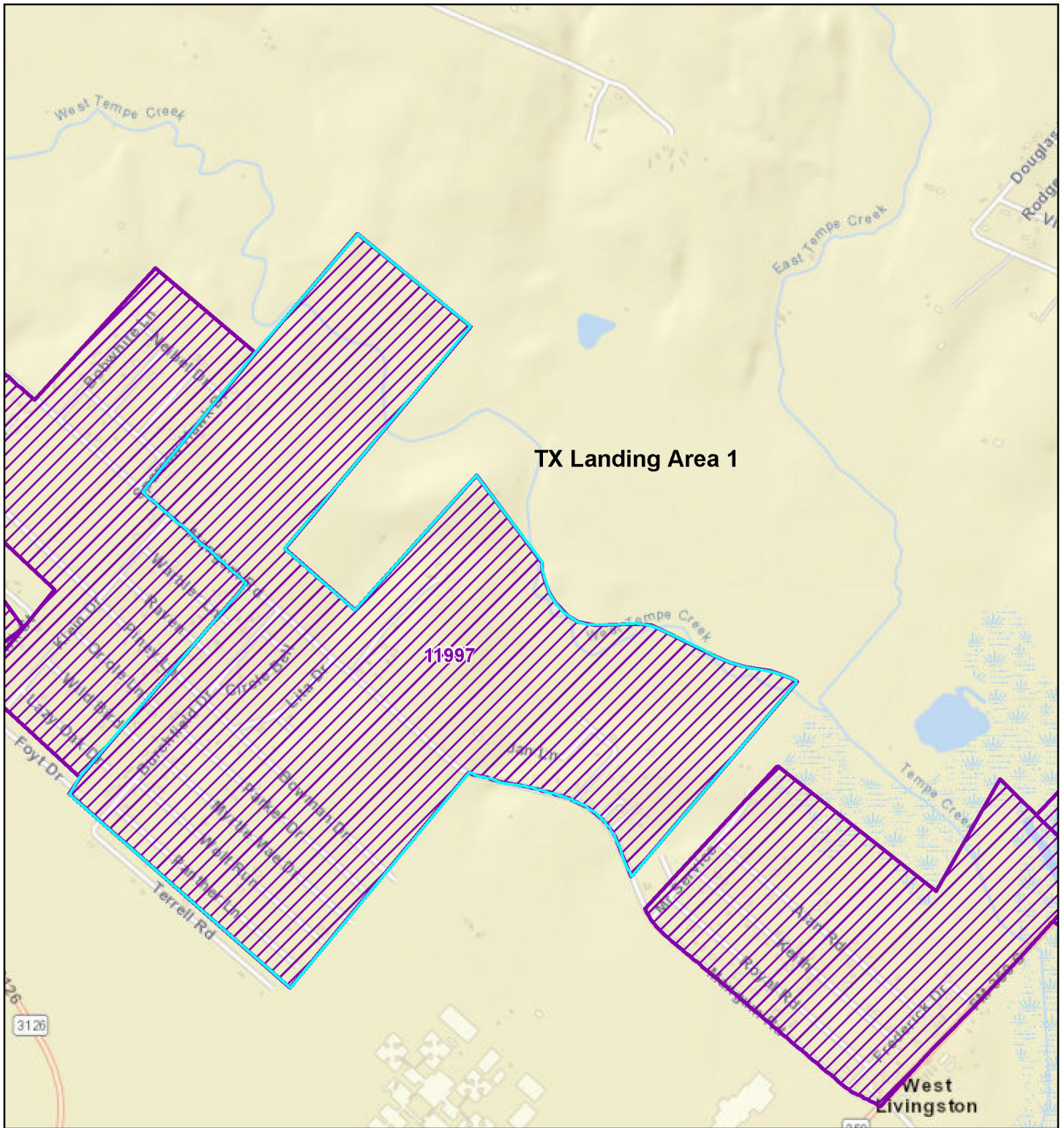
# Requested Area - CCN 11997 (Goode City)



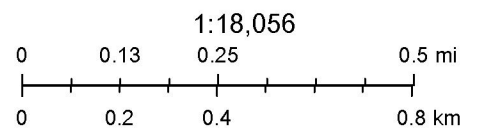
November 18, 2021



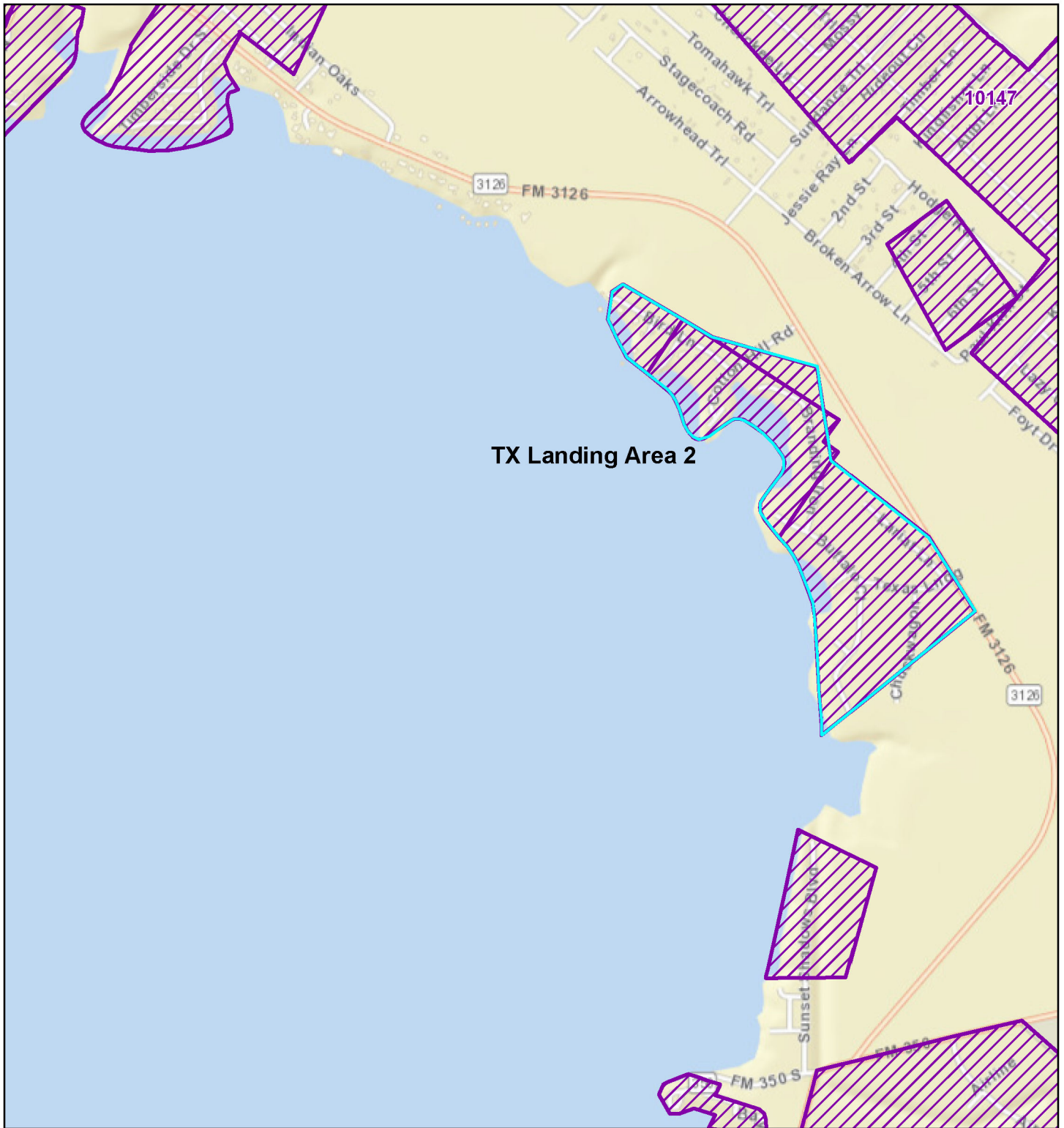
# Requested Area - CCN 11997 (TX Landing Area 1)



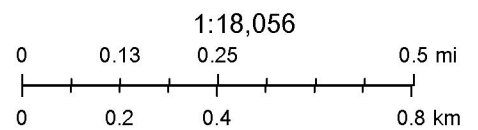
December 8, 2021



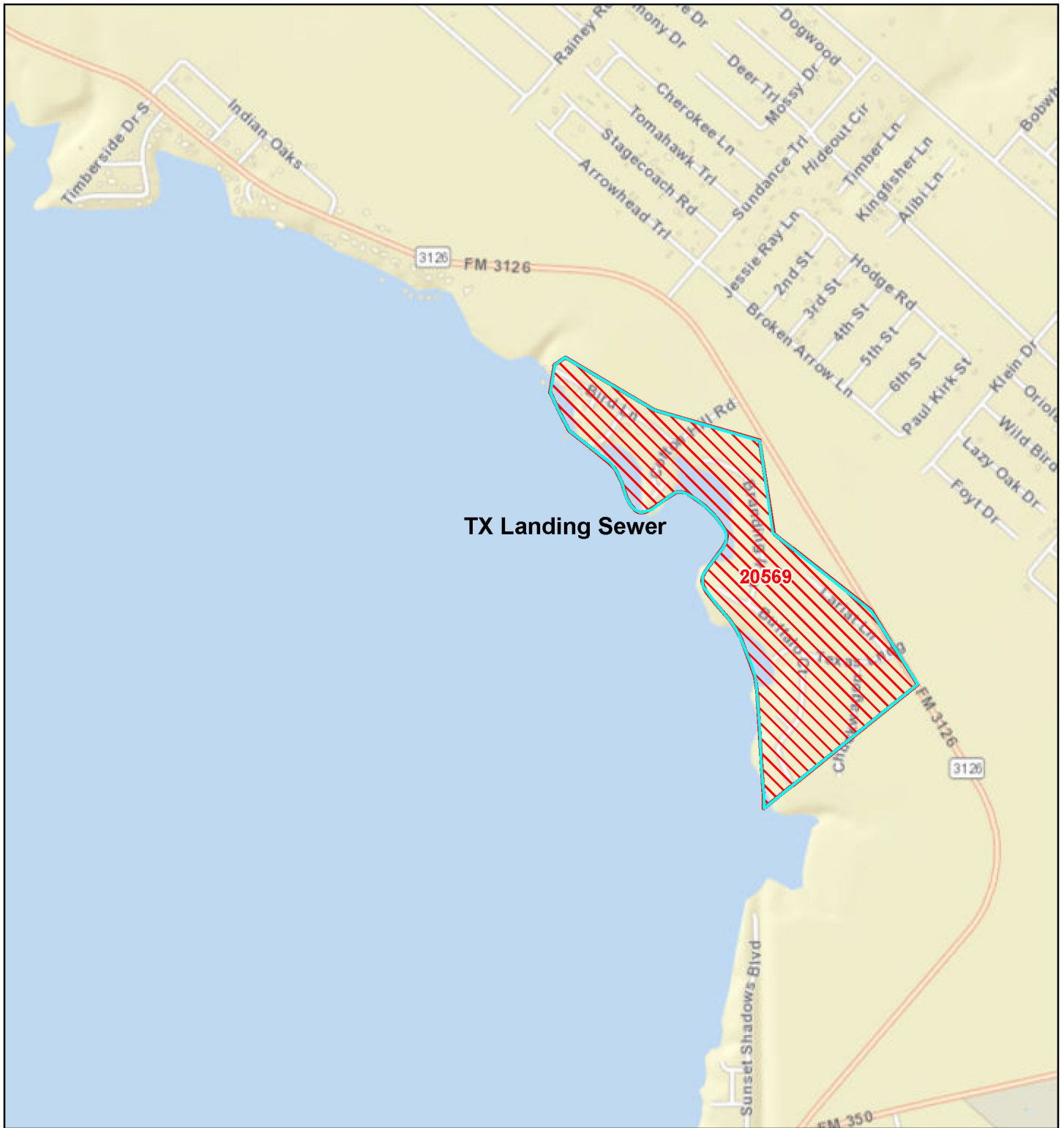
# Requested Area - CCN 11997 (TX Landing Area 2)



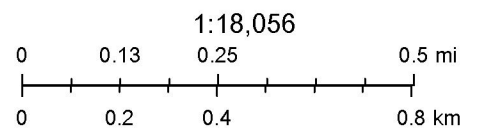
December 8, 2021



# Requested Area - CCN 20569 (TX Landing Sewer)



November 18, 2021



**Exhibit B is Highly Sensitive and is being provided in accordance with the protective order issued in this docket.**