



Filing Receipt

Received - 2022-04-19 02:47:49 PM

Control Number - 53238

ItemNumber - 22

DOCKET NO. 53238

**APPLICATION OF SIMPLY AQUATICS, §
INC. AND CSWR-TEXAS UTILITY §
OPERATING COMPANY, LLC FOR § PUBLIC UTILITY COMMISSION
SALE, TRANSFER, OR MERGER OF §
FACILITIES AND CERTIFICATE § OF TEXAS
RIGHTS IN MONTGOMERY, SABINE, §
AND SAN AUGUSTINE COUNTIES §**

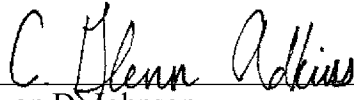
**CSWR-TEXAS UTILITY OPERATING COMPANY, LLC'S
PROOF OF NOTICE**

CSWR-Texas Utility Operating Company, LLC (“CSWR Texas”) submits Proof of Notice in response to Order No. 2, which was issued in this proceeding on March 23, 2022. Order No. 2 directs CSWR Texas to submit this Proof of Notice by May 5, 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 March 21, 2022. Notice was completed on April 13, 2022.

Respectfully submitted,

L. Russell Mitten
General Counsel
Central States Water Resources, Inc.
1630 Des Peres Rd., Suite 140
St. Louis, MO 63131
(314) 380-8595
(314) 763-4743 (Fax)

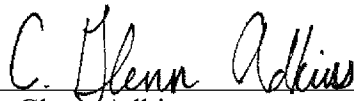


Evan D. Johnson
State Bar No. 24065498
C. Glenn Adkins
State Bar No. 24103097
Coffin Renner LLP
1011 W. 31st Street
Austin, Texas 78705
(512) 879-0900
(512) 879-0912 (fax)
evan.johnson@crtxlaw.com
glenn.adkins@crtxlaw.com

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

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of April 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.



C. Glenn Adkins

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 53238

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>4/13/22</u>
<u>Affected Parties</u>	<u>4/13/22</u>
<u>Simply Aquatics</u>	<u>4/13/22</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.

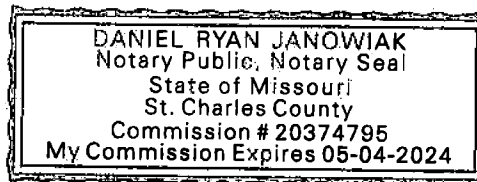
Aaron Silas
Applicant's Authorized Representative

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 13th day of April, 2022,
to certify which witness my hand and seal of office.

Daniel Ryan Janowiak
Notary Public in and for the State of Texas
Missouri

Daniel Ryan Janowiak
Print or Type Name of Notary Public



Commission Expires 5/4/24



CSWR-Texas UOC
1630 Des Peres RD, Suite 140
St. Louis, MO 63131

CWC0408B *** 3000000001 1/1



Notice to Current Customers, Neighboring Systems, and Cities

CSWR-TEXAS UTILITY OPERATING COMPANY, LLC, CERTIFICATE OF
CONVENIENCE AND NECESSITY (CCN) NO. 13290, NOTICE OF INTENT TO
PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER
CCN NO. 13259 FROM SIMPLY AQUATICS, INC. IN MONTGOMERY, SABINE, AND
SAN AUGUSTINE COUNTIES, TEXAS

To: _____
(Name of Customer, Neighboring System, or City)

Date Notice Mailed: 4/13/2022

(Address)

(City) State Zip

CSWR-Texas Utility Operating Company, LLC 1650 Des Peres Rd, Suite 303
(Purchaser's Name) (Address)

St. Louis, MO 63131
(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. 13259, in Montgomery, Sabine, and San Augustine counties, TX from:

Simply Aquatics, Inc. P.O. Box 157 Kirbyville, TX 75956
(Seller's Name) (Address) (City), (State) (Zip Code)

The requested area overlaps the district boundaries of:

- *Angelina & Neches River Authority*
- *Sabine River Authority*
- *San Jacinto River Authority*

If these districts do not request a public hearing, the Commission shall determine that the district is consenting to CSWR-Texas Utility Operating Company, 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:

Requested Area 1 - El Pinon Estates Subdivision in San Augustine County

The requested area includes 88 customer connections, is located approximately 13 mile(s) southeast of Broadus, Texas, and is generally bounded on the north by County Road 478; on the east by approximately 110 feet east of County Road 485; on the south by approximately 120 feet south of County Road 488; and on the west by approximately 145 feet west of County Road 489.

Requested Area 2 - La Playa Subdivision in San Augustine County

The requested area includes 28 customer connections, is located approximately 8 mile(s) south of downtown Broadus, Texas, and is generally bounded on the north by County Road 4717 and County Road 4715 South; on the east by County Road 4715S; on the south by Sam Rayburn Reservoir; and on the west by Sam Rayburn Reservoir.

Requested Area 3 - Vista Verde Subdivision in Montgomery County

The requested area includes 82 customer connections, is located approximately 4 mile(s) southeast of downtown Montgomery, Texas, and is generally bounded on the north by Breezy Dr.; on the east by South Pine Lake Road; on the south by Mail Route Road; and on the west by approximately 170 feet west of Shadow Lane.

Requested Area 4 - Timberlane Subdivision in Sabine County

The requested area includes 47 customer connections, is located approximately 16 mile(s) east of downtown Hemphill, Texas, and is generally bounded on the north by Waters Edge N; on the east by Timberlane Dr.; on the south by Timberlane Loop; and on the west by Toledo Bend Reservoir.

The total requested area includes 254 customer connections and approximately 523 acres of transferred area from Simply Aquatics, Inc (CCN No. 13259) to CSWR (CCN No. 13290).

The application proposes the subtraction of approximately 523 acres from CCN No. 13259 and the addition of approximately 523 acres to CCN No. 13290.

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.

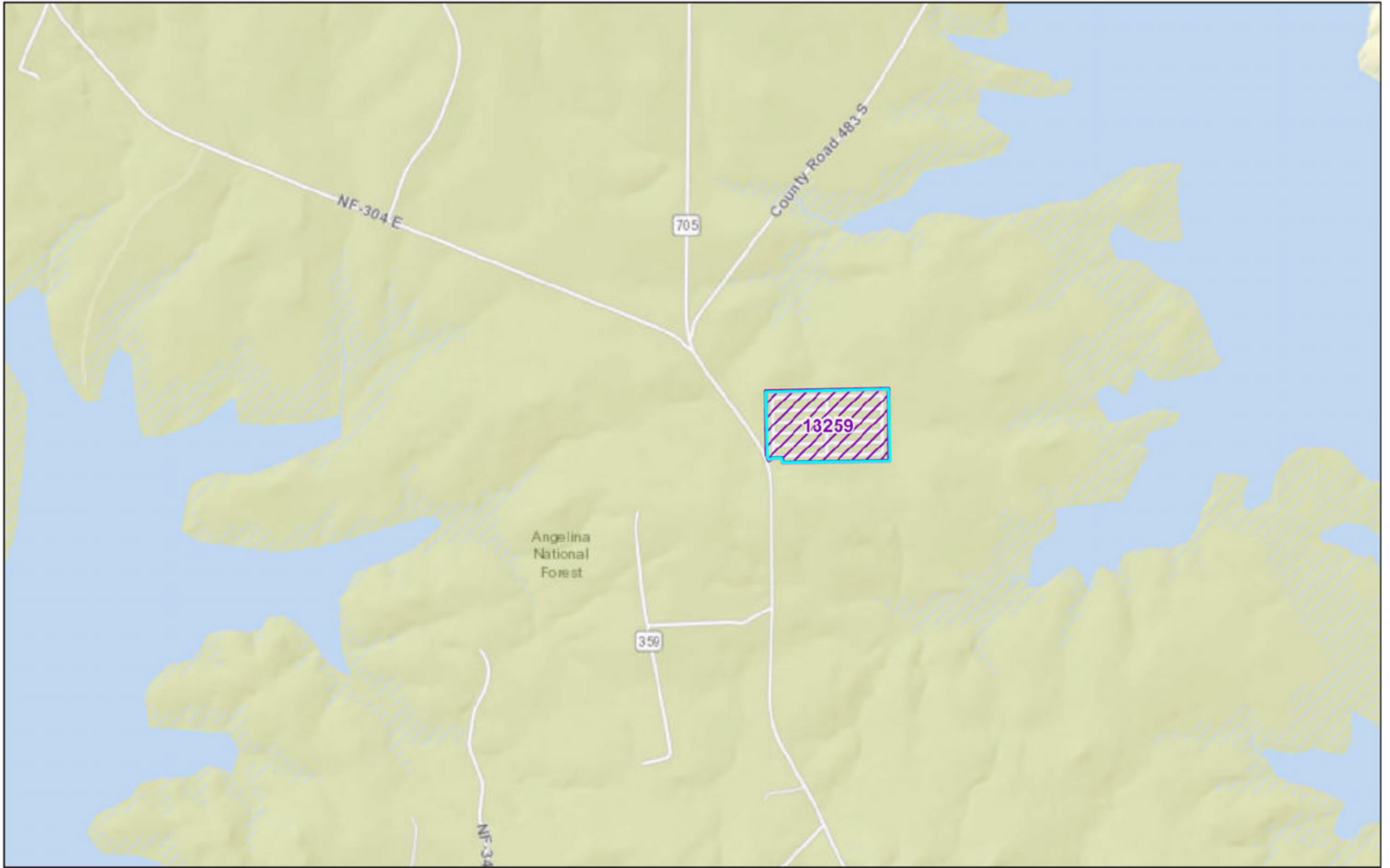
If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary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

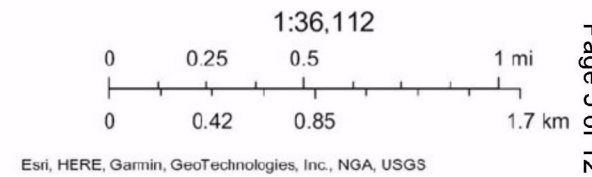
Aaron Sias
Utility Representative

CSWR-Texas
Utility Name

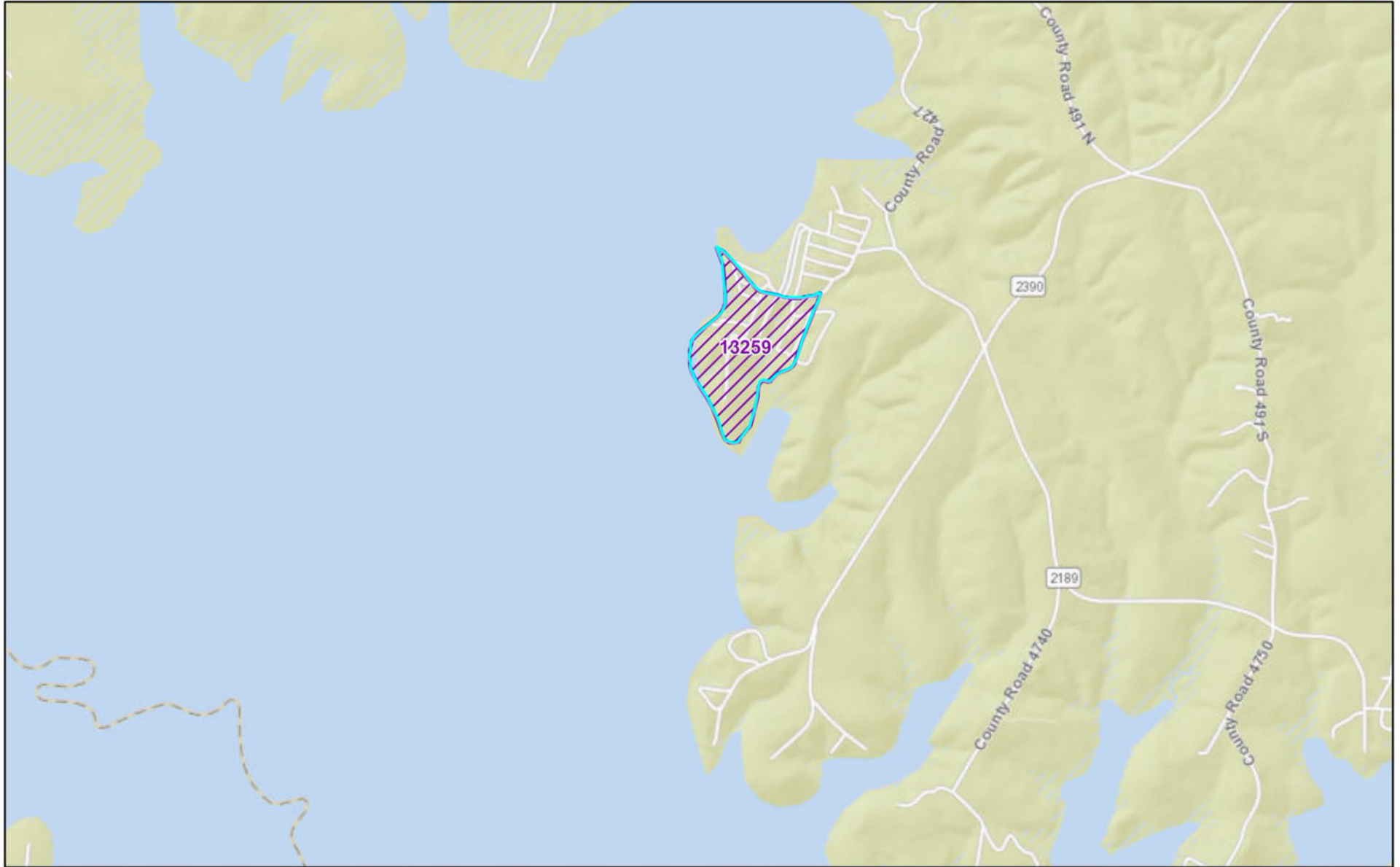
Requested Area 1 to Transfer - CCN No. 13259 (El Pinon) to CCN No. 13290 in San Augustine County



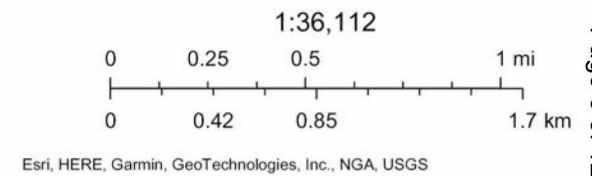
February 25, 2022



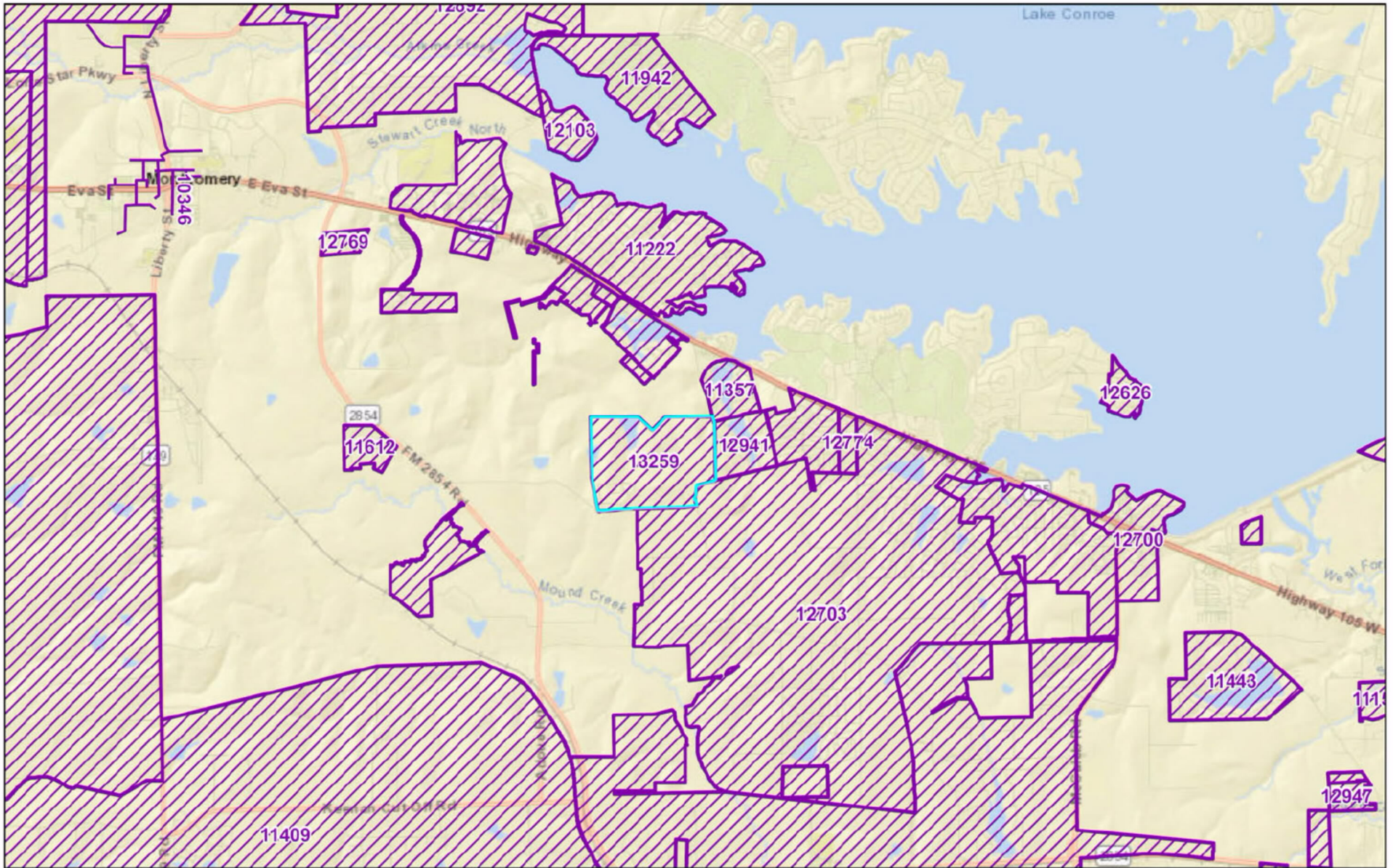
Requested Area 2 to Transfer - CCN No. 13259 (La Playa) to CCN No. 13290 in San Augustine County



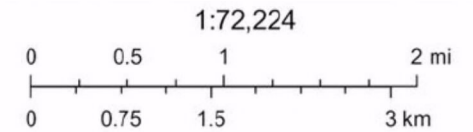
February 25, 2022



Requested Area 3 to Transfer - CCN No. 13259 (Vista Verde) to CCN No. 13290 in Montgomery County

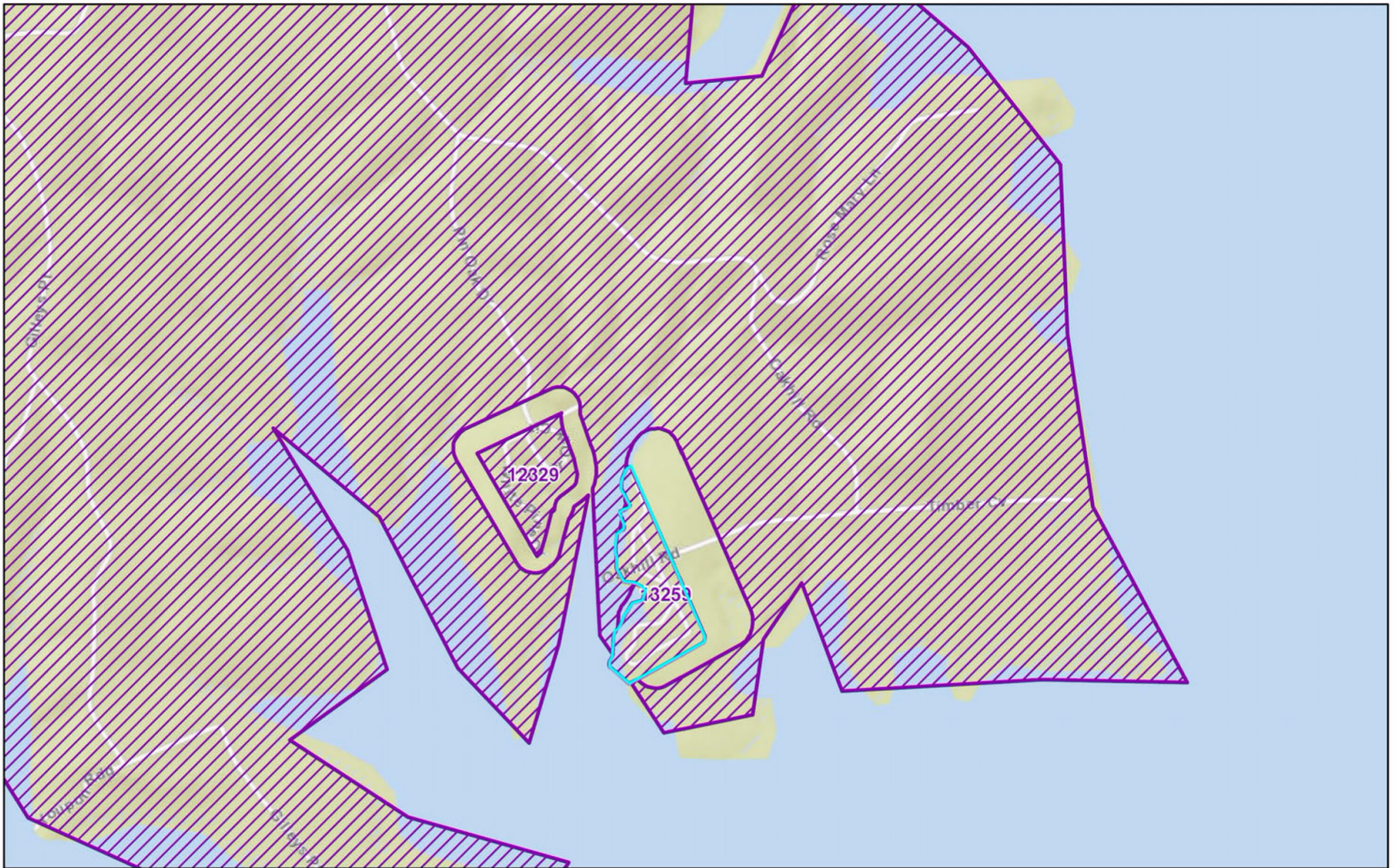


February 25, 2022

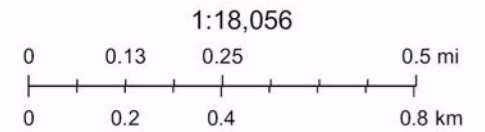


Esri, HERE, Garmin, GeoTechnologies, Inc., NGA, USGS

Requested Area 4 to Transfer - CCN No. 13259 (Timberlane) to CCN No. 13290 in Sabine County

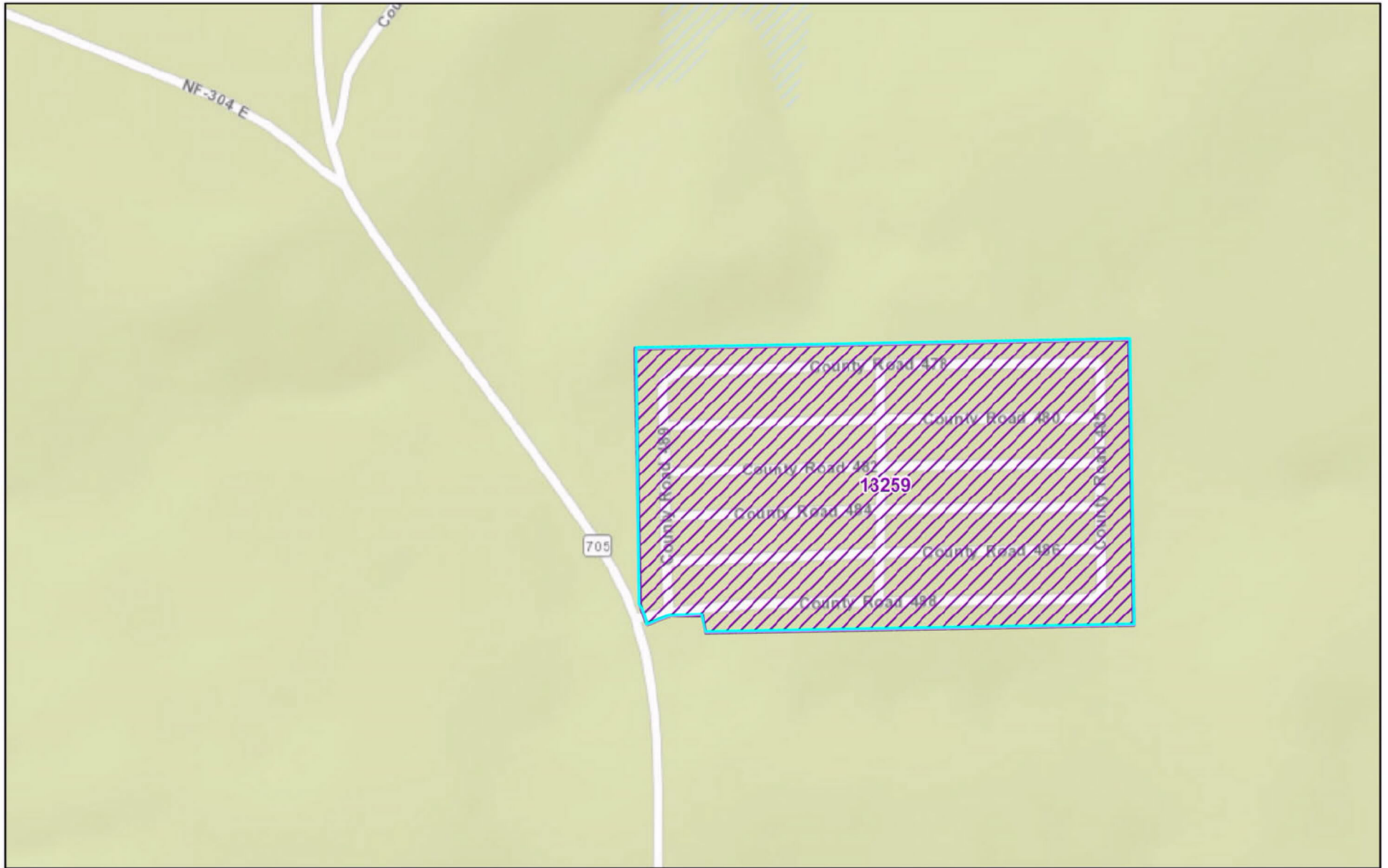


February 25, 2022

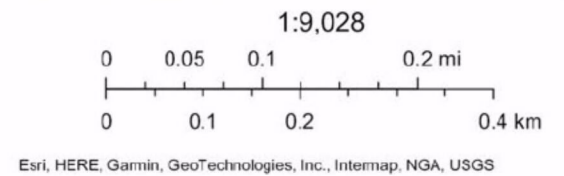


Esri, HERE, Garmin, GeoTechnologies, Inc., NGA, USGS

Requested Area 1 to Transfer - CCN No. 13259 (El Pinon) to CCN No. 13290 in San Augustine County



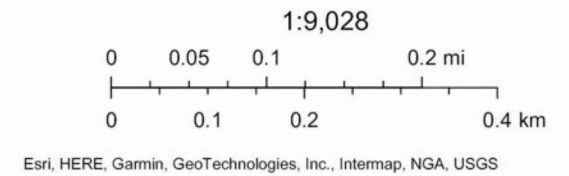
February 25, 2022



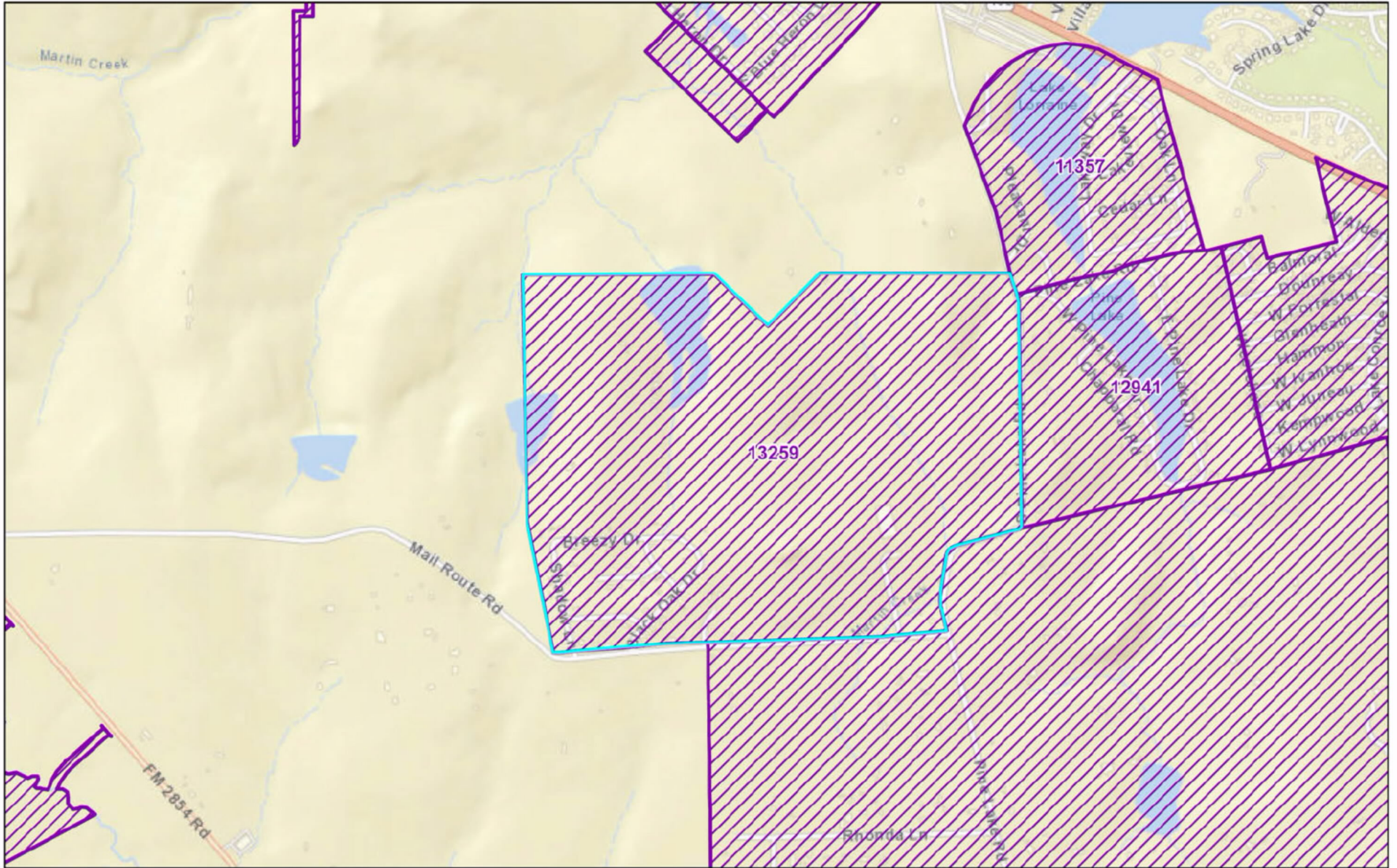
Requested Area 2 to Transfer - CCN No. 13259 (La Playa) to CCN No. 13290 in San Augustine County



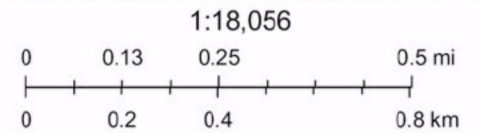
February 25, 2022



Requested Area 3 to Transfer - CCN No. 13259 (Vista Verde) to CCN No. 13290 in Montgomery County

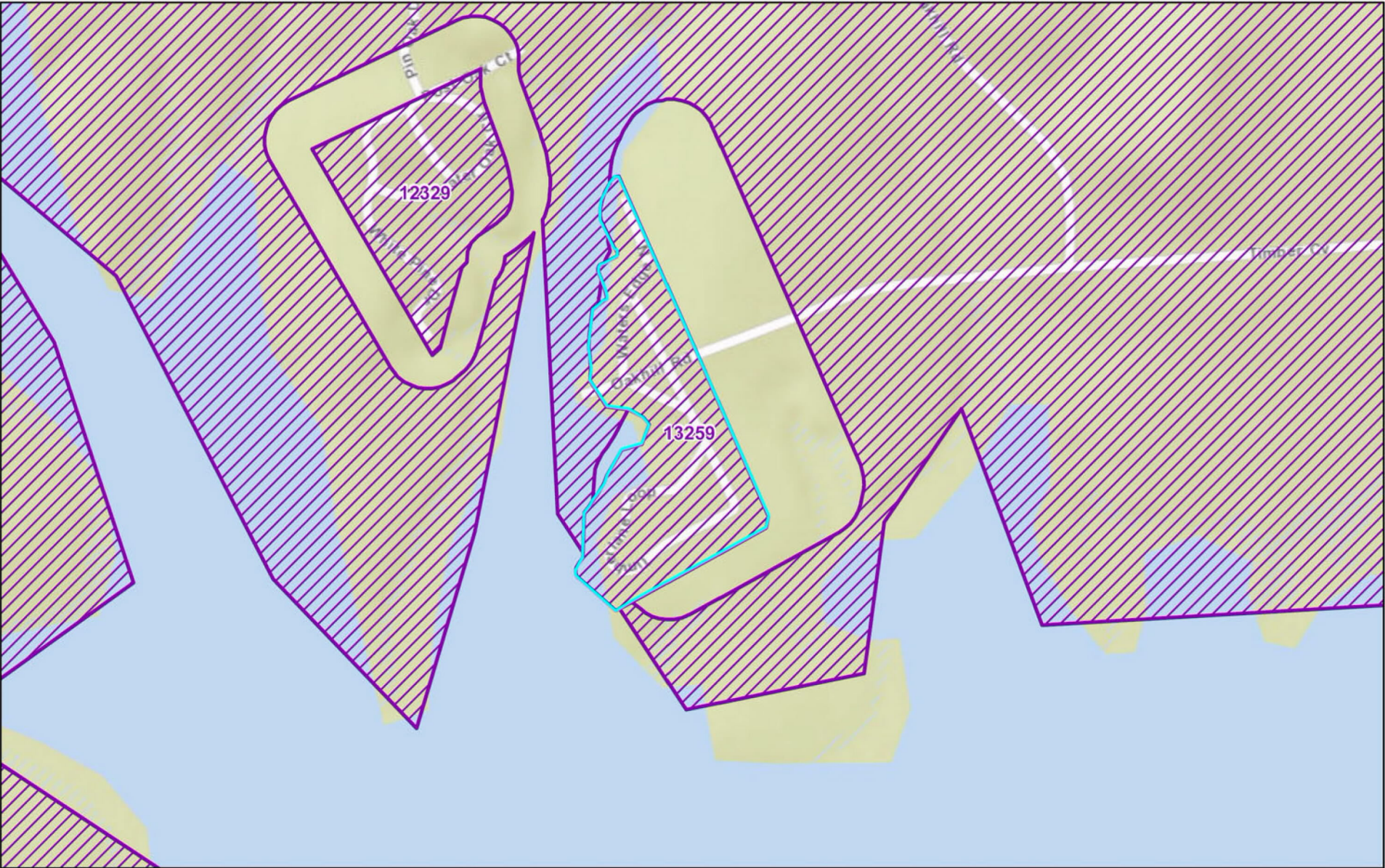


February 25, 2022

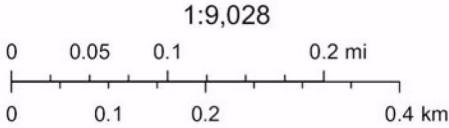


Esri, HERE, Garmin, GeoTechnologies, Inc., NGA, USGS

Requested Area 4 to Transfer - CCN No. 13259 (Timberlane) to CCN No. 13290 in Sabine County



February 25, 2022



Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, NGA, USGS

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