



Filing Receipt

Received - 2022-07-18 11:29:02 AM
Control Number - 53594
ItemNumber - 6

DOCKET NO. 53594

PETITION BY MONTGOMERY	§	
COUNTY LAND INVESTMENTS, INC.	§	PUBLIC UTILITY COMMISSION
TO AMEND T&W WATER SERVICE	§	
COMPANY'S CERTIFICATE OF	§	OF TEXAS
CONVENIENCE AND NECESSITY IN	§	
MONTGOMERY COUNTY BY		
STREAMLINED EXPEDITED		
RELEASE		

T&W WATER SERVICE COMPANY'S OPPOSITION TO THE PETITION OF
MONTGOMERY COUNTY LAND INVESTMENTS, INC. FOR EXPEDITED RELEASE
AND MOTION TO INTERVENE

COMES NOW, T&W Water Service Company ("T&W") and files this Opposition to the Petition by Montgomery County Land Investments, Inc. ("Applicant") for Expedited Release and Motion to Intervene pursuant to 16 Tex. Admin. Code § 24.245.

T&W objects to the petition for expedited release. T&W holds water CCN No. 12892, which is the subject of the decertification request. The Petition would deny T&W's ability to serve the acreage sought to be decertified, with the resulting financial and operational harm to T&W. T&W is prepared to expand its existing infrastructure to provide service to the subject property. T & W will lose the value of that expansion if T&W is denied the ability to serve the property. T&W stands ready to provide service to the property on reasonable notice, and it objects to Applicant's interference with T&W's provision of service to the property.

T&W also objects to the Petition on the basis that Applicant has not satisfied the requirements of Texas Water Code 13.2541 and 16 Texas Administrative Code 24.245(h). Specifically, Applicant has failed to provide adequate notice of the area to be decertified.

Attached as Exhibit A in support of this motion is the Affidavit of Ron Payne, General Manager of T&W, in opposition to Applicant's Petition of Montgomery Estates, LLC for Expedited Release.

PRAYER

Accordingly, T&W respectfully requests that the Commission grant its Motion to Intervene to make it a party to this proceeding and to grant T&W any further relief to which T&W is entitled.

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
Email: pgregg@gregglawpc.com

Attorneys for T&W Water Service Company

CERTIFICATE OF SERVICE

By my signature above, I certify that on July 18, 2022, the foregoing document was serviced via first class mail and/or email to all parties of record.

EXHIBIT A

AFFIDAVIT OF RON PAYNE

DOCKET NO. 53594

PETITION BY MONTGOMERY COUNTY LAND INVESTMENTS, INC. TO AMEND T&W WATER SERVICE COMPANY'S CERTIFICATE OF CONVENIENCE AND NECESSITY IN MONTGOMERY COUNTY BY STREAMLINED EXPEDITED RELEASE

§
§
§
§
§

PUBLIC UTILITY COMMISSION

OF TEXAS

AFFIDAVIT OF RON PAYNE IN SUPPORT OF T&W WATER SERVICE COMPANY'S OPPOSITION TO THE PETITION OF MONTGOMERY COUNTY LAND INVESTMENTS, INC. FOR EXPEDITED RELEASE

State of Texas §

County of Montgomery §

BEFORE ME, the undersigned notary, personally appeared Ron Payne, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

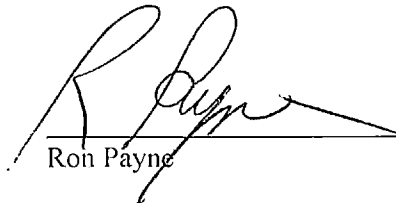
"1. My name is Ron Payne. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

2. I am the General Manager and an authorized representative of T&W Water Service Company ("T&W Water"), the Protestant in the above-captioned matter. T&W Water is the holder of Certificate of Convenience and Necessity No. 12892.

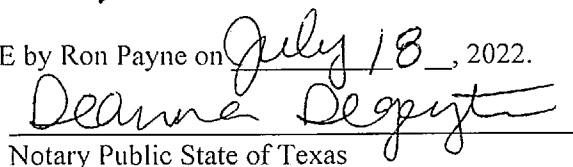
3. Decertification of the property as requested by Petitioner would deny T&W the ability to serve the acres currently within the CCN that is sought to be decertified by the applicant's petition, with the resulting substantial financial and operational harm to T&W.

4. T&W is opposed to and objects to the subject application, which would result in the decertification of land from T&W's CCN No. 12892.

FURTHER AFFIANT SAYETH NOT.


Ron Payne

SWORN AND SUBSCRIBED TO BEFORE ME by Ron Payne on July 18, 2022.


Notary Public State of Texas

