



## **Filing Receipt**

**Filing Date - 2024-02-28 08:28:22 AM**

**Control Number - 53660**

**Item Number - 70**

**DOCKET NO. 53660**

<b>APPLICATION OF CLEARWATER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>OPERATING SERVICES LLC AND</b>	<b>§</b>	
<b>KNOB HILL WATER SYSTEM FOR</b>	<b>§</b>	<b>OF TEXAS</b>
<b>SALE, TRANSFER, OR MERGER OF</b>	<b>§</b>	
<b>FACILITIES AND CERTIFICATE</b>	<b>§</b>	
<b>RIGHTS IN DENTON COUNTY</b>	<b>§</b>	

**COMMISSION STAFF'S SECOND CLARIFICATION**

On May 26, 2022, Clearwater Operating Services, LLC (Clearwater) and Knob Hill Water System (Knob Hill) (collectively, Applicants) filed an application for the sale and transfer of facilities and certificate rights in Denton County under the provisions of Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.239.

On February 16, 2024, the administrative law judge (ALJ) filed Order No. 20, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) and the Applicants to identify the correct description of the requested area in this application and the correct maps, and if not already clarified in the response, an explanation of the purpose of the map filed on June 13, 2023, and why it should be admitted into the record in this proceeding by February 28, 2024. Therefore, this pleading is timely filed.

**I. CLARIFICATION**

The correct description is that the requested area is approximately 1.3 miles northwest of downtown Little Elm, Texas and is generally bounded on the north by Lake Lewisville; on the east by Lake Lewisville; on the south by Carter Drive; and on the west by Wild Valley Drive. This description was used in the February 26, 2023 and August 4, 2023 proof of notice filings.

The description of the requested area in the February 15, 2023, Staff filing used a more accurate description of the requested area; however, the description used in the February 26, 2023, and August 4, 2023, proof of notice filings still provided an accurate description of the requested area.

On August 4, 2023, Clearwater re-filed an affidavit of notice to current customers, neighboring utilities, and affected parties, indicating that notice of the application was mailed to current customers, neighboring utilities, and affected parties on February 23, 2023. Clearwater originally filed this affidavit on February 26, 2023, but attached incorrect maps to the filing. The

maps attached to the February 26, 2023, filing included the incorrect utility name on the top of the maps, “Clearwater Investments LLC.”<sup>1</sup>

Clearwater’s August 4, 2023, filing corrected this clerical error and attached the maps that were sent out to customers, which included the correct utility name on the top of the maps, “Clearwater Operating Services LLC.”<sup>2</sup> Therefore, the August 4, 2023, maps are the correct maps. Because the June 13, 2023, map is not one of the maps deemed sufficient by Staff and was not the map used for notice, it should not be admitted into the record in this proceeding.

According to the affidavit included in Clearwater’s August 4, 2023, filing, the correct description of the requested area was included in the notice and the correct maps were sent to current customers, neighboring utilities, and affected parties.<sup>3</sup>

## **II. CONCLUSION**

The correct description of the requested area is the description included in the February 26, 2023, and August 4, 2023, proof of notice filings. The correct maps are those included in the August 4, 2023, proof of notice filing. Both the correct description of the requested area and the correct map were provided with the notice that was provided. Because the June 13, 2023, map is not one of the maps deemed sufficient by Staff and was not the map used for notice, it should not be admitted into the record in this proceeding.

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<sup>1</sup> STM Customer Filing Notice at 8-9 (February 26, 2023).

<sup>2</sup> Resubmission of Customer Notice at 8-9 (August 4, 2023).

<sup>3</sup> See Resubmission of Customer Notice at 3 (August 4, 2023).

Date: February 28, 2024

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**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 February 28, 2024 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ David Berlin  
David Berlin