



## **Filing Receipt**

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**Control Number - 53709**

**Item Number - 48**

**DOCKET NO. 53709**

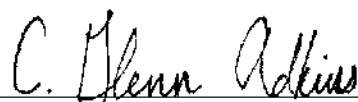
<b>APPLICATION OF CSWR-TEXAS</b>	<b>§</b>	
<b>UTILITY OPERATING COMPANY, LLC</b>	<b>§</b>	
<b>AND GEORGE FULLER, EXECUTOR OF</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>THE ESTATE OF VIRGINIA FULLER,</b>	<b>§</b>	
<b>FOR SALE, TRANSFER, OR MERGER</b>	<b>§</b>	<b>OF TEXAS</b>
<b>OF FACILITIES IN LUBBOCK COUNTY</b>	<b>§</b>	

**CSWR-TEXAS UTILITY OPERATING COMPANY, LLC'S  
RESPONSE TO ORDER NO. 12 AND AFFIDAVIT OF SUPPLEMENTAL NOTICE**

CSWR-Texas Utility Operating Company, LLC (“CSWR-Texas” or “the Company”) files this Response to Order No. 12. Order No. 12 directed CSWR-Texas to provide clarification regarding notice to landowners with tracts of land at least 25 acres. CSWR-Texas has reviewed the area proposed to be certified in this case along with the Lubbock County tax appraisal maps and determined that there are three parcels of land at least 25 acres that are wholly or partially included in the proposed area. Per Order No. 12, CSWR-Texas submits the attached supplemental notice affidavit which confirms notice has been sent to the landowners of the three tracts. Attached to the supplemental notice affidavit is a copy of the notice sent to the landowners (Exhibit A), and a mailing list that identifies the landowners (Exhibit B).

CSWR-Texas also provides the following statement of confidentiality. The undersigned attorney has reviewed confidential mailing list attached to the supplemental notice affidavit and confirms that the attachment contains customer-specific information including names and addresses. This information is specifically protected by Tex. Util. Code § 182.052 and is expressly protected under Paragraph 6 of the Commission’s standard protective order. Accordingly, the information contained in the confidential attachment is exempt from public disclosure under Tex. Gov’t Code § 552.101 and Tex. Util. Code 182.052 and merits the Highly Sensitive Protected Materials designation.

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

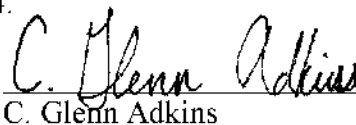


\_\_\_\_\_  
Evan D. Johnson  
State Bar No. 24065498  
C. Glenn Adkins  
State Bar No. 24103097  
Coffin Renner LLP  
1011 W. 31<sup>st</sup> Street  
Austin, Texas 78705  
(512) 879-0900  
(512) 879-0912 (fax)  
evan.johnson@crtxlaw.com  
glenn.adkins@crtxlaw.com

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

**CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of June 2023, a true and correct copy of the foregoing document was served on all parties of record via electronic mail in accordance with the Second Order Suspending Rules issued in Project No. 50664.

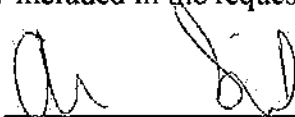
  
\_\_\_\_\_  
C. Glenn Adkins

**AFFIDAVIT**

**STATE OF MISSOURI**           §  
  §  
**COUNTY OF ST. LOUIS**     §

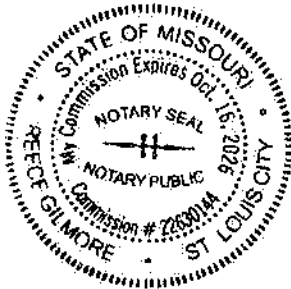
Before me, the undersigned authority, Aaron Silas, being first duly sworn, deposes and states as follows:

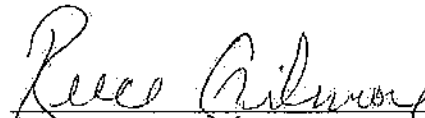
1. My name is Aaron Silas. I am over 21 years of age, of sound mind, and capable of making this Affidavit. I have personal knowledge of the facts contained herein, and they are true and correct.
2. I am the Director of Regulatory Operations of CSWR-Texas Utility Operating Company, LLC ("CSWR-Texas"). I am qualified and authorized to file and verify such form and am personally familiar with notices given as part of this proceeding, the *Application of CSWR-Texas Utility Operating company, LLC and George Fuller, Executor of the Estate of Virginia Fuller, for Sale, Transfer, or Merger of Facilities in Tarrant County, Docket No. 53709, filed on June 13, 2023.*
3. I hereby certify that on June 15, 2023, notice was mailed to each landowner of a tract of land that is at least 25 acres and is wholly or partially included in the requested area. Exhibit A attached to this affidavit is a copy of the notices mailed to the landowners. Highly Sensitive Exhibit B is a list of landowners that own a tract of land that is at least 25 acres and is wholly or partially included in the requested area



\_\_\_\_\_  
Aaron Silas  
Director of Regulatory Operations  
CSWR-Texas Utility Operating Company, LLC

SWORN TO AND SUBSCRIBED before me on this 16<sup>th</sup> day of JUN, 2023.



  
\_\_\_\_\_  
Notary Public, State of Missouri

**Docket No. 53709**

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

CSWR-TEXAS UTILITY OPERATING COMPANY, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 21120, NOTICE OF INTENT TO PURCHASE SEWER FACILITIES AND TO TRANSFER SEWER SERVICE AREA UNDER INACTIVE CCN NO. 20743 FROM GEORGE FULLER, EXECUTOR OF THE ESTATE OF VIRGINIA FULLER IN LUBBOCK COUNTY, TEXAS

To: \_\_\_\_\_ Date Notice Mailed: 6/15/2023  
(Name of Customer, Neighboring System, or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City) \_\_\_\_\_ State \_\_\_\_\_ Zip) \_\_\_\_\_

CSWR-Texas Utility Operating Company, LLC 1630 Des Peres Rd, Suite 140  
(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 sewer facilities and to transfer all sewer certificated service area under inactive CCN No. 20743 in Lubbock County, TX from:

George Fuller, Executor of the Estate of Virginia Fuller 401 N. Carroll Avenue, Ste. 156  
(Purchaser's Name) (Address)  
Southlake, TX 76092  
(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:

The requested area includes 44 customer connections, is located approximately 4.2 mile(s) northeast of downtown Lubbock, Texas, and is generally bounded on the north by approximately 780 feet north of East Ursuline Street; on the east by Idalou Road; on the south by United States Highway 62; and on the west by North Redwood Avenue.

The requested area includes approximately 193 acres of transferred area from CCN No. 20743 to CCN No. 21120.

The application proposes the subtraction of approximately 193 acres from CCN No. 20743 and the addition of approximately 193 acres to CCN No. 21120.

**See enclosed maps 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**

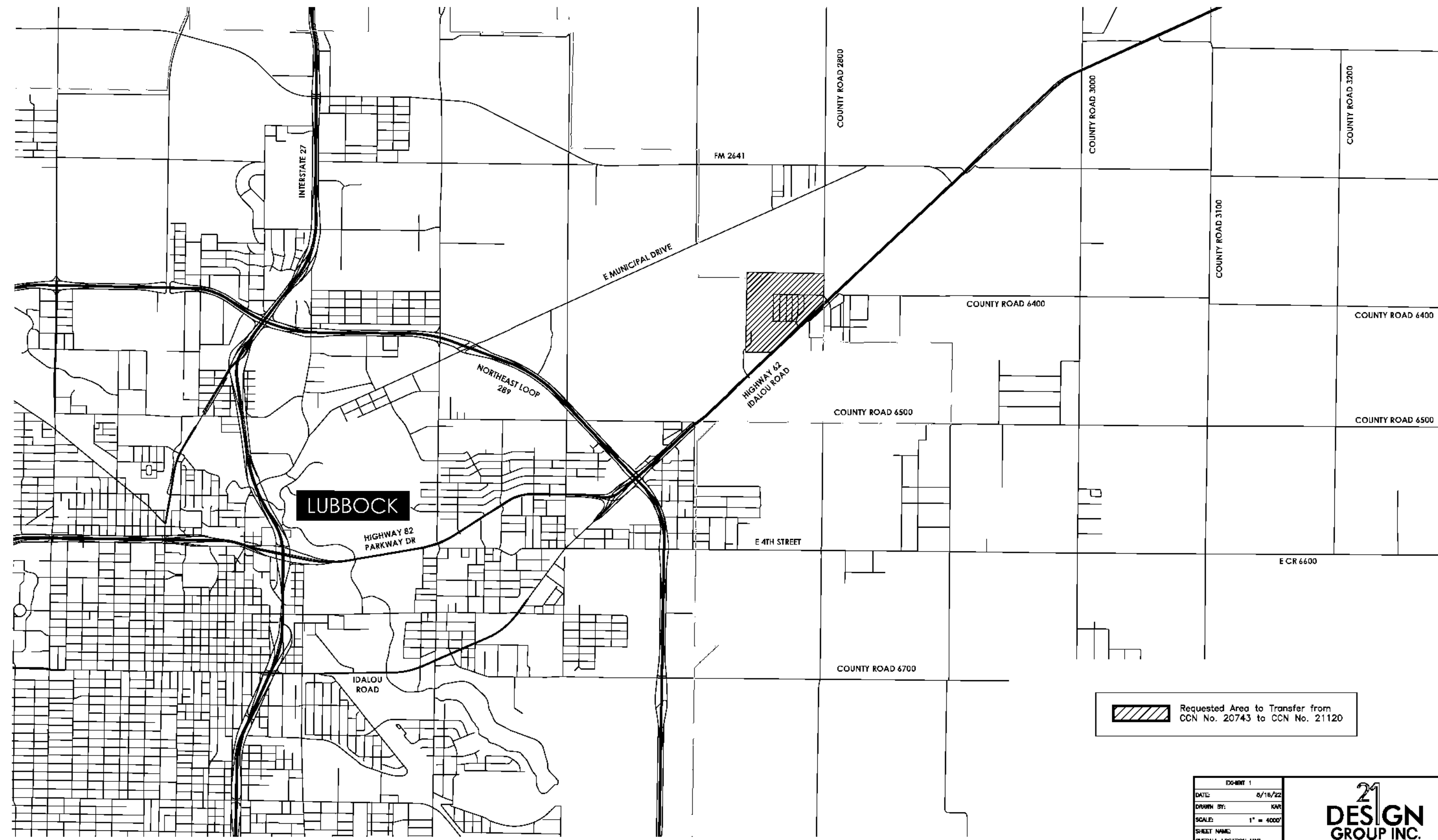
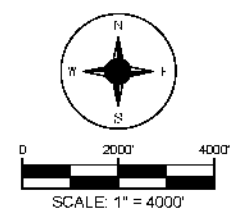
Utility Representative

**CSWR - Texas**

Utility Name

# REQUESTED AREA TO TRANSFER SEWER CCN NO. 20743 TO CCN NO. 21120 IN LUBBOCK COUNTY

OVERALL LOCATION - LUBBOCK COUNTY




 Requested Area to Transfer from  
CCN No. 20743 to CCN No. 21120

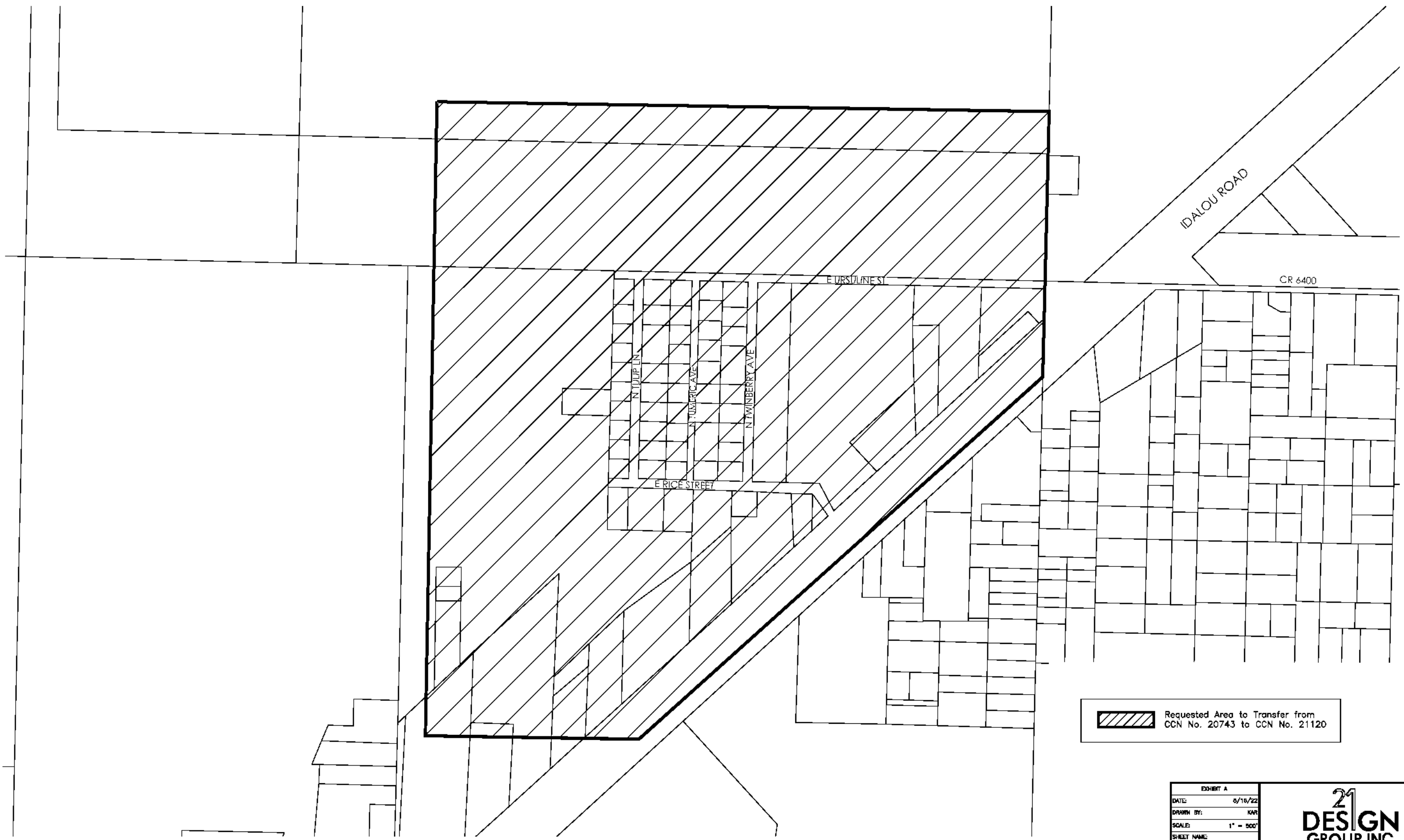
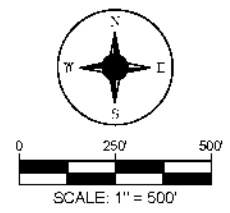
EXHIBIT 1	
DATE:	8/18/22
DRAWN BY:	KAR
SCALE:	1" = 4000'
SHEET NAME:	
OVERALL LOCATION MAP	
FRANKLIN COUNTY	

**21**  
**DESIGN**  
**GROUP INC.**

331 Westover, Suite 301  
Wichita, KS 67203  
m3121@designgroupinc.com  
620.419.9299

# REQUESTED AREA TO TRANSFER SEWER CCN NO. 20743 TO CCN NO. 21120 IN LUBBOCK COUNTY

OVERALL LOCATION - LUBBOCK COUNTY




 Requested Area to Transfer from  
CCN No. 20743 to CCN No. 21120

EXHIBIT A	
DATE:	6/16/22
DRAWN BY:	KAR
SCALE:	1" = 500'
SHEET NAME:	
DETAIL MAP:	
FRANKLIN COUNTY:	

**21**  
**DESIGN**  
**GROUP INC.**

1311 W. 19th St., Suite 301  
Lubbock, TX 79409  
matt@designgroupinc.com  
806.412.9079



**Exhibit B in Response to  
Order No. 12 is Highly  
Sensitive and will be  
provided pursuant to the  
Protective Order**