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June 9, 2023

VIA E-FILING

Public Utility Commission of Texas
1702 N. Congress Avenue, Room 8-100
P.O. Box 13326
Austin, TX 78701

Re: Docket No. 53920; Application of Texas Water Utilities, L.P. and Creek Water Utility LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Marion County

Dear Judge Denmark:

The memorandum of Patricia Garcia supporting Commission Staff's Recommendation on Notice and Proposed Procedural Schedule (Recommendation), filed on October 21, 2022, recommended that notice of the application be provided to: (1) cities, districts, and neighboring retail utilities; (2) the county judge; and (3) affected customers or other affected parties. Order No. 5, issued on November 3, 2022, directed the applicants to "provide notice of the application and proof of notice in the manner described in and attached to Patricia Garcia's memorandum dated October 21, 2022, using the included forms." On November 21, 2022, Texas Water Utilities, L.P. (TWU) filed the affidavit of George Freitag, Texas Regulatory Manager for TWU, affirming that notice was provided on November 18, 2022 to the entities listed in Commission Staff's Recommendation, consistent with Order No. 5. TWU supplemented this filing on November 21, 2022 with a confidential list of customers who were provided notice.

Order No. 20, issued on May 18, 2023, established June 1, 2023 as the deadline for TWU to file an affidavit stating that notice has been mailed by first-class mail to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified and evidence showing which tracts are 25 acres or more and the owners of those tracts. Per Order No. 22, this deadline was extended to June 20, 2023. The requested supplemental proof of notice is provided herewith.

Very truly yours,

Eleanor D'Ambrosio
Attorney for Texas Water Utilities, L.P.

DOCKET NO. 53920

APPLICATION OF TEXAS WATER UTILITIES, LP AND CREEK WATER UTILITY LLC FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN MARION COUNTY

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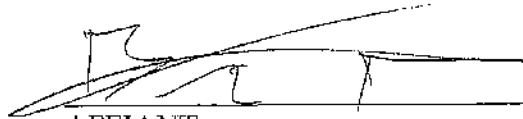
PUBLIC UTILITY COMMISSION OF TEXAS

AFFIDAVIT

STATE OF TEXAS)
COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared Brian Bahr, who being by me first duly sworn, on oath deposed and said the following:

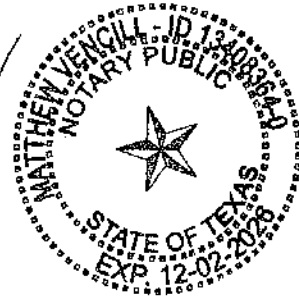
1. My name is Brian Bahr. I am at least 18 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated. I am currently employed by SouthWest Water Company (SouthWest) as the Director of Rates and Regulatory.
2. Texas Water Utilities, L.P. is a wholly owned subsidiary of Southwest.
3. Included with this affidavit as Attachment 1 is an appraisal district map overlaid with a map of the requested area.
4. Included with this affidavit as Attachment 2 is a list of the owners of tracts of land that are wholly or partially located in the requested area according to the most current tax appraisal rolls, including the total acreage owned by each individual.
5. As shown in Attachment 1 and Attachment 2, there are 5 tracts of land of 25 acres or more that are wholly or partially located in the requested area.
6. I affirm that on 8 of June, 2023, notice of the application was mailed to the owner of each tract of land 25 acres or more at the mailing address listed in Attachment 2.
7. A representative copy of the notice and map mailed to each landowner is included with this affidavit as Attachment 3.
8. I affirm that the information submitted in this affidavit is true and accurate.


AFFIANT

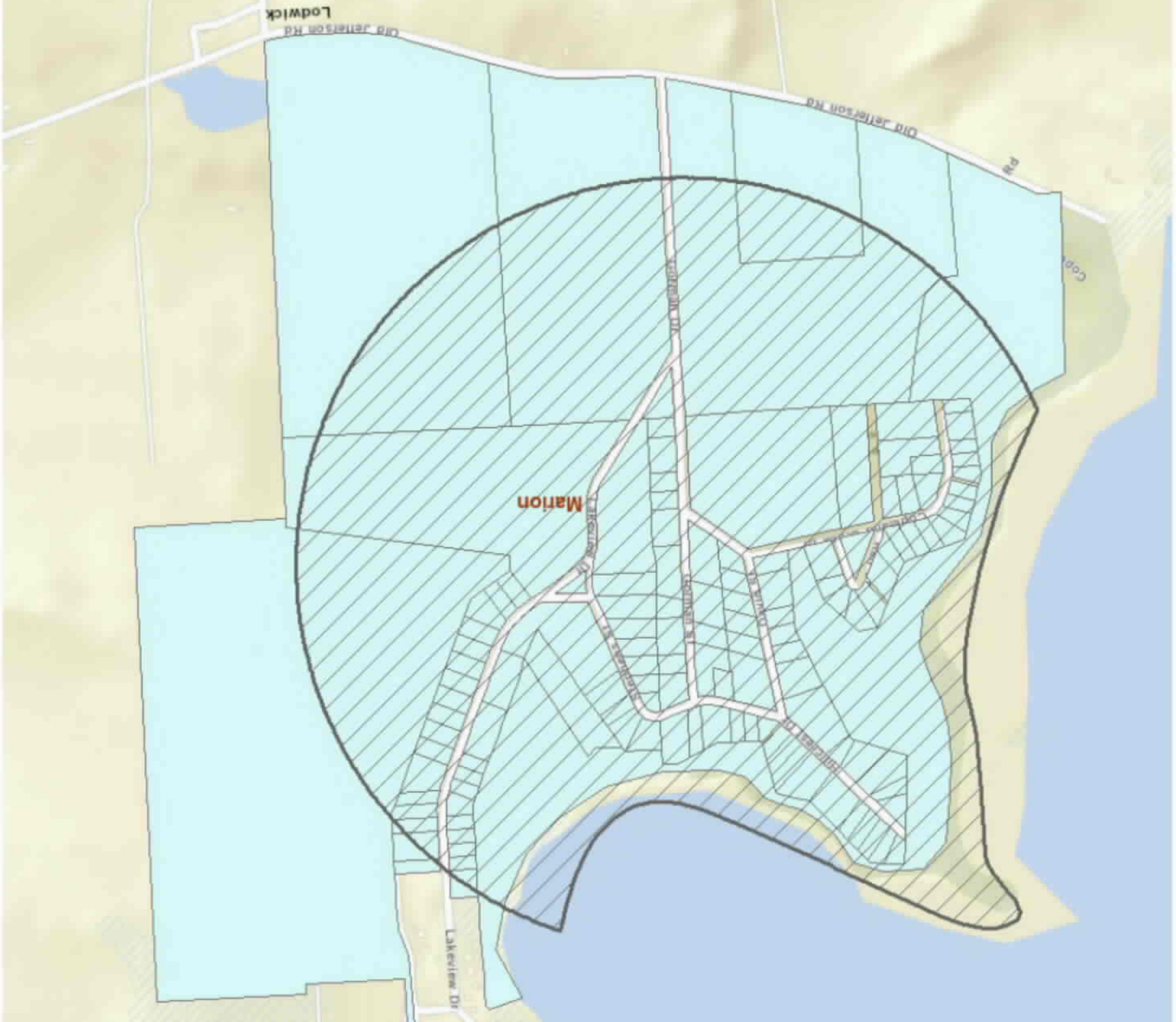
SUBSCRIBED AND SWORN TO before me this 9 day of JUNE, 2023.

Matthew A. Vencill MAV
Notary Public in and for the State of Texas

My Commission Expires: 12/2/26



ATTACHMENT 1



ATTACHMENT 2

ATTACHMENT 3

Notice to Current Customers, Neighboring Systems, and Cities

TEXAS WATER UTILITIES, L.P., CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 12983, NOTICE OF INTENT TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11028 FROM CREEK WATER UTILITY, LLC IN MARION COUNTY, TEXAS

To: Berrell W. Laver Date Notice Mailed: Jun 8, 2023
(Name of Customer, Neighboring System, or City)
1950 Old Jefferson Road
(Address)
Jefferson TX 75657
(City State Zip)

Texas Water Utilities, L.P. 12535 Reed Road Sugar Land, TX 77478
(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. 11028, in Marion County, TX from:

Creek Water Utility, LLC 165 Stephen St. Jefferson, TX 75657
(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:

The requested area includes 94 customer connections, is located approximately 5 mile(s) north of downtown Harleton, Texas, and is generally bounded on the north by Lake O' the Pines; on the east by Paul Conner Road; on the south by Old Jefferson Road; and on the west by Lake O' the Pines.

The requested area includes approximately 239.5 acres, comprised of:

239.5 acres of transferred area from CCN No. 11028.

16.6 acres of dual certificated area with Harleton WSC (CCN No. 11887).

The application proposes the subtraction of approximately 289.5 acres from CCN No. 11028 and the addition of approximately 289.5 acres to CCN No. 12983. *272.9 acres will be single certification and 16.6 acres will be dual certification with CCN No. 11887.

See enclosed maps showing the requested area.

The proposed transaction may change the current customers' rates and services to the current approved rates and services of Texas Water Utilities, L.P., which are higher than the current rate for a 5/8" meter for Creek Water Utility, LLC. To view a copy of the current approved tariff, go

to: <https://swwc.com/wp-content/uploads/files/tx/tariff/Monarch-Water-Tariff.pdf> (Applicable water rates on tariff page 9 and are labeled “Texas Water Utilities – RATES effective 06-01-201”) or email TXCustomerCare@swwc.com or call 866-654-SWWC (7992) to request a copy.

BILLING COMPARISON for a 5/8” METER

Existing	2,000 gallons	\$25.00/mo.	New Rate	2,000 gallons	\$61.33/mo.
Existing	5,000 gallons	\$37.00/mo.	New Rate	5,000 gallons	\$85.27/mo.
Existing	10,000 gallons	\$57.00/mo.	New Rate	10,000 gallons	\$125.17/mo.

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.

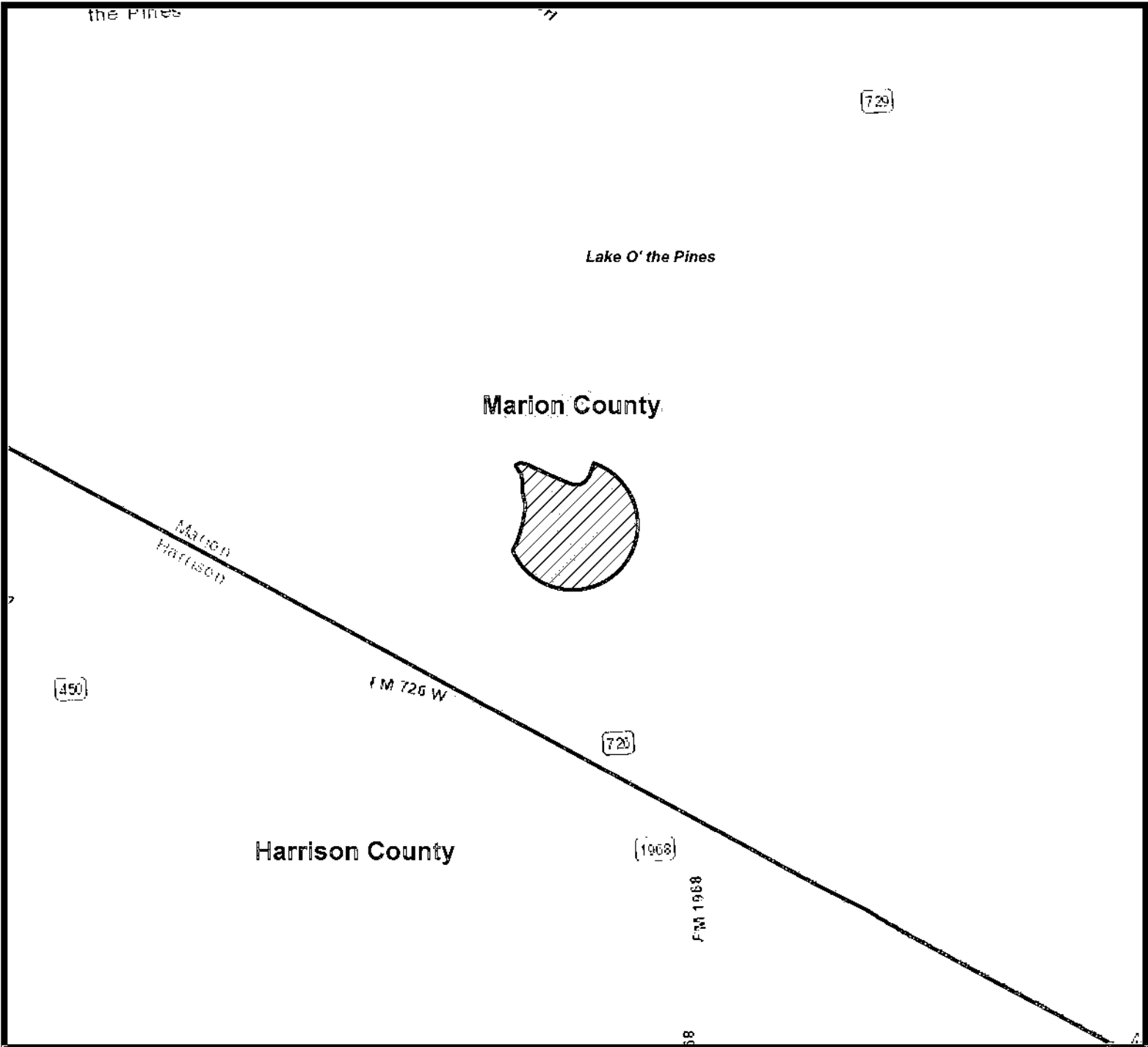
If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary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


Jeffrey L. McIntyre, President
Utility Representative

Texas Water Utilities, L.P.
Utility Name

Attachment 11 - General Map
Application to Transfer Creek Water Utility LLC (CCN 11028) to
Texas Water Utilities, L.P. (CCN 12983)
Marion County



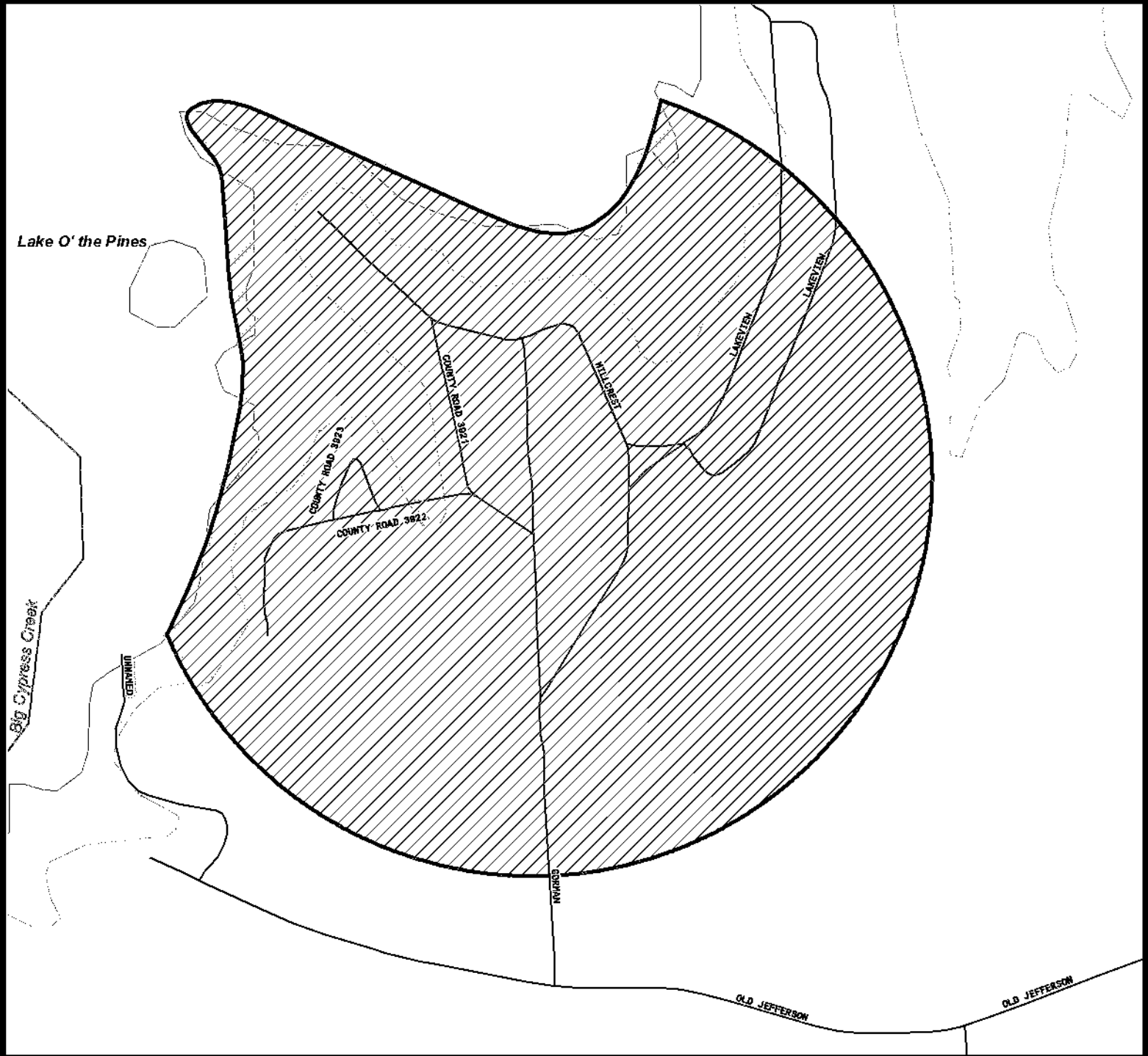
Requested Area from Creek Water Utility LLC

 Transfer Creek Water Utility LLC (11028) to Texas Water Utilities (12983)




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Attachment 11 - Detailed Map
Application to Transfer Creek Water Utility LLC (CCN 11028) to
Texas Water Utilities, L.P. (CCN 12983)
Marion County



Requested Area from Creek Water Utility LLC

 Transfer Creek Water Utility LLC (11028) to Texas Water Utilities (12983)

