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June 21, 2023

VIA E-FILING

Public Utility Commission of Texas
ATTN: Central Records
1701 N. Congress Ave., Room 8-100
Austin, TX 78701

Re: E-Filing Mistake—Item No. 63; Docket No. 54171; *Application of Texas Water Utilities, L.P. and CS Water Corporation for Sale, Transfer, or Merger of Facilities and Certificate Rights in Bosque County*

Dear Central Records:

We are submitting a corrected version of Item No. 63 in Docket No. 54171— Texas Water Utilities, L.P.'s Response to Order No. 14, which was file stamped on today's date at 2:04 p.m. The previous version was missing a portion of Attachment 3 Please void Item No. 63 and replace with this filing.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

/s/ Hanna Campbell

Hanna Campbell
Paralegal

DOCKET NO. 54171

APPLICATION OF TEXAS WATER UTILITIES, L.P. AND CS WATER CORPORATION FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN BOSQUE COUNTY	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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TEXAS WATER UTILITIES, L.P.'S RESPONSE TO ORDER NO. 14

Texas Water Utilities, L.P. (TWU) files this response to Order No. 14 issued on May 31, 2023. TWU objects to the assumptions underlying the order, namely, that TWU was required to provide a capital improvement plan (CIP) and loan approval documents indicating funds are available for the purchase of CS Water Corporation plus any improvements necessary to provide continuous and adequate service to the existing customers. TWU contests that the portion of the Commissioner memorandum filed in Docket No. 51646 addressing proof of notice to landowners of tracts of 25 acres or more¹ was intended to apply to a sale, transfer, or merger (STM) for the transfer of certificated service area that does not include a request to amend the transferor's certificate of convenience and necessity (CCN) with uncertificated area. Nevertheless, TWU is providing this response, paired in some instances with a request for a good cause exception, to prevent further delay in the processing of the application.

I. CAPITAL IMPROVEMENT PLAN AND REQUEST FOR GOOD CAUSE EXCEPTION, IF NECESSARY

TWU objects to the premise that it was required to file a CIP pursuant to Texas Water Code (TWC) § 13.244(d)(3) and 16 Texas Administrative Code (TAC) § 24.233(a)(6) as part of this application. An application for an STM is a specific type of CCN amendment governed by the narrowly tailored provisions of TWC § 13.301 and 16 TAC § 24.239. In contrast, TWC § 13.244 and 16 TAC § 24.233 are designed to apply to a CCN application that includes a request for area that is currently uncertificated. Even if 16 TAC § 24.233(a) were in play, paragraph (6) only requires a CIP “[i]f the infrastructure is not already in place or if existing infrastructure needs repairs and improvements to provide continuous and adequate service to the requested area.” The CIP provided must include a budget and timeline for construction of

¹ *Application of Waters of Vista Ranch Water Supply Corporation and Aqua Water Supply Corporation for Sale, Transfer, or Merger of Facilities and Certificate Rights in Fayette County*, Docket No. 51646, Commissioner Memorandum at 2 (May 10, 2023).

facilities “necessary to provide full service to the requested area.”² In the instant case, the infrastructure necessary to provide full service to the requested area is already in place and no repairs or improvements are needed to provide continuous and adequate service. In other words, TWU would be able to provide continuous and adequate service immediately upon acquisition without any capital expenditures.

The language in 16 TAC § 24.233(a) also clearly states that the application materials listed are required “unless otherwise specified in the application form[.]” The STM application form specifically addresses when a CIP must be provided; thus, it falls under this provision. Part C-10 of the application requires a transferee that is an existing retail public utility to provide historical financial information, and lists the three acceptable formats for providing this information.³ Part C-10 also requires projected financial information if the transferee is proposing new service connections *and* new investment in plant, or if requested by the Staff of the Public Utility Commission of Texas (Commission), and lists a CIP as one of the ways to present the required projections.⁴ Per the application instructions, TWU was not required to provide projected financial information because it is not proposing any new service connections in the area subject to the transaction and the only information requested by Commission Staff was a summary of planned capital expenditures and not an actual CIP.⁵

Despite the foregoing, TWU provided a CIP in Attachment 8 of the application with estimated capital expenditures for the years 2023 and 2024.⁶ Again, neither of these projected improvements are needed or required in the near term to ensure that TWU can provide continuous and adequate service to the CCN area it will acquire from CS Water. They are proposed projects to improve system reliability identified during due diligence for this acquisition, and based on preliminary cost and timing estimates that are subject to change once TWU is able to perform a more thorough evaluation of the system after acquisition. Based on the foregoing, TWU believes it has already provided more than is required pursuant to the Commission’s rules and the STM application. Should the ALJ determine that such a

² 16 TAC § 24.233(a)(6).

³ Application for Sale, Transfer, or Merger of a Retail Public Utility at 5, available at https://www.puc.texas.gov/industry/water/forms/stm_form.pdf

⁴ *Id.* at 6.

⁵ Commission Staff’s First Request for Information to Monarch Utilities I.L.P. at Staff 1-1 (Oct. 11, 2022).

⁶ Application at Attachment 8 (Sept. 30, 2022).

requirement does exist, TWU respectfully requests a good cause exception to the requirement to provide the more detailed CIP described in 16 TAC § 24.233(d) based on the facts presented above.

II. LOAN DOCUMENTS AND REQUEST FOR GOOD CAUSE EXCEPTION, IF NECESSARY

TWU objects to the premise that 16 TAC § 24.11(e)(5) applies to this proceeding. As a general matter, the Commission may require TWU to demonstrate adequate financial, managerial, and technical capability to provide service to the requested area and its existing certificated area.⁷ If TWU cannot demonstrate adequate financial capability, the Commission may require TWU to provide a bond or other financial assurance.⁸ Further, 16 TAC § 24.11 clearly states that it applies to “new and existing owners or operators of retail public utilities that are required to provide financial assurance under this chapter.”⁹ The Commission has not determined that TWU cannot demonstrate adequate financial capability, nor has it exercised its discretion to require TWU to provide financial assurance. Accordingly, 16 TAC § 24.11(e)(5) does not apply to this proceeding.

Even if the Commission had directed TWU to provide financial assurance, 16 TAC § 24.11(e)(5) is not applicable because TWU is not proposing a *substantial* addition to its current CCN area *requiring* capital improvements in excess of \$100,000. The area to be acquired through this transaction consists of 726 acres and 178 customers. This cannot be construed as a substantial addition to TWU’s service area under CCN number 12983, which covers over 80,000 acres and 33,537 customers. In addition, the estimated capital expenditures shown in Attachment 8 to the application are not for required capital improvements but for discretionary improvements based on preliminary estimates. As stated in Section I, TWU could forego these improvements and still be able to provide continuous and adequate service in the near-term post acquisition.

Despite the foregoing, TWU’s initial and supplemental responses to Staff’s second request for information provided evidence of the line of credit available to TWU through its

⁷ TWC § 13.301(b).

⁸ TWC § 13.301(c); 16 TAC § 24.239(f).

⁹ 16 TAC § 24.11(a) (emphasis added).

parent company, Southwest Water Company.¹⁰ Commission Staff relied on this evidence to recommend that TWU had satisfied the requirements of 16 TAC § 24.11(e)(5)(A).¹¹ A line of credit is a defined amount of money made available by a financial institution that can be accessed as needed and repaid immediately or over a period of time. In other words, a line of credit is a loan that provides the borrower with flexibility as opposed to a more traditional loan for a lump sum that is to be paid back by a date certain.

There is nothing in the plain language of 16 TAC § 24.11(e) to indicate that evidence of a line of credit, including the amount of credit currently available, does not constitute “loan approval documents indicating funds are available” Accordingly, TWU has already submitted loan documentation in accordance with 16 TAC § 24.11(e)(5)(A). If the ALJ or Commission disagrees with the conclusion that a line of credit constitutes loan documentation under 16 TAC § 24.11(e)(5)(A), TWU requests a good cause exception to allow the use of a line of credit to satisfy the requirements of 16 TAC § 24.11(e)(5)(A).

III. NOTICE TO LANDOWNERS

TWU objects to the premise that the notice requirements in TWC § 13.246(a-1) and 16 TAC § 24.235(b)(2) apply to the instant case, which is an STM for the transfer of certificated area only, and therefore, subject only to the notice provisions in 16 TAC § 24.239(e). TWU previously requested reconsideration of Order No. 20 filed in Docket No. 53920, which directed TWU to provide supplemental proof that notice was mailed to each owner of a tract of land that is 25 acres or more and wholly or partially located in the area subject to the transaction.¹² TWU incorporates the Motion for Reconsideration of Order No. 20 in Docket No. 53920 by reference, because TWU continues to believe that the legal and policy arguments raised in the motion have merit and has filed an appeal of the interim order denying reconsideration of Order No. 20.¹³

Nevertheless, TWU is providing the attached supplemental proof of notice, including an appraisal district map overlaid with a map of the area to be transferred from CS Water, a list of

¹⁰ Texas Water Utilities, L.P.’s Response to Commission Staff’s Second Request for Information at Staff 2-5 (Jan. 4, 2023); Texas Water Utilities, L.P.’s Supplemental Response to Commission Staff’s Second Request for Information, Question No. Staff 2-5 at Confidential Supplemental Attachments 2-5(1) and 2-5(2) (Jan. 20, 2023).

¹¹ Commission Staff’s Recommendation on Approval of the Sale and on the CCN Amendment, Memorandum of Fred Bednarski at 2 (Jan. 31, 2023).

¹² *Application of Texas Water Utilities, LP and Creek Water Utility LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Marion County*, Docket No. 53920, Texas Water Utilities, L.P.’s Motion for Reconsideration of Order No. 20 (May 26, 2023).

¹³ *Id.*, Texas Water Utilities, L.P.’s Appeal of Interim Order No. 21 (Jun. 15, 2023).

the landowners with tracts partially or wholly located in the area to be transferred with the acreage owner by each owner, and an affidavit of notice attesting that notice was provided to each landowner of a tract of 25 acres or more.

IV. NEED FOR SERVICE AND MAPPING

TWU is not requesting to amend its CCN to include uncertificated area. All of CS Water's current customers are located within CS Water's existing CCN. Therefore, there are no customers located in uncertificated area that will be transferred.

V. CONCLUSION

TWU respectfully provides this clarification regarding the issues identified in Order No. 14 and requests the entry of an Order granting TWU's requests for good cause exceptions, as needed, and finding TWU's supplemental proof of notice sufficient. TWU will file a supplemental motion to admit evidence once the supplemental proof of notice is found sufficient. Additionally, TWU requests any further relief to which it has shown itself entitled.

Respectfully submitted,

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**ATTORNEYS FOR TEXAS WATER
UTILITIES, L.P.**

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 June 21, 2023, in accordance with the Order Suspending Rules, issued in Project No. 50664.



Eleanor D'Ambrosio

DOCKET NO. 54171

APPLICATION OF TEXAS WATER	§	PUBLIC UTILITY COMMISSION
UTILITIES, LP AND CS WATER	§	
CORPORATION FOR SALE,	§	OF TEXAS
TRANSFER, OR MERGER OF	§	
FACILITIES AND CERTIFICATE	§	
RIGHTS IN BOSQUE COUNTY	§	

AFFIDAVIT

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

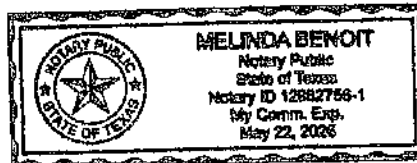
BEFORE ME, the undersigned authority, on this day personally appeared Brian Bahr, who being by me first duly sworn, on oath deposed and said the following:

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 7 tracts of land of 25 acres or more that are wholly or partially located in the requested area.
6. I affirm that on 16 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.

[Signature]
AFFIANT

SUBSCRIBED AND SWORN TO before me this 16th day of June, 2023

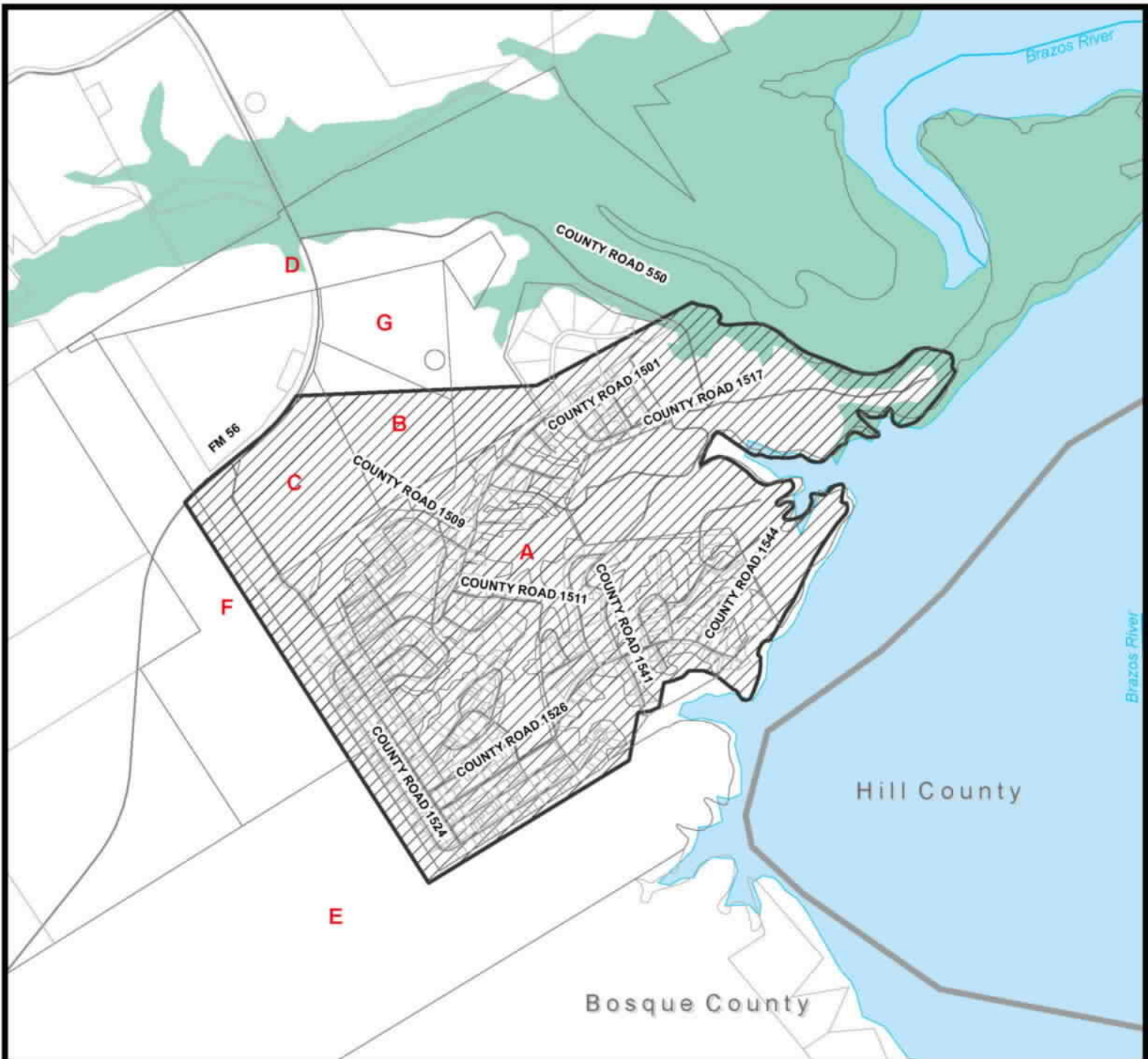
Melinda Benoit
Notary Public in and for the State of Texas





My Commission Expires: 05/22/2026

ATTACHMENT 1

Docket No. 54171
Application to Transfer to Texas Water Utilities, L.P.
CCN No. 12983
Bosque County



Requested Area from CS Water Company

-  Transfer CS Water Company (11441) to Texas Water Utilities, L.P.
-  (12983) Tracts

0 1,450 2,900
Feet

Label	Prop_ID	GEO_ID	OWNER_NAME	NAME_CARE	LEGAL_AREA	LGL_AREA_U	GIS_AREA	GIS_AREA_U	MAIL_ADDR	MAIL_LINE1	MAIL_LINE2	MAIL_CITY	MAIL_STAT	MAIL_ZIP	COUNTY	Label
A	14459	R14459	STRIPER LAND COMPANY LTD	STRIPER LAND COMPANY LTD	87.314 Acres		85.8027298 Acres		PO BOX 450 , WACO, TX 76703	PO BOX 450		WACO	TX	76703	BOSQUE	A
B	14809	R14809	LONDRIGAN, ROBERT JOHN JR	LONDRIGAN, ROBERT JOHN JR	44.67 Acres		42.9644903 Acres		11348 HWY 56 , MORGAN, TX 76671	11348 HWY 56		MORGAN	TX	76671	BOSQUE	B
C	14858	R14858	MARWITZ, GARY L	MARWITZ, GARY L	49.84 Acres		51.1839452 Acres		PO BOX 450 , WACO, TX 76703	PO BOX 450		WACO	TX	76703	BOSQUE	C
D	14861	R14861	UNITED STATES OF AMERICA	UNITED STATES OF AMERICA	3754.25 Acres		862.310128 Acres		PO BOX 17109 , FORT WORTH, TX 76102	PO BOX 17109		FORT WORTH	TX	76102	BOSQUE	D
E	19035	R19035	CIRCLE 13 RANCH	CIRCLE 13 RANCH	537 Acres		600.933427 Acres		381 CR 1070 , CLIFTON, TX 76634	381 CR 1070		CLIFTON	TX	76634	BOSQUE	E
F	19633	R19633	CIRCLE 13 RANCH	CIRCLE 13 RANCH	186 Acres		154.7688562 Acres		381 CR 1070 , CLIFTON, TX 76634	381 CR 1070		CLIFTON	TX	76634	BOSQUE	F
G	36669	R36669	LONDRIGAN, ROBERT JOHN JR	LONDRIGAN, ROBERT JOHN JR	41.12 Acres		38.4042509 Acres		11348 HWY 56 , MORGAN, TX 76671	11348 HWY 56		MORGAN	TX	76671	BOSQUE	G

ATTACHMENT 2

GEO_ID	OWNER_NAME	NAME/CARE	LEGAL_AREA	LG_L_AREA_U	GRS_AREA	GRS_AREA_U	MAL_ADDR	MAL_LINE1	MAL_LINE2	MAL_CITY	MAL_STAT	MAL_ZIP	COUNTY
R28567	PERKINS, BARBARA W	PERKINS, BARBARA W	1.7969	Acres	1.895294486	Acres	604 SARATOGA , ROBINSON, TX 76706	604 SARATOGA		ROBINSON	TX	76706	BOSQUE
R28669	STRIPER LAND COMPANY LTD	STRIPER LAND COMPANY LTD	2	Acres	2.110235667	Acres	PO BOX 450 , WACO, TX 76703	PO BOX 450		WACO	TX	76703	BOSQUE
R28670	CS WATER CORP	CS WATER CORP	0	Acres	0.734364956	Acres	102 N 30TH ST , WACO, TX 76710	102 N 30TH ST		WACO	TX	76710	BOSQUE
R28902	GARCIA, DOEL G & CECELIA S	GARCIA, DOEL G & CECELIA S	0.48	Acres	0.547527611	Acres	182 CR 1546 , MORGAN, TX 76671	182 CR 1546		MORGAN	TX	76671	BOSQUE
R28903	PERKINS, BARBARA W	PERKINS, BARBARA W	2.073	Acres	2.027806624	Acres	604 SARATOGA , ROBINSON, TX 76706	604 SARATOGA		ROBINSON	TX	76706	BOSQUE
R28965	CALHOUN, SCOTT	CALHOUN, SCOTT	0.962	Acres	1.08836487	Acres	102 N 30TH ST , WACO, TX 76710	102 N 30TH ST		WACO	TX	76710	BOSQUE
R28976	DAVIS, WELDON	DAVIS, WELDON	0	Acres	0.654272663	Acres	PO BOX 3113 , BRYAN, TX 77805	PO BOX 3113		BRYAN	TX	77805	BOSQUE
R29073	STRIPER LAND COMPANY LTD	STRIPER LAND COMPANY LTD	0	Acres	1.124499039	Acres	PO BOX 450 , WACO, TX 76703	PO BOX 450		WACO	TX	76703	BOSQUE
R29282	MANN, REVOCABLE TRUST	MANN, REVOCABLE TRUST	0.906	Acres	0.914815629	Acres	10624 E SUGAR CREEK AVE , GOLD CANYON, AZ 85218	10624 E SUGAR CREEK AVE		GOLD CANYON	AZ	85218	BOSQUE
R29329	STRIPER LAND COMPANY LTD	STRIPER LAND COMPANY LTD	0	Acres	3.853095986	Acres	PO BOX 450 , WACO, TX 76703	PO BOX 450		WACO	TX	76703	BOSQUE
R29332	CALHOUN, SCOTT	CALHOUN, SCOTT	0.39	Acres	0.399468369	Acres	102 N 30TH ST , WACO, TX 76710	102 N 30TH ST		WACO	TX	76710	BOSQUE
R29468	STRIPER LAND COMPANY LTD	STRIPER LAND COMPANY LTD	0.182	Acres	0.325915464	Acres	PO BOX 450 , WACO, TX 76703	PO BOX 450		WACO	TX	76703	BOSQUE
R29663	JOHNSON, RICHARD & SANDRA	JOHNSON, RICHARD & SANDRA	0	Acres	0.215639331	Acres	2834 HWY 231 , VALLEY, WA 99181	2834 HWY 231		VALLEY	WA	99181	BOSQUE
R30096	CEDAR SHORES CONSTRUCTION INC	CEDAR SHORES CONSTRUCTION INC	0.427	Acres	0.475445833	Acres	102 N 30TH ST , WACO, TX 76710	102 N 30TH ST		WACO	TX	76710	BOSQUE
R30508	WINN, JOHN B & BARBARA	WINN, JOHN B & BARBARA	0.2227	Acres	0.222706902	Acres	2121 WESTCHESTER , MANSFIELD, TX 76063	2121 WESTCHESTER		MANSFIELD	TX	76063	BOSQUE
R32463	ALSPAUGH, DEBORA & JAMES	ALSPAUGH, DEBORA & JAMES	0.2419	Acres	0.223730065	Acres	130 CR 1546 , MORGAN, TX 76671	130 CR 1546		MORGAN	TX	76671	BOSQUE
R34166	ADAMS, GARY	ADAMS, GARY	0	Acres	0.120673532	Acres	994 COUNTY LINE RD E , EUFULA, OK 74432	994 COUNTY LINE RD E		EUFULA	OK	74432	BOSQUE
R35516	CARVAJAL, FERNANDO D & JUDI H	CARVAJAL, FERNANDO D & JUDI H	0	Acres	0.222947246	Acres	461 WINDMILL LN , FAIRVIEW, TX 75069	461 WINDMILL LN		FAIRVIEW	TX	75069	BOSQUE
R35800	CARVAJAL, FERNANDO D & JUDI H	CARVAJAL, FERNANDO D & JUDI H	0	Acres	0.324963673	Acres	461 WINDMILL LN , FAIRVIEW, TX 75069	461 WINDMILL LN		FAIRVIEW	TX	75069	BOSQUE
R35861	ROATEN, SHELLEY JR & PAULA C	ROATEN, SHELLEY JR & PAULA C	0	Acres	0.917556119	Acres	180 CR 1512 , MORGAN, TX 76671	180 CR 1512		MORGAN	TX	76671	BOSQUE
R35869	LONDRIGAN, ROBERT JOHN JR	LONDRIGAN, ROBERT JOHN JR	41.12	Acres	38.40426387	Acres	11348 HWY 56 , MORGAN, TX 76671	11348 HWY 56		MORGAN	TX	76671	BOSQUE
R35866	WHITFIELD, ADAM M & TAMARA L	WHITFIELD, ADAM M & TAMARA L	0.763	Acres	0.77353133	Acres	276 CR 1526 , MORGAN, TX 76671	276 CR 1526		MORGAN	TX	76671	BOSQUE
R39236	FOLLIS, JIM	FOLLIS, JIM	0	Acres	0.468161302	Acres	6904 GOLF GREEN DR , ARLINGTON, TX 76001	6904 GOLF GREEN DR		ARLINGTON	TX	76001	BOSQUE
R40212	HOERA, CHARLES & MARY J	HOERA, CHARLES & MARY J	0.393	Acres	0.3942204	Acres	4305 ELMWOOD DR , BENBROOK, TX 76116	4305 ELMWOOD DR		BENBROOK	TX	76116	BOSQUE
R40226	BRAUDAWAY, MICHAEL D & PAMELA J	BRAUDAWAY, MICHAEL D & PAMELA J	0.37	Acres	1.5017987	Acres	6035 PARADISE DR , ARLINGTON, TX 76001	6035 PARADISE DR		ARLINGTON	TX	76001	BOSQUE
R40365	CROW, TIMOTHY & TRISTIN	CROW, TIMOTHY & TRISTIN	0	Acres	0.118995588	Acres	2915 FORT AVENUE , WACO, TX 76707	2915 FORT AVENUE		WACO	TX	76707	BOSQUE
R40400	AVENA, PAUL J & CANDY N	AVENA, PAUL J & CANDY N	0.643	Acres	0.6339754434	Acres	1858 SPRINGWOOD DR , SAGINAW, TX 76179	1858 SPRINGWOOD DR		SAGINAW	TX	76179	BOSQUE
R40449	STRIPER LAND COMPANY LTD	STRIPER LAND COMPANY LTD	0	Acres	1.27396301	Acres	PO BOX 450 , WACO, TX 76703	PO BOX 450		WACO	TX	76703	BOSQUE
R40453	MCCONEY, CLAYTON & MARY	MCCONEY, CLAYTON & MARY	0	Acres	0.365835019	Acres	4000 DAWN DRIVE , BENBROOK, TX 76116	4000 DAWN DRIVE		BENBROOK	TX	76116	BOSQUE
R40454	JODRAY, LINDA & WAYNE	JODRAY, LINDA & WAYNE	0	Acres	0.697786476	Acres	301 BALDWIN LN WRS1 , FORT WORTH, TX 76140	301 BALDWIN LN WRS1		FORT WORTH	TX	76140	BOSQUE
R40503	JONES, ELISABETH	JONES, ELISABETH	0.64	Acres	0.839879351	Acres	8118 CRESCENT KNOLLS DR , RICHMOND, TX 77406	8118 CRESCENT KNOLLS DR		RICHMOND	TX	77406	BOSQUE
R40505	EVARD, REGINA	EVARD, REGINA	0.6	Acres	0.699183822	Acres	4355 FM 933 PMB 229 , WHITNEY, TX 76692	4355 FM 933 PMB 229		WHITNEY	TX	76692	BOSQUE
R40592	MCDONALD, PAUL & LINDA	MCDONALD, PAUL & LINDA	0	Acres	1.048337826	Acres	3202 PRESCOTT DRIVE , GARLAND, TX 75041	3202 PRESCOTT DRIVE		GARLAND	TX	75041	BOSQUE
			0	Acres	0.452296963	Acres	..	..					BOSQUE
			0	Acres	0.76537189	Acres	..	..					BOSQUE
			0	Acres	0.965615989	Acres	..	..					BOSQUE
			0	Acres	0.126617426	Acres	..	..					BOSQUE

ATTACHMENT 3

Notice to Current Customers, Neighboring Systems, and Cities

TEXAS WATER UTILITIES, LP, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 12983, NOTICE OF INTENT TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 11441 FROM CS WATER CORPORATION IN BOSQUE COUNTY, TEXAS

To: Garv L. Marwitz Date Notice Mailed: 6/16, 2023
(Name of Customer, Neighboring System, or City)
PO Box 450
(Address)
Waco TX 76707
(City State Zip)

Texas Water Utilities, L.P. 12535 Reed Road Sugar Land, TX 77478
(Texas Water Utilities, L.P.'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. 11441 in Bosque County, TX from:

CS Water Corporation 102 N 30th St Waco, TX 76710
(CS Water Corporation's Name) (Address) (City), (State) (Zip Code)

The requested area overlaps the district boundaries of Brazos River Authority. If this district does not request a public hearing, the Commission shall determine that the district is consenting to the Texas Water Utilities, LP'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 subdivision: The Canyons.

The requested area includes 178 customer connections, is located approximately 6.5 miles west of downtown Whitney, Texas, and is generally bounded on the north by County Road 1500 and Cedron Creek; on the east by Brazos River and Lake Whitney; on the south by King Creek; and on the west by Farm to Market 56.

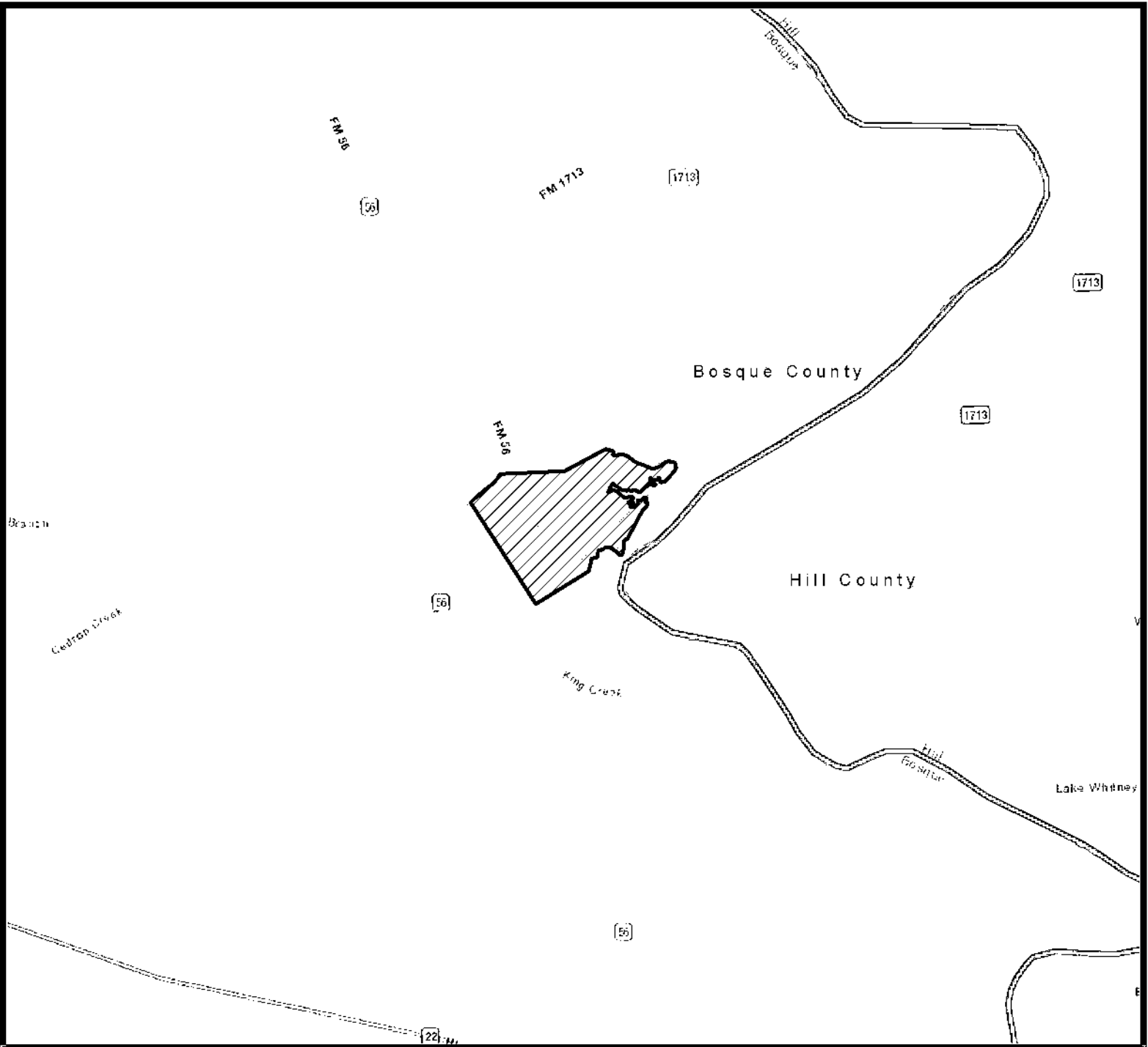
The requested area includes approximately 726 acres, comprised of transferred area from CCN No. 11441.

The application proposes the subtraction of approximately 726 acres from CCN No. 11441 and the addition of approximately 726 acres to CCN No. 12983.


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, LP, which are higher than the current rate for a 5/8" meter for CS Water Corporation. 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 06-01-2021") or email TXCustomerCare@swwc.com or call (866)-654-7992 to request a copy.

Application to Transfer to Texas Water Utilities, L.P.
Bosque County



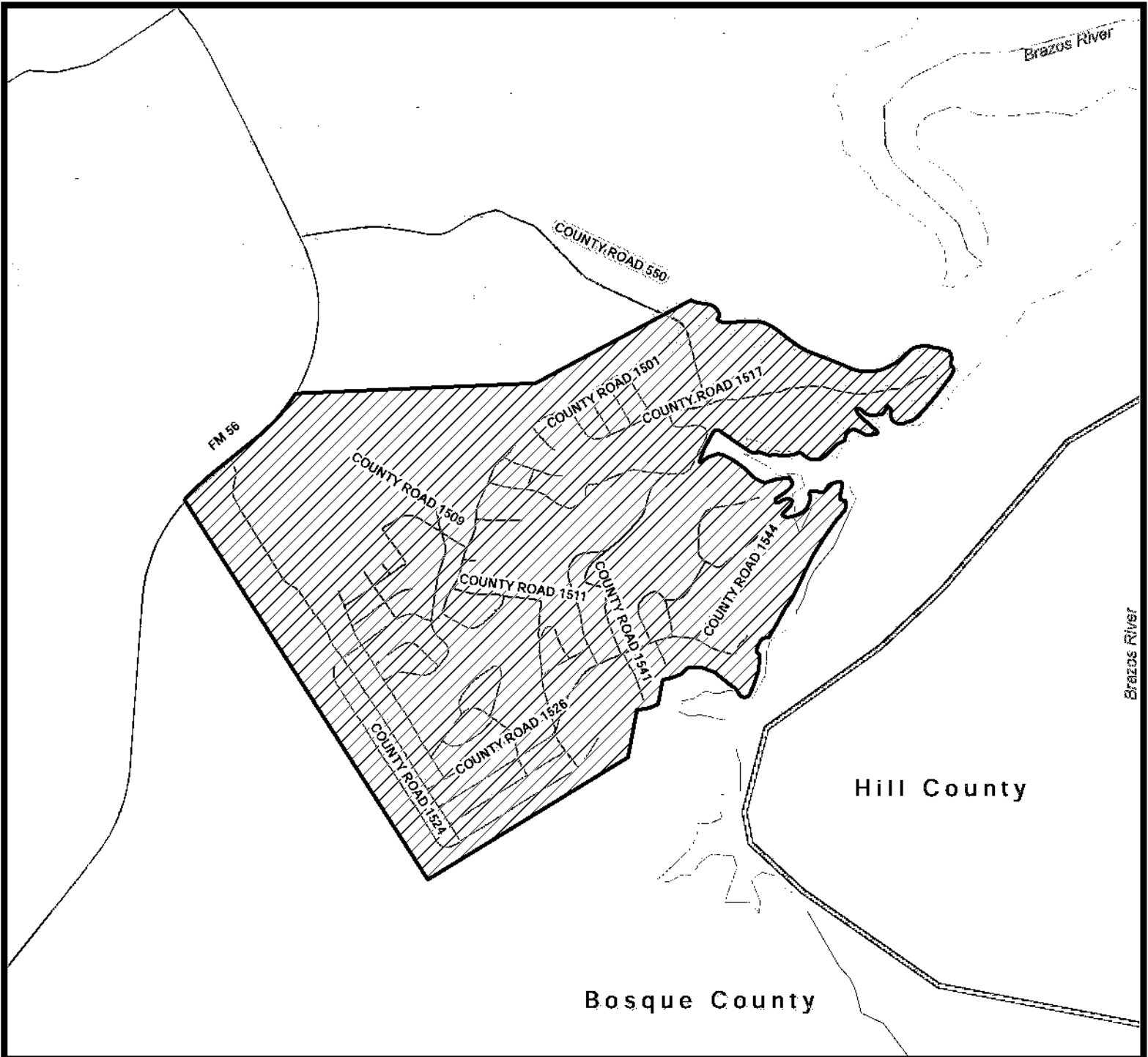
Requested Area from CS Water Corporation

 Transfer CS Water Corporation (CCN 11441) to Texas Water Utilities, L.P. (CCN 12983)




0 5,500 11,000
Feet

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Requested Area from CS Water Corporation

 Transfer CS Water Corporation (CCN 11441) to Texas Water Utilities, L.P. (CCN 12983)



0 1,450 2,900
Feet