



## **Filing Receipt**

**Filing Date - 2023-07-13 10:53:44 AM**

**Control Number - 54174**

**Item Number - 32**

**DOCKET NO. 54174**

<b>APPLICATION OF 84 WEST WATER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SUPPLY CORPORATION AND CITY OF</b>	<b>§</b>	
<b>MEXIA FOR SALE, TRANSFER, OR</b>	<b>§</b>	<b>OF TEXAS</b>
<b>MERGER OF FACILITIES AND</b>	<b>§</b>	
<b>CERTIFICATE RIGHTS IN LIMESTONE</b>	<b>§</b>	
<b>COUNTY</b>	<b>§</b>	

**APPLICANT'S RESPONSE TO ORDER NO. 8, INCLUDING SIGNED AFFIDAVITS  
THAT NOTICE WAS MAILED.**

On September 30, 2022, City of Mexia (Mexia) and 84 West Water Supply Corporation (84 West WSC) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Limestone County.

On June 5, 2023, Administrative Law Judge Huhn issued Order No. 8 clarifying notice requirements and modifying the procedural schedule. As of July 12, 2023, Applicants provided an additional mailed notice of the application per the ALJ's Order and directions provided by the Public Utility Commission staff.

This responsive filing includes a signed affidavit that notice and required maps have 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, a copy of Limestone County appraisal district maps overlaid with the requested area, as well as a list of landowners with properties wholly or partially in the requested area with the acreage owned by each listed owner.

Dated: July 13, 2023

Respectfully submitted,

BUENGER & ASSOCIATES  
3203 Robinson Drive  
Waco, Texas 76706  
Telephone: 254/662-5888  
Fax: 254/662-6652  
BuengerLawFirm@gmail.com

BY: /s/ Charles Buenger

CHARLES BUENGER

State Bar No. 03316850

FILED: via Public Utility Commission of Texas Online Interchange Filing System

**DOCKET NO. 54174**

**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 July 13, 2023 in accordance with the Second Order Suspending Rules, issued in Project 50664.

/s/ Charles Buenger

CHARLES BUENGER

# PUBLIC UTILITY COMMISSION OF TEXAS



## AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 54174

**STATE OF TEXAS                   §**  
**COUNTY OF LIMESTONE       §**

The City of Mexia, Texas and the 84 West Water Supply Corporation has provided individual notice to the following property owners on July 12, 2023, in response to Order NO. 8 issued by Administrative Law Judge Huhn. After a diligent search and reasonable inquiry, the landowners listed below have been identified as landowners with property 25 acres or more that are wholly or partially in the requested area according to the most current tax appraisal rolls of the Limestone County appraisal district as of September 30, 2022, the date the Public Utility Commission received the application for the STM referenced above via PUC Docket No. 54174.

WILLIFORD CARL A  
MORA SALVADOR  
RUIZ FELIPE ORTIZ  
BARHAM JOHN ROBERT SR ESTATE  
FREEMAN ALPHINE H  
TYUS WALTER VERNON JR  
TYUS VERNON  
GONZALEZ ARTEMIO H  
FREEMAN ELIZABETH EST  
MENDOZA EDWARD ET AL  
GIPSON JEFFEREY L EST ET AL  
ANGLIN MARVA ETAL  
RANGEL TOMAS  
WATKINS NORMA ET AL  
ANGLIN HOWARD L JR


OATH

I, Charles Buenger, being duly sworn, file this form as City Attorney for the city of Mexia, Texas, that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.



\_\_\_\_\_  
Applicant's Authorized Representative

Subscribed and sworn to before me this 13<sup>th</sup> day of July, 2023, to certify which witness my hand and seal of office.

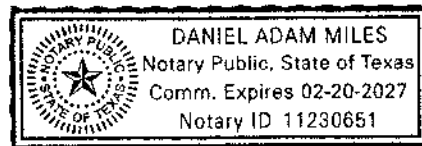


\_\_\_\_\_  
Notary Public in and for the State of Texas

Daniel Adam Miles

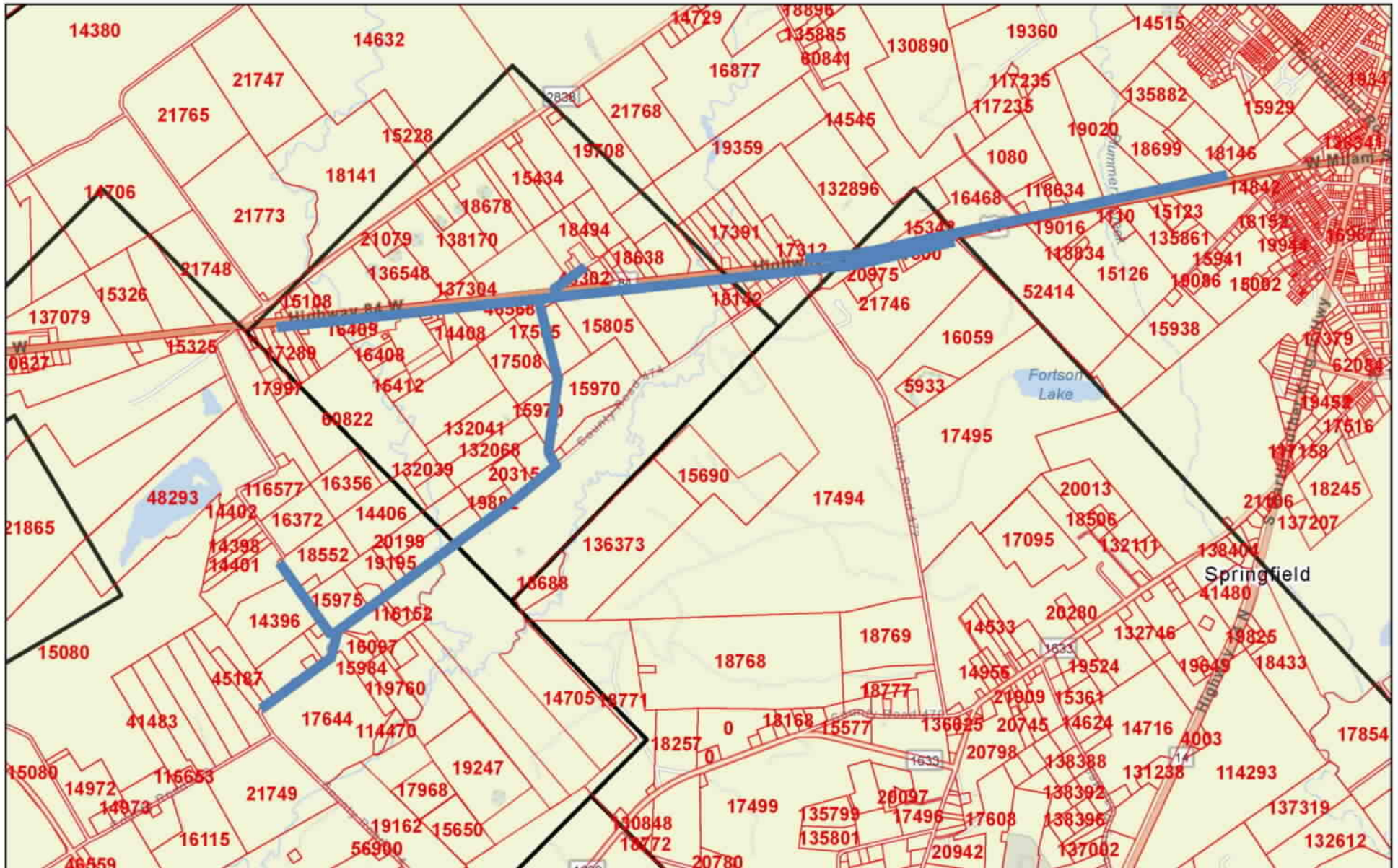
\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires 2-20-2027





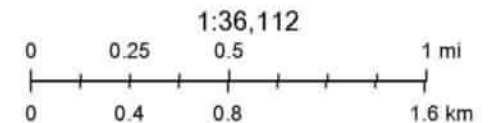
# Limestone CAD Web Map



6/13/2023, 3:40:36 PM

 Parcels

 Abstracts



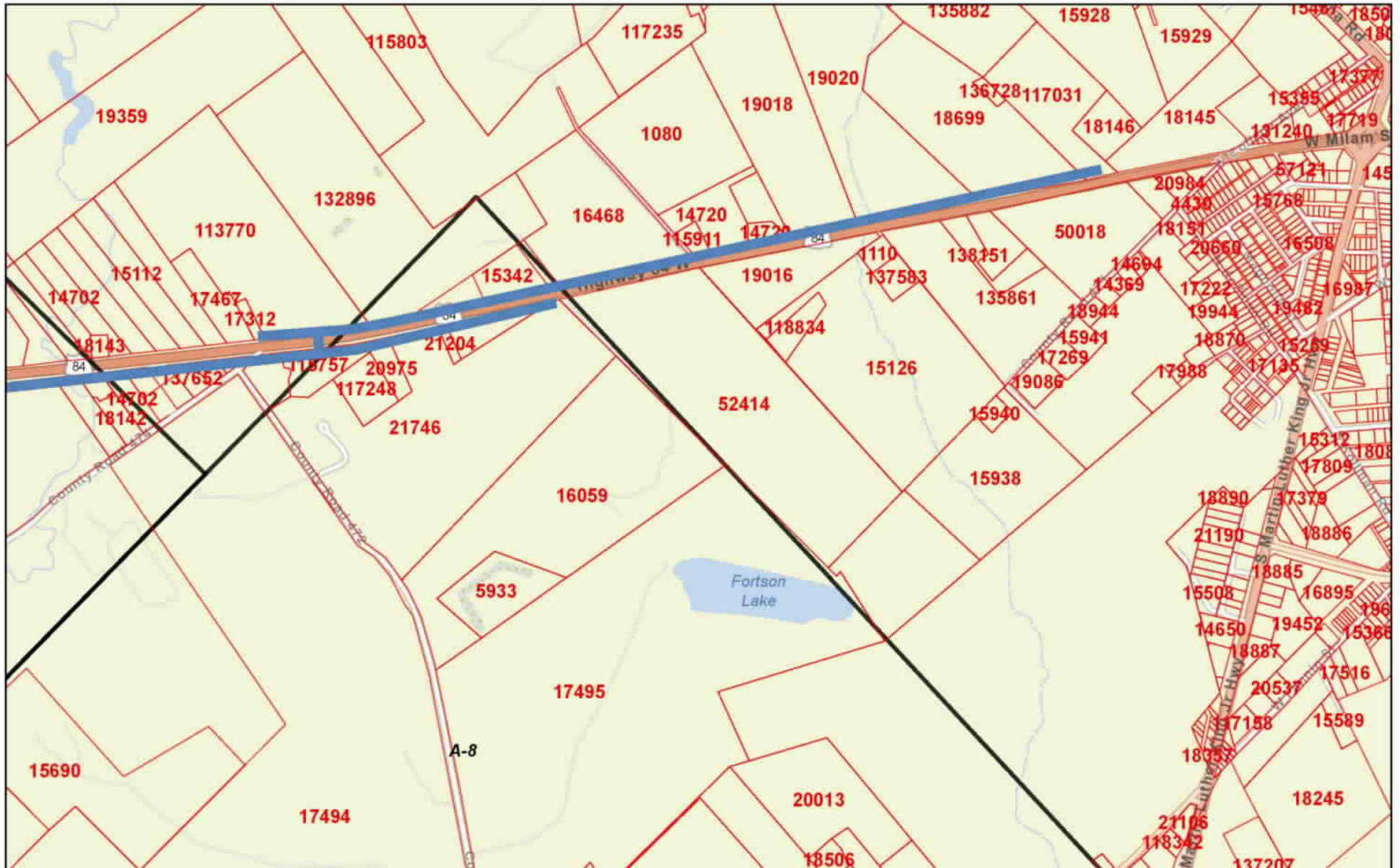
Baylor University, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US

Limestone County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)



Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

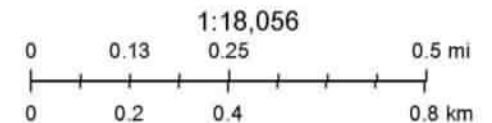


# Limestone CAD Web Map



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-  Parcels
-  Abstracts

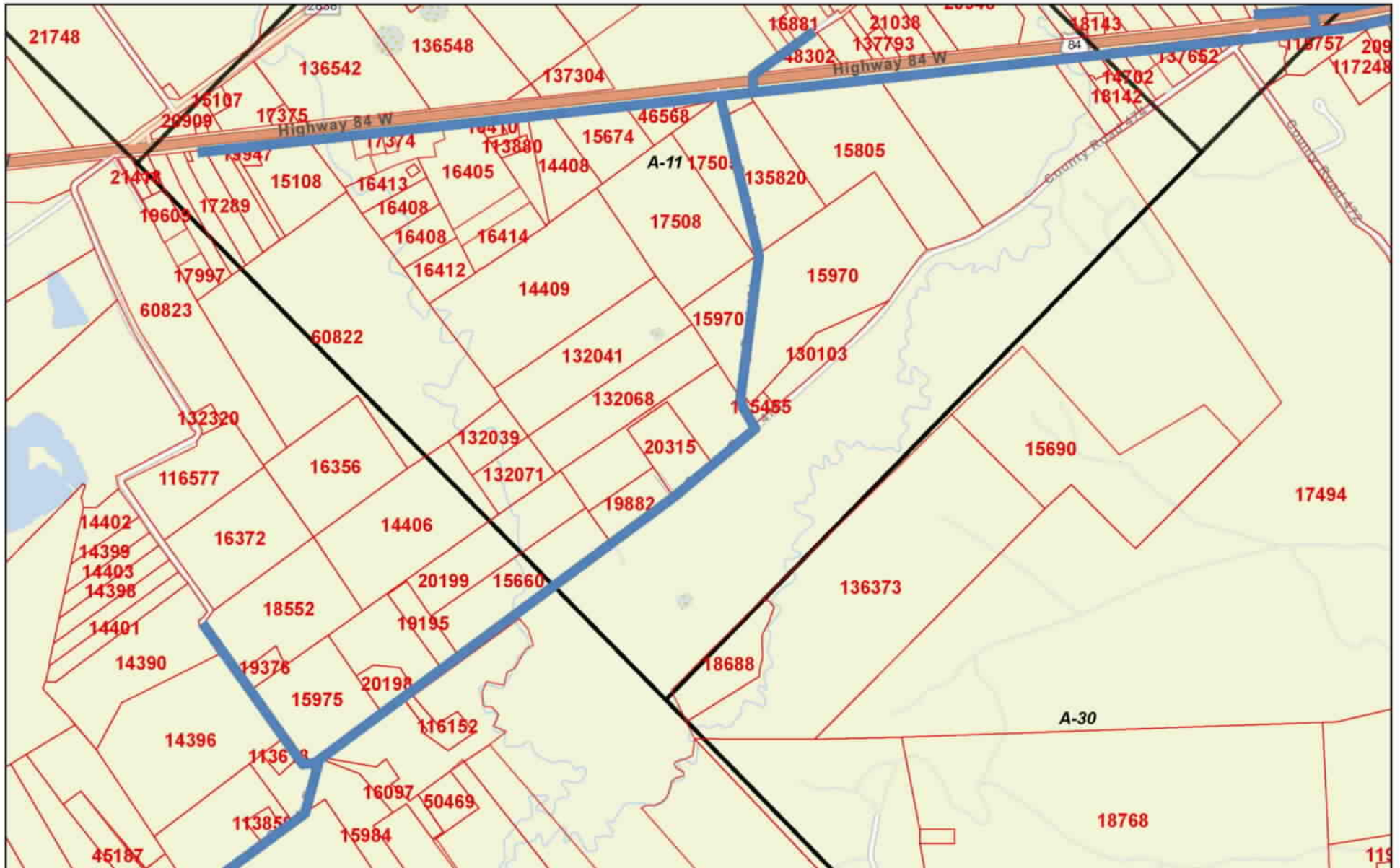


Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc.

Limestone County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

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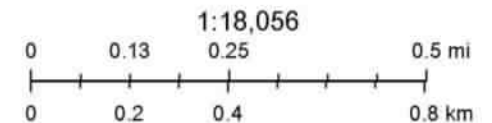
# Limestone CAD Web Map



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 Parcels

 Abstracts



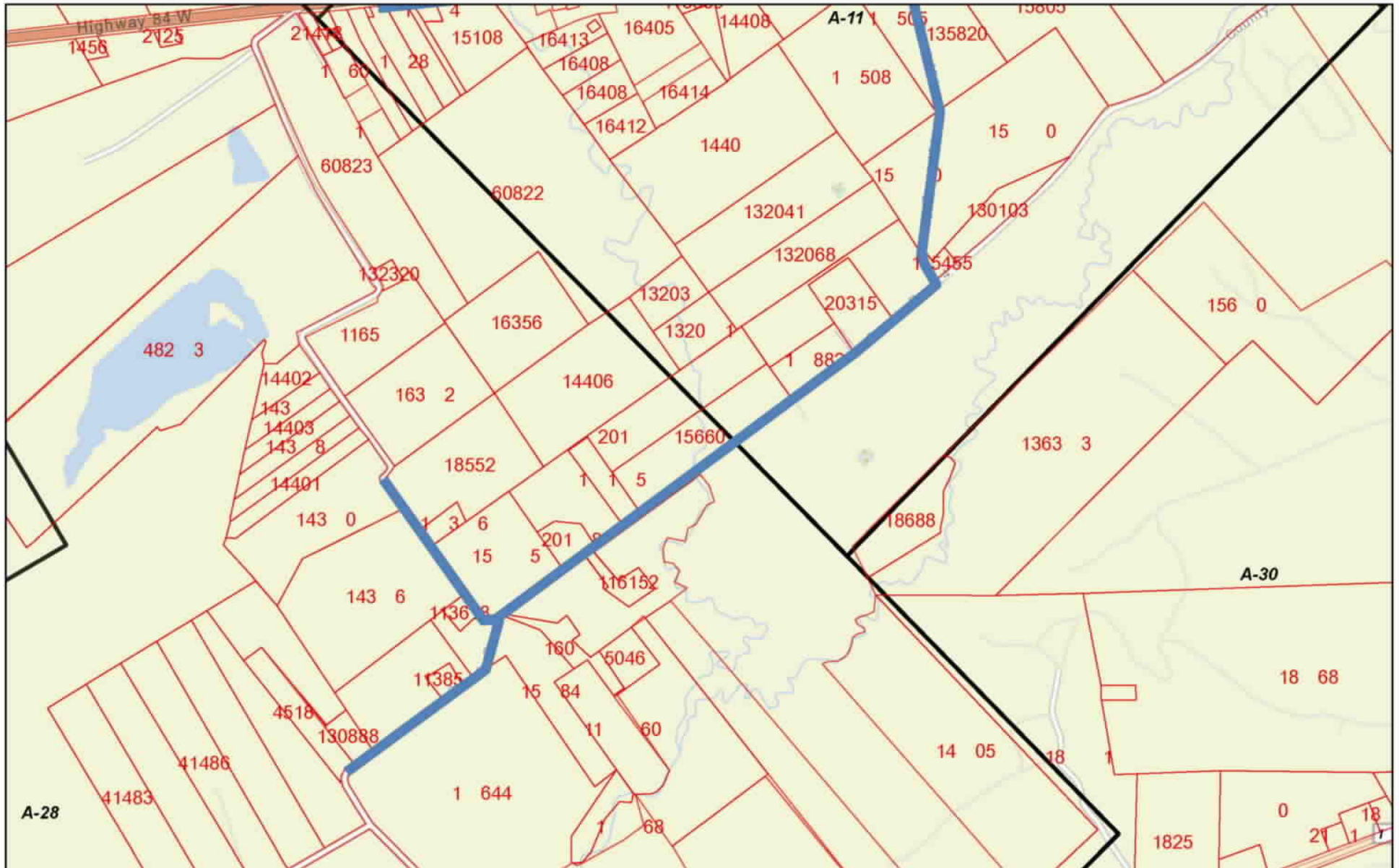
Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc.

Limestone County Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

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# Limestone CAD Web Map



**PUC Docket 54174**

**List of landowners with properties wholly or partially in the requested area with acreage listed by owner**

Name	ADD 1	ADD 2	City	State	Zip	Property	Acreage
WILLIFORD CARL A	WILLIFORD GLENN	489 LCR 437	MEXIA	TX	76667	18355	69.61
MORA SALVADOR	8730 W BOBBY LOPEZ DR		TOLLESON	AZ	85353-2500	132896	68.69
RUIZ FELIPE ORTIZ	521 N ROSS		MEXIA	TX	76667	113770	50
BARHAM JOHN ROBERT SR ESTATE	4425 HWY 14 N		MEXIA	TX	76667	21748	48.46
FREEMAN ALPHINE H	PO BOX 41406		HOUSTON	TX	77241	15970	48
TYUS WALTER VERNON JR	PO BOX 55		COOLIDGE	TX	76635-0055	19020	45.72
TYUS VERNON	PO BOX 55		COOLIDGE	TX	76635-0055	19018	45.69
GONZALEZ ARTEMIO H	GONZALEZ MARIA A	PO BOX 1011	MEXIA	TX	76667-1011	15805	37.631
FREEMAN ELIZABETH EST	%FREEMAN ALPHINE H	5484 W HWY 84	COOLIDGE	TX	76635	15975	36.5
MENDOZA EDWARD ET AL	1414 HWY 84 W		MEXIA	TX	76667	18699	33.24
GIPSON JEFFEREY L EST ET AL	1063 LCR 474		MEXIA	TX	76667	20199	28.15
ANGLIN MARVA ETAL	677 LCR 480		MEXIA	TX	76667	18552	28
RANGEL TOMAS	OLVERA ISMAEL JR	802 S MCKINNEY	MEXIA	TX	76667	16468	26.32
WATKINS NORMA ET AL	717 AZALEA TRL		WAXAHACHIE	TX	75165	17508	25
ROSS ROBERT	2642 HWY 84 W		MEXIA	TX	76667	15085	19.55
ANGLIN HOWARD L JR	2661 HWY 84 W		MEXIA	TX	76667	14390	19
DAY ANDREW K	DAY MELISSA R	%DAY BOYS SHOP	MEXIA	TX	76667-0129	117031	18
SCOTT BILLY D	3300 HOBBS APT 212		AMARILLO	TX	79109	15660	17.5
MOFFETT DAVID EST	%ECHOLS LONNIE	4005 VICTORIA	IRVING	TX	75062-7249	136820	14
SMITH RODNEY	2135 W HWY 84		MEXIA	TX	76667	15108	12.5
TYUS LIVING TRUST	%TYUS BOBBY G	%TYUS JOAN A	SPOKANE	WA	99224	19016	11.53
JACKSON CLAUDE	JACKSON BELINDA	PO BOX 577	CALVERT	TX	77837	16405	11.41
CEDAR HILL BURIAL PARK	STEWART JERRY	920 E SUMPTER ST APT 5	MEXIA	TX	76667	14720	9.854
ANGLIN HOWARD JR	2661 W HWY 84		MEXIA	TX	76667	15674	9.47
WILLIAMS JEANIE ESTATE	2188 W HWY 84		MEXIA	TX	76667	14702	9.15
ANGLIN HOWARD JR	2661 W HWY 84		MEXIA	TX	76667	14408	8.146
ANGLIN HOWARD JR	2661 W HWY 84		MEXIA	TX	76667	20315	7.95
NUNEZ JUAN CARLOS	NUNEZ MARIA	772 LCR 474	MEXIA	TX	76667	19882	6.15
SULLIVAN BRICK	SULLIVAN ALYSSA	1338 FM 1633	MEXIA	TX	76667	115757	5.98
GONZALES NOE MATA	569 BLUEBERRY BLVD		DALLAS	TX	75217	117248	5
ANGLIN HOWARD L JR	2661 HWY 84 W		MEXIA	TX	76667	132174	5
HOBBS FAMILY TRUST	%PREJEAN RUTH LAWONDER	1439 QUARTET DR	DALLAS	TX	75241	16409	4.75
PEREZ ANDREA	727 BLUE BONNET		MEXIA	TX	76667	21300	4.7
THOMAS DONALD	THOMAS FRAN	2951 W HWY 84	MEXIA	TX	76667-2390	17289	4.39
WHITE ELEANOR Est	COLLINS LUCILE	2838 REED LN	DALLAS	TX	75215-4332	19195	4.38
GIPSON CHESTER & ROSIE REV LIV TRUST	2945 W HWY 84		MEXIA	TX	76667	16140	4.29
MOLINA NICHOLAS	2527 HWY 84 W		MEXIA	TX	76667	46568	4
TORRES REFUGIO	GUERRERO VIOLETA L	PO BOX 254	ROGERS	AR	72757-0245	118634	3.9887
JONES KEVIN	JONES TARA	224 LCR 474	MEXIA	TX	76667	15115	3.5
CORNISH HAROLD BERNARD	601 NORA LANE		DESOTO	TX	75115	15342	3.5
REVOLORIO JUAN ANTONIO CONTRERAS	200 LCR 396		GROESBECK	TX	76642	20975	2.85
JONES KEVIN A	224 LCR 474		MEXIA	TX	76667	18142	2.79
RUBIO FRANKLIN M	12614 HEATH PARK TRAIL		HOUSTON	TX	77089	137652	1.45
BARBER MITSY	1620 HWY 84 W		MEXIA	TX	76667	115911	1.3
WOODLAND CEMETERY ASSOCIATION OF LIMESTONE	PO BOX 206		MEXIA	TX	76667-0206	115455	1.237
4 FOUR H CO LLC	PO BOX 2344		SPRING	TX	77383	15113	1.15
COOKS DENISE	BUSBY TOMMY	2675 HIGHWAY 84 W	MEXIA	TX	76667	47740	1.0636
BEASLEY DOYLE EST	%CHRISTOPHER RITA M	7423 LAFLOIR LN	DALLAS	TX	75241	14544	1
GIPSON CHESTER & ROSIE REV LIV TRUST	2945 W HWY 84		MEXIA	TX	76667	16139	1
JACKSON SHARONDA	1101 CHERRY BLOSSOM ST		ANNA	TX	75409-4715	16410	1
JONES JEWEL ESTATE	2925 W HWY 84		MEXIA	TX	76667	19947	1
DAVILA JACQUELINE PEREZ	727 BLUEBONNET		MEXIA	TX	76667	21204	1
MOLINA NICHOLAS	2527 HWY 84 W		MEXIA	TX	76667	15086	0.92
KING FLOYD C	2675A W HWY 84		MEXIA	TX	76667	113880	0.901
MORA JOSE	MORA MARIA	2056 HWY 84 W	MEXIA	TX	76667	17312	0.71
DOMINGUEZ-CENTENO JOSE M	2797 HIGHWAY 84 W		MEXIA	TX	76667	17374	0.6
HUDSON WILLENE EST	2755 A W HWY 84		MEXIA	TX	76667	19908	0.58
SMITH JESSE T ESTATE	SMITH SANDRA LYNNE EST	20410 POST OAK LOOP	THORNTON	TX	76687-2466	20315	7.95
HERNANDEZ FILEMON SOLIS	ORTIZ FELIPE RUIZ	521 N ROSS AVE	MEXIA	TX	76667	113770	50

NOTE: This is a list of landowners with properties wholly or partially in the requested area.  
This list was prepared using available Limestone Appraisal District ownership data.  
This list is sorted by descending acreage.

**EXHIBIT "A"**

**Copy of actual notice and attachments provided to landowners pursuant to ALJ Order 8**

**Landowners were mailed the following five (5) pages**

# BUENGER & ASSOCIATES, PLLC

ATTORNEYS AND COUNSELORS AT LAW

Charles Buenger

Board Certified – Civil Trial Law

Texas Board of Legal Specialization

Kathleen French Dow

Daniel Adam Miles \*

3203 Robinson Drive

Waco, Texas 76706

BuengerLawFirm@gmail.com

(254) 662-5888 (O)

(254) 662-6652 (F)

July 12, 2023

**PUC Docket 54174 - Notice to property owners  
84 West Water Supply Corporation and the City of Mexia**

Dear Property Owner:

A few weeks ago you were mailed a notice from our office. We represent the 84 West Water Supply Corporation and The City of Mexia who have applied with the Texas Public Utility Commission "PUC" to merge the existing 84 West water supply's certificate of convenience and necessity (CCN) into the City's CCN in September 2022.

At the request of the Public Utility Commission we are re-sending you the attached official notice along with maps not previously included for your use and reference. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Miles", written in a cursive style.

Adam Miles

\* Admitted to practice in Texas and Massachusetts



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

CITY OF MEXIA, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 10770, NOTICE OF INTENT TO PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 10786 FROM 84 WEST WATER SUPPLY CORPORATION IN LIMESTONE COUNTY, TEXAS

To: \_\_\_\_\_ Date Notice Mailed: 11/9/2022  
(Name of Customer, Neighboring System, or City)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City State Zip)

<u>City of Mexia</u>	<u>P.O. Box 207</u>	<u>Mexia, TX</u>	<u>76667</u>
(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. 10786 in Limestone County, TX from:

<u>84 West Water Supply Corporation</u>	<u>130 LCR 385, Limestone County</u>	<u>Mexia, TX</u>	<u>76667</u>
(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 56 customer connections, is located approximately 1 mile(s) west of downtown Mexia, Texas, and is generally bounded on the north by a parallel line approximately 155 feet north of United States Highway 84; on the east by the intersection of United States Highway 84 and West College Avenue; on the south by the intersection of County Road 481 and County Road 474; and on the west by the intersection of United States Highway 84 and Farm to Market Road 2838.

The requested area includes approximately 16,032 linear feet along United States Highway 84 and approximately 3,337 linear feet along County Road 481 of transferred area from 84 West WSC (CCN No. 10786) to City of Mexia (CCN No. 10770).

**The total requested area includes 56 customer connections and approximately 19,369 linear feet.**

The application proposes the subtraction of approximately 19,369 linear feet from CCN No. 10786 and the addition of approximately 19,369 linear feet to CCN No. 10770.

**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 Mexia, which are lower than the current rate for a 5/8" meter for 84 West WSC. To view a copy of the current approved tariff, go to: cityofmexia.com or email mexia@cityofmexia.com or call 254-562-4110 to request a copy.

*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.

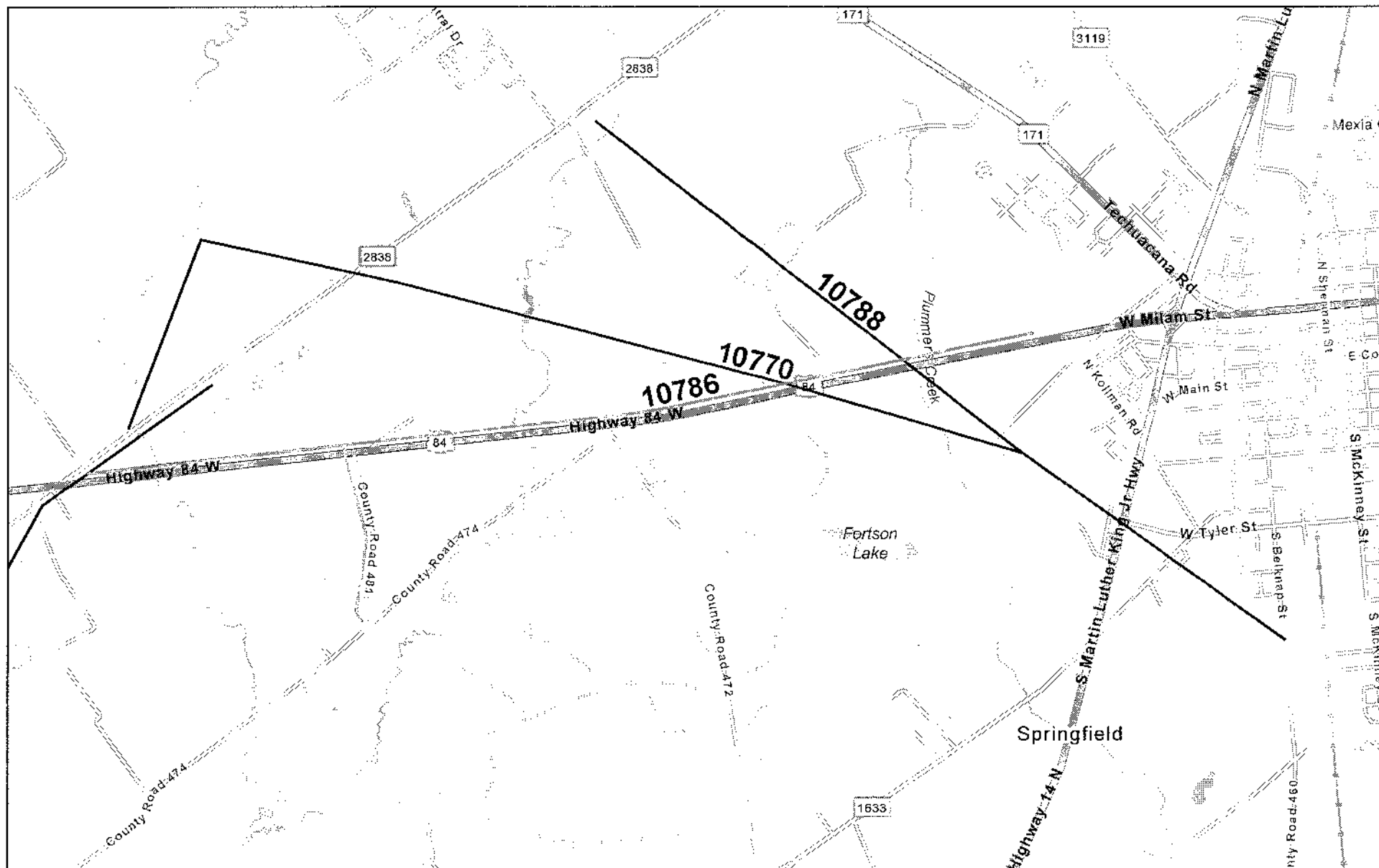
Si desea información en español, puede llamar al 1-888-782-8477.

Notice and Maps may also be viewed online at [www.cityofmexia.com](http://www.cityofmexia.com) by clicking under "City Notices."

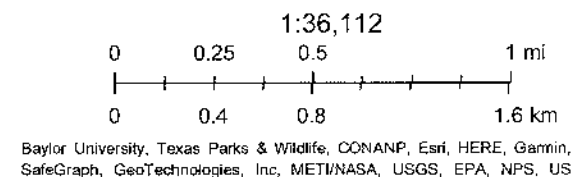


Charles Buenger  
City Attorney  
City of Mexia

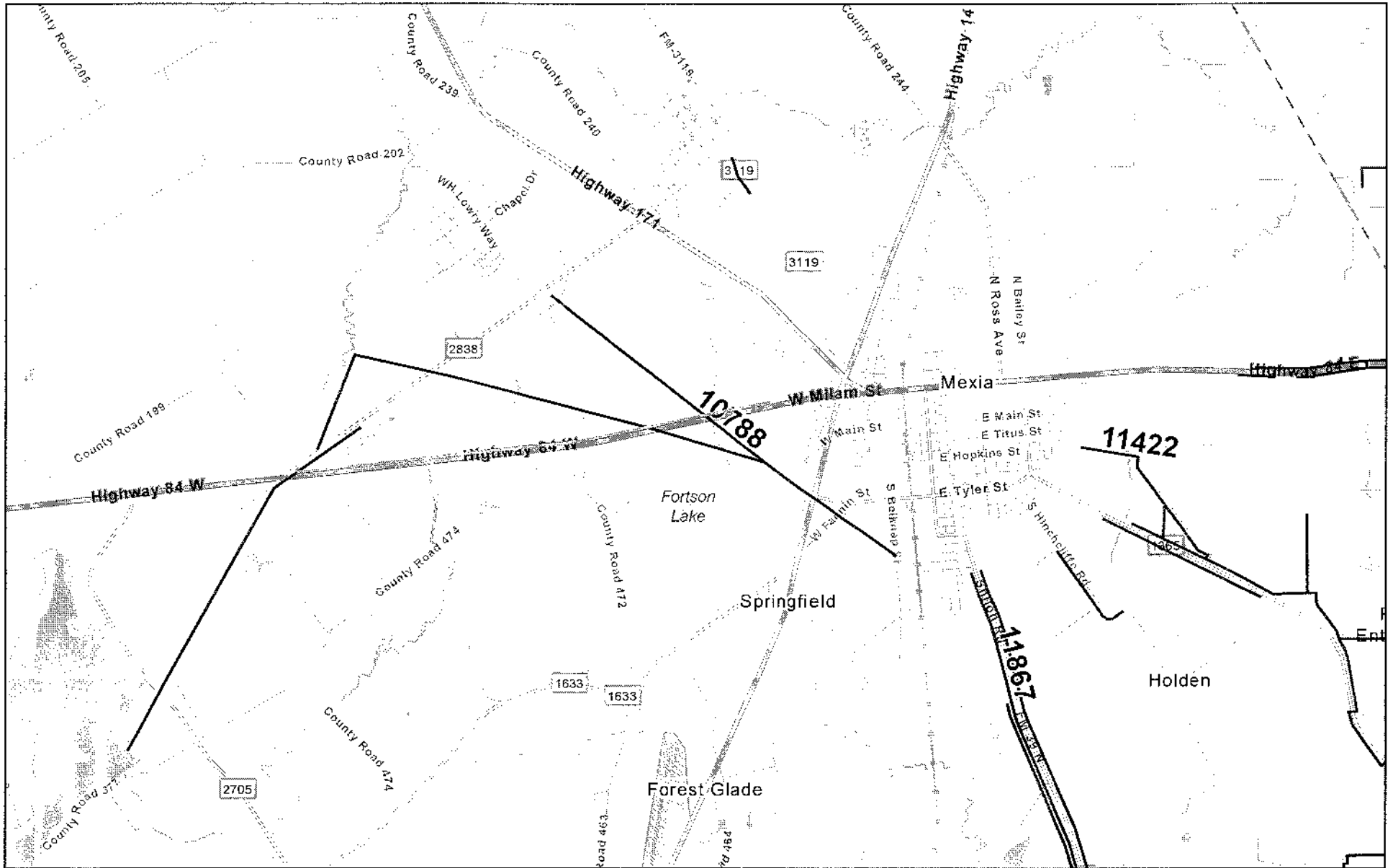
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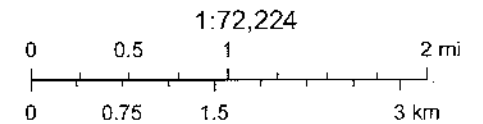
October 11, 2022



# Requested Area (Facilities Only - Blue): Transfer CCN No. 10786 to CCN No. 10770



October 11, 2022



Baylor University, Texas Parks & Wildlife, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA