



Filing Receipt

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WATERENGINEERS, INC.

WATER & WASTEWATER TREATMENT CONSULTANTS

17230 HUFFMEISTER ROAD, SUITE A~CYPRESS, TEXAS 77429-1643

TEL: 281-373-0500 FAX: 281-373-1113

December 12, 2022

Public Utility Commission of Texas
Central Records
1701 N. Congress, Suite 8-100
Austin, TX 78701

Re: APPLICATION OF KICKAPOO UTILITY LLC FOR A CERTIFICATE OF
CONVENIENCE AND NECESSITY IN WALLER COUNTY
DOCKET NO. 54271

Dear Public Utility Commission of Texas:

Please accept the following in response to Order No. 2 - Commission Staff's Recommendation of Administrative Incompleteness. Below are responses to deficiencies identified in Mr. Lopez/s and Mr. Bednarski's memorandum dated November 28, 2022.

1. A rate study that provides all calculations and assumptions made in developing the proposed rates was requested. A pro forma showing all calculations and assumptions was filed confidentially with the original application. The pro forma is being filed confidentially again for ease of location.
2. An original copy of the Kickapoo Utility articles of incorporation was requested. The Secretary of State Filing Certificate as well as the Certificate of Formation Limited Liability Company are filed herewith.
3. An explanation of the Funding sources and entities that will pay for the collection lines and wastewater plant and supporting flow chart indicating the affiliated relationships between each of the entities for dockets 54271 and 53149 was requested, along with funding documentation as applicable. Requested information was filed confidentially by Kickapoo Utility LLC on December 9, 2022.

Order No. 2 required submission of these documents by January 6, 2023, therefore this submission is timely filed. Please feel free to contact me if you require any additional information or if you have any questions regarding this submittal.

Sincerely,
WATERENGINEERS, INC.

Shelley Young

Shelley Young, P.E.
Project Engineer

Encl. as noted



Office of the Secretary of State

CERTIFICATE OF FILING OF

Kickapoo Utility LLC
File Number: 804786542

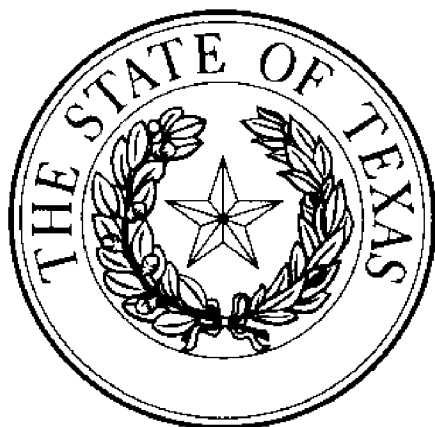
The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 10/25/2022

Effective: 10/25/2022



A handwritten signature in black ink, appearing to read "John B. Scott".

John B. Scott
Secretary of State

<p>Form 205 (Revised 12/21)</p> <p>Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555</p> <p>Filing Fee: \$300</p>	 <p>Certificate of Formation Limited Liability Company</p> <p style="text-align: right; font-size: small;">This space reserved for office use.</p>
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Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

Kickapoo Utility LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

A. The initial registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

<u>Dawn</u>		<u>Milne</u>	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>

C. The business address of the registered agent and the registered office address is:

<u>29609 Highland Blvd</u>	<u>Magnolia</u>	<u>TX</u>	<u>77354</u>
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Article 3—Governing Authority

(Select and complete either A or B and provide the name and address of each initial governing person.)

A. The limited liability company initially has managers. The name and address of each initial manager are set forth below.

B. The limited liability company does not initially have managers. The name and address of each initial member are set forth below.

INITIAL GOVERNING PERSON 1			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
<u>Dawn</u>		<u>Milne</u>	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
<u>Organization Name</u>			
ADDRESS			
<u>6315B FM 1488 Rd Ste 192</u>	<u>Magnolia</u>	<u>TX</u>	<u>USA 77354</u>
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country Zip Code</i>

INITIAL GOVERNING PERSON 2			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
Josh		Milne	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
<i>Organization Name</i>			
ADDRESS			
6315B FM 1488 Rd Ste 192	Magnolia	TX	USA 77354
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country Zip Code</i>

INITIAL GOVERNING PERSON 3			
NAME (Enter the name of either an individual or an organization, but not both.)			
IF INDIVIDUAL			
Drew		McDaniel	
<i>First Name</i>	<i>M.I.</i>	<i>Last Name</i>	<i>Suffix</i>
OR			
IF ORGANIZATION			
<i>Organization Name</i>			
ADDRESS			
6315B FM 1488 Rd Ste 192	Magnolia	TX	USA 77354
<i>Street or Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Country Zip Code</i>

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Initial Mailing Address

(Provide the mailing address to which state franchise tax correspondence should be sent.)

6315B FM 1488 Rd Ste 192	Magnolia	TX	77354	USA
<i>Mailing Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>Country</i>

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer:

Dawn Milne

Name

6315B FM 1488 Rd Ste 192

Street or Mailing Address

Magnolia

City

TX 77354

State Zip Code

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, or a later date and time, not more than 90 days from the date of signing. The later effective date, or date and time is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned also affirms that, to the best knowledge of the undersigned, the name provided as the name of the filing entity does not falsely imply an affiliation with a governmental entity. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: 10/25/2022



Signature of organizer

Dawn Milne

Printed or typed name of organizer