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DOCKET NO. 54462

APPLICATION OF ORANGE COUNTY	§	PUBLIC UTILITY COMMISSION
WATER CONTROL & IMPROVEMENT	§	
DISTRICT NO 1 TO AMEND ITS	§	OF TEXAS
CERTIFICATES OF CONVENIENCE	§	
AND NECESSITY IN ORANGE COUNTY	§	

**ORANGE COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1'S
SUPPLEMENTAL FILING TO ITS PETITION TO AMEND ITS CERTIFICATES OF
CONVENIENCE AND NECESSITY IN ORANGE COUNTY**

COMES NOW, Orange County Water Control and Improvement District No. 1 (Applicant) files this Supplemental Filing to its Petition to Amend its Certificates of Convenience and necessity and would show the following:

I. BACKGROUND

Applicant filed an application to amend its certificates of convenience and necessity in Orange County. On January 13, 2023, the Administrative Law Judge (ALJ) issued Order No. 2 finding the application was administratively incomplete, establishing deadlines and opportunity to cure, and consolidating Docket Nos. 54462 and 54463. The ALJ ordered Applicant to cure the deficiencies by Monday, February 13, 2023. Thereafter, on February 10, 2023 the ALJ issued Order No. 3 granting Applicant's request for an extension to cure the deficiencies.

II. SUPPLEMENTAL BRIEFING

Initially, Applicant filed a petition to amend its Certificates of Convenience and Necessity (CCN) in order to eliminate pockets inside its CCN that were still classified as being operated by Pine Forest Water System and Gibson Street Water System. However, after the petition was filed, Commission Staff recommended Applicant file a Sale, Transfer, Merger Application (STM) to cure the deficiencies. Therefore, attached to this Supplemental Brief is the STM Application for Pine Forest Water System and Gibson Street Water System.

Applicant entered into a transaction in 1997 whereby the Applicant purchased numerous water systems, including but not limited to, Pine Forest Water System and Gibson Street Water System. Per

request by Commission Staff, Applicant has obtained a ratification document of the sale and the Oath of the Transferor and the Transferee. *See Exhibit A*

III. CONCLUSION

Applicant respectfully requests the ALJ find its Petition administratively complete now that the correct application has been submitted with supporting documentation.

Dated: April 20, 2023

Respectfully submitted,

GERMER PLLC
P.O. Box 4915
Beaumont, Texas 77704
(409) 654-6700 – Telephone
(409) 835-2115 – Facsimile

A handwritten signature in black ink, appearing to read "Kate K. Leverett", written in a cursive style.

Kate K. Leverett
State Bar No. 24083292
kleverett@germer.com – Email

COUNSEL FOR THE APPLICANT

Exhibit A

**RATIFICATION OF THE
PURCHASE AGREEMENT BETWEEN ORANGE COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1 AND LARRY BREWER.**

This Ratification of the Purchase Agreement (this "Agreement") is made and entered into the 17 day of April, 2023 by and Larry Brewer (hereinafter "Seller") and Orange County Water Control and Improvement District No. 1 (hereinafter "Purchaser").

RECITALS:

WHEREAS, Seller and Purchaser entered into a Purchase Agreement on September 12, 1997, wherein Seller agreed to sell to Purchaser, and Purchaser agreed to purchase private water utility systems; and

WHEREAS, the Purchase Agreement dated October 17, 1995 was executed by Purchaser and Seller and Purchaser agreed to begin operating the private water utility systems; and

WHEREAS, the on the Public Utility Commission of Texas ("PUCT") data mapping website, the area purchased by Purchaser in 1997 still shows that it is owned by Seller; and

WHEREAS, Purchaser and Seller agree the PUCT data mapping website needs to properly reflect the area as being operated by Purchaser and therefore has filed a sale, transfer, merger application ("STM") with the PUCT; and

WHEREAS, as part of the STM the PUCT requested ratification of the sale between Purchaser and Seller.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The Seller and Purchaser ratify all terms and conditions as set forth in that certain Purchase Agreement dated September 12, 1997.

This Agreement is executed as of the 17 day of April, 2023.

SELLER:

By: _____

Larry Brewer

PURCHASER:

Orange County Water Control and Improvement District No. 1

By: _____

Frank Inzer, President

Oath for Transferor (Transferring Entity)

STATE OF

Texas

COUNTY OF

Orange

I,

Harry Brewer

being duly sworn, file this application for sale,
transfer,

merger, consolidation, acquisition, lease, or
rental, as

owner

(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further state that I have been provided with a copy of the 16 TAC § 24.239 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.

Harry Brewer
AFFIANT

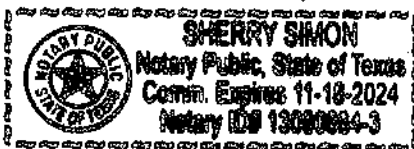
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas

this day the 17 of April, 2023

SEAL



Sherry Simon

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

Sherry Simon

PRINT OR TYPE NAME OF NOTARY

My commission expires:

11-18-2024

Oath for Transferee (Acquiring Entity)

STATE OF

Texas

COUNTY OF

Orange

I, Frank Anzer
merger, consolidation, acquisition, lease, or rental, as

being duly sworn, file this application for sale, transfer,

Authorized Representative
(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further state that I have been provided with a copy of the 16 TAC § 24.239 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.

[Signature]

AFFIANT

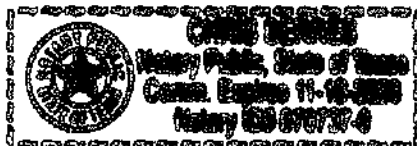
(Utility's Authorized Representative)

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SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas

this day the 17 of April, 2023

SEAL



Chris Serres

**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

Chris Serres

PRINT OR TYPE NAME OF NOTARY

My commission expires:

11-18-2026