



## **Filing Receipt**

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<b>PETITION OF DEBLOCK, LTD. TO</b>	<b>§</b>	<b>BEFORE THE</b>
<b>AMEND AQUA TEXAS, INC.'S</b>	<b>§</b>	
<b>CERTIFICATE OF CONVENIENCE</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>AND NECESSITY IN COLLIN</b>	<b>§</b>	
<b>COUNTY BY STREAMLINED</b>	<b>§</b>	<b>OF TEXAS</b>
<b>EXPEDITED RELEASE</b>	<b>§</b>	

**PETITIONER'S REPLY TO AQUA TEXAS, INC.'S MOTION TO INTERVENE  
AND RESPONSE TO PETITION**

**TO THE PUBLIC UTILITY COMMISSION OF TEXAS:**

DEBLOCK, Ltd. ("Petitioner") files its Reply to Aqua Texas, Inc.'s ("Aqua") Motion to Intervene and Response to Petition and shows as follows:

**I. Procedural Background**

On February 13, 2023, Petitioner filed its Petition for streamlined expedited release of approximately 63.005 acres of land (the "Property") from Aqua's Certificate of Convenience and Necessity ("CCN") No. 13201. On March 31, 2023, Petitioner filed revised maps and shapefiles for the Petition. The Petition, as supplemented, was found administratively complete on May 16, 2023. *See* Order No. 3. Aqua filed its Motion to Intervene and Response to the Petition on June 5, 2023. Petitioner now files its Reply to Aqua's Response. This Reply is timely filed pursuant to Order No. 3.

**II. Argument and Authority**

**A. The Petition should be approved because it satisfies the statutory requirements.**

The Petition should be approved because it satisfies the requirements of Texas Water Code section 13.2541(b) and 16 Texas Administrative Code section 24.245(h). TEX. WATER CODE § 13.2541(b); 16 TEX. ADMIN. CODE § 24.254(h). Specifically, the Petition shows that the Property is located in a qualifying county, is not receiving water service, and is at least 25 acres. *Id.*

**B. The Property is not receiving water service and Petitioner has met its burden in proving the same.**

In its Response to the Petition, Aqua argues that Petitioner has not met its burden of proof showing that the area requested for release is not receiving water service. Moreover, in its filing Aqua admits that its facilities are not located on the property subject to the immediate Petition. *See* Aqua's Motion to Intervene and Response to Petition at pg. 4 (docket item 8).

Petitioner has presented affidavit testimony as evidence that the requested area is not receiving water service. This is sufficient proof to grant Petitioner's request for SER. *See Petition of Sterling Deason O'Donnell and Darwin Deason, Co-Trustees of the Sterling Deason O'Donnell DD 2012 Trust Agreement of the DD 2014-B Grantor Retained Annuity Trust to Amend Marilee Special Utility District's Certificate of Convenience and Necessity in Collin County by Expedited Release*, Docket No. 50404; Petition Exhibit A (Jan. 2, 2020) (Deason Petition); *Id.*, Order (Oct. 12, 2021). Accordingly, the instant Petition should, likewise, be granted.

**C. Compensation shall be determined in accordance with Texas Water Code sections 13.254 and 13.2541.**

Petitioners do not dispute that compensation shall be determined in accordance with the requirements provided by Texas Water Code sections 13.254 and 13.2541. Specifically, the amount of compensation shall be determined subsequent to the approval of the Petition by an agreed upon appraiser—or by two appraisers hired by the parties and a third appointed by the Commission. TEX. WATER CODE §§ 13.254 and 13.2541.

**III. Conclusion and Prayer**

WHEREFORE, Petitioner respectfully requests that the Commission grant the Petition and remove the Property from water CCN number 13201.

Respectfully submitted,

COATS | ROSE

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**ATTORNEYS FOR PETITIONER**

**CERTIFICATE OF SERVICE**

I hereby certify notice of the filing of this document was provided to all parties of record on the 12<sup>th</sup> day of June, 2023, in accordance with the Order Suspending Rules filed in Project No. 50664.

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