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DOCKET NO. 54752

APPLICATION OF CSWR-TEXAS	§	PUBLIC UTILITY COMMISSION
UTILITY OPERATING COMPANY,	§	
LLC AND SOUTHWEST GARDENS	§	OF TEXAS
WATER FOR SALE, TRANSFER, OR	§	
MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN LUBBOCK	§	
COUNTY	§	

**COMMISSION STAFF’S RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND NOTICE AND PROPOSED PROCEDURAL SCHEDULE**

On March 14, 2023, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and Southwest Gardens Water (Southwest Gardens) (collectively, Applicants) filed an application for approval of the sale, transfer, or merger of facilities (STM) and certificate of convenience and necessity (CCN) rights in Lubbock County. The Applicants filed supplemental information on June 6, 2023 and June 13, 2023.

On June 16, 2023, the administrative law judge (ALJ) filed Order No. 4, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file comments on the administrative completeness of the application, proposed notice and a recommendation regarding how to proceed with the application and propose a procedural schedule by June 29, 2023. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information and, as detailed in the attached memoranda from Patricia Garcia, Infrastructure Division, and David Lopez and Fred Bednarski III, Rate Regulation Division, recommends that the application is administratively complete. Staff’s recommendation on administrative completeness is not a comment on the merits of the application.

II. NOTICE

At this time, Staff recommends that the Applicants proceed with providing public notice to all current customers, neighboring utilities, political subdivisions, and other persons listed in the attached memorandum using the notice form provided by Ms. Garcia. Along with each individual

notice, Staff recommends that the Applicants provide a copy of the maps deemed sufficient during administrative review delineating the requested service area.

Once notice has been provided, Staff recommends that the Applicants file proof of notice as described in the attached memorandum, including an affidavit specifying the name and address of every person and entity to whom notice was provided, the date that the notice was provided, and a copy of the map provided with the notice. Finally, Staff recommends that the Applicants use the attached notice and affidavit to meet these requirements.

III. PROCEDURAL SCHEDULE

Staff recommends that the application be found administratively complete. Therefore, Staff proposes the following procedural schedule:

Event	Date
Deadline for the Applicants to file with the Commission signed affidavits that the notice was given along with a copy of the notice and map sent to the affected parties	July 28, 2023
Deadline for Staff to file a recommendation on sufficiency of notice	August 8, 2023
Deadline to intervene	30 days after notice is issued

IV. CONCLUSION

For the reasons detailed above, Staff recommends that the application be found administratively complete, that the Applicants be directed to provide notice as described in the attached memorandum, and that the proposed procedural schedule be adopted. Staff respectfully requests the entry of an order consistent with these recommendations.

Dated: June 29, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
Division Director

John Harrison
Senior Managing Attorney

/s/ Kevin Pierce
Kevin Pierce
State Bar No. 24093879
1701 N. Congress Avenue
P.O. Box 13326
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DOCKET NO. 54752

CERTIFICATE OF SERVICE

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on June 29, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Kevin Pierce
Kevin Pierce

Public Utility Commission of Texas

Memorandum

TO: Kevin Pierce, Attorney
Legal Division

FROM: Patricia Garcia, Infrastructure Analysis Section Director
Infrastructure Division

DATE: June 29, 2023

RE: Docket No. 54752 – *Application of CSWR-Texas Utility Operating Company, LLC and Southwest Gardens Water for Sale, Transfer, or Merger of Facilities and Certificate Rights in Lubbock County*

On March 14, 2023, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas) and RBTQ, Inc. dba Southwest Gardens Water (RBTQ) (collectively, Applicants) filed an application for sale, transfer, or merger (STM) of facilities and certificate rights in Lubbock County, Texas, under Texas Water Code (TWC) § 13.301 and 16 Texas Administrative Code (TAC) § 24.239 and for decertification of all of Don Hays dba Southwest Water Company (Don Hays) Certificate of Convenience and Necessity (CCN) under § 13.254(a) and 16 TAC § 24.245(d).

Staff notes that the current style of this docket is “*Application of CSWR-Texas Utility Operating Company, LLC and Southwest Gardens Water for Sale, Transfer, or Merger of Facilities and Certificate Rights in Lubbock County.*” Staff requests that the style of the docket be changed to “*Application of CSWR-Texas Utility Operating Company, LLC and RBTQ, Inc. dba Southwest Gardens Water for Sale, Transfer, or Merger of Facilities and Certificate Rights and for the decertification of all of Don Hays dba Southwest Water Company (Don Hays) Certificate of Convenience and Necessity in Lubbock County.*”

Specifically, CSWR-Texas, water CCN No. 13290, seeks approval to acquire facilities and to transfer all of the water service area from RBTQ under water CCN No. 12891. Additionally, CSWR-Texas is requesting the decertification of Don Hays water CCN No. 12735, which is dual certificated with RBTQ’s CCN service area.

Based on the mapping review by Hank Journeay, Infrastructure Division, the digital mapping data submitted with Item 1 on March 14, 2023 and revised maps submitted with Item 15 on June 6, 2023, are sufficient.

The current CCN's for RBTQ, Inc. (CCN No. 12891) and Don Hays (CCN No. 12735) have the same CCN boundary, including 34 acres that are currently dually certificated.

The requested area includes 130 customer connections and comprised of the following:

34 acres of transferred area from RBTQ, Inc. (CCN No. 12891) to CSWR-Texas (CCN No. 13290);

12.7 acres of uncertificated area to amend (add) to CSWR-Texas (CCN No. 13290); and

34 acres of decertified area from Don Hays (CCN No. 12735).

The requested area includes approximately 46.7 total acres.

The application proposes the subtraction of approximately 34 acres from CCN No. 12891.

The application proposes the subtraction of approximately 34 acres from CCN No. 12735.

The application proposes the addition of approximately 46.7 acres to CCN No. 13290.

46.7 acres will have single certification for CSWR-Texas (CCN No. 13290).

Based on the mapping review and my technical and managerial review of the additional information filed on June 6, 2023, I recommend that the application be deemed administratively complete. I further recommend that the Applicants be ordered to do the following:

- 1) Provide notice of the application by first-class mail to the following:
 - a. Cities, districts, and neighboring retail public utilities providing the same utility service whose corporate boundaries or certificated service area are located within two miles from the outer boundary of the requested area:
 - *Brazos River Authority*
 - *Canadian River Municipal Water Authority*
 - *City of Lubbock (CCN No. 10627)*
 - b. The county judge of each county that is wholly or partially included in the requested area:
 - *Lubbock County Judge*
 - c. Each groundwater conservation district that is wholly or partially included in the requested area:
 - *High Plains Underground Water Conservation District 1*
 - d. Each owner of a tract of land that is wholly or partly located in the requested area. Notice must be mailed to the owner of the tract of land according to the most current tax appraisal rolls of the applicable central appraisal district at the time the application was filed.
 - e. Any affected customers, and other affected parties in the requested area.

Addresses can be obtained from the Water Utility Database at <http://www.puc.texas.gov/watersearch>. District information and addresses can be

obtained from the Texas Commission on Environmental Quality's (TCEQ) web site located at <https://www14.tceq.texas.gov/iwud/index.cfm>.

- 2) Publish notice once each week for two consecutive weeks in a newspaper having general circulation in the county where the requested area is located. Proof in the form of a publisher's affidavit must be filed within 30 days of the publication date. The affidavit must state with specificity each county in which the newspaper is of general circulation. Within 30 days of the date the notice was mailed, CSWR-Texas must file an affidavit specifying the notice that was provided to every person and entity to whom notice was provided and the date the notice was mailed.
- 3) Provide notice using the attached notice forms.
- 4) Provide a copy of the maps deemed sufficient during administrative review delineating the requested area with each individual notice to neighboring utilities, other affected parties, landowners and customers.
- 5) File in the docket:
 - a. A copy of the notices (1 copy of each).
 - b. The general location and detailed maps deemed sufficient during administrative review.
 - c. The signed affidavits for published notice and mailed notices.
 - d. A list specifying every person and entity to whom notice was provided.
 - e. If there are multiple landowners provide:
 - i. A map of the applicable county appraisal district parcels located within the requested area. The map should identify each property ID for a landowner of a tract of land that is at least 25 acres or more and is wholly or partially within the requested area; and
 - ii. A list of the applicable county appraisal district parcels located within the requested area. The list should include the following for a landowner of a tract of land that is at least 25 acres or more and is wholly or partially within the requested area;
 1. Each property ID;
 2. Landowner Name;
 3. Address; and
 4. The acreage owned by each listed landowner.
 - b. The publisher's affidavit and tear sheets for proof of newspaper publication.

Staff may determine that additional information is needed to make a final recommendation in this docket. If additional information is needed, Staff may send requests for information (RFI) to CSWR-Texas and RBTQ, Inc. CSWR-Texas and RBTQ, Inc. will have 20 days from the receipt of the RFI to respond.

Public Utility Commission of Texas

Memorandum

TO: Kevin Pierce
Legal Division

FROM: David Lopez
Fred Bednarski III
Rate Regulation Division

DATE: June 29, 2023

RE: Docket No. 54752 – *Application of CSWR-Texas Utility Operating Company, LLC and Southwest Gardens Water for Sale, Transfer, or Merger of Facilities and Certificate Rights in Lubbock County*

On March 14, 2023, CSWR-Texas Utility Operating Company and Southwest Gardens Water filed an application for the sale and transfer of facilities and certificate rights in Lubbock County under the provisions of Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.239.

We reviewed the answers provided to questions 4, 10, 11, 12, and 14 of the application. We did not identify any deficiencies in those answers for purposes of determining whether the application is administratively complete. Therefore, we recommend that the Commission deem the application administratively complete from a financial perspective.

Notice to Current Customers, Neighboring Systems, and Cities
CSWR-TEXAS UTILITY OPERATING COMPANY, LLC, CERTIFICATE OF
CONVENIENCE AND NECESSITY (CCN) NO. 13290, NOTICE OF INTENT TO AMEND
UNCERTIFICATED AREA TO THEIR CCN, DECERTIFY ALL OF DON HAYS DBA
SOUTHWEST WATER COMPANY UNDER CCN NO. 12735, PURCHASE WATER
FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12891
FROM RBTQ, INC. DBA SOUTHWEST WATER COMPANY IN LUBBOCK COUNTY,
TEXAS

To: _____ Date Notice Mailed: _____, 20____
(Name of Customer, Neighboring System, or City)

(Address)

(City State Zip)

CSWR-Texas Utility Operating Company, LLC 1630 Des Peres Rd, Suite 140
(Purchaser's Name) (Address)
St. Louis, MO 63131
(City), (State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend
uncertificated area to water CCN No. 13290, decertify all of Don Hays dba Southwest Water
Company (Don Hays) under CCN No. 12735, purchase water facilities and to transfer water
service area under CCN No. 12891 from RBTQ, Inc. dba Southwest Water Company (RBTQ,
Inc.) in Lubbock County, TX from:

RBTQ, Inc. 4601 66th St. Suite B Lubbock, TX 79414
(Seller'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
CSWR-Texas Utility Operating Company, LLC'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:
Southwest Gardens and South Frankford Terrace.

The requested area includes 130 customer connections, is located approximately 5.2 mile(s)
southeast of downtown Wolfforth, Texas, and is generally bounded on the north by County Road
7500; on the east by County Road 1840; on the south by County Road 7540; and on the west by
Frankford Avenue.

The current CCN's for RBTQ, Inc. (CCN No. 12891) and Don Hays (CCN No. 12735) have the
same CCN boundary, including 34 acres that are currently dually certificated.

The requested area is comprised of the following:

34 acres of transferred area from RBTQ, Inc. (CCN No. 12891) to CSWR-Texas (CCN
No. 13290);

12.7 acres of uncertificated area to amend (add) to CSWR-Texas (CCN No. 13290); and
34 acres of decertified area from Don Hays (CCN No. 12735).

The requested area includes approximately 46.7 total acres.

The application proposes the subtraction of approximately 34 acres from CCN No. 12891.
The application proposes the subtraction of approximately 34 acres from CCN No. 12735.
The application proposes the addition of approximately 46.7 acres to CCN No. 13290.
46.7 acres will have single certification for CSWR-Texas (CCN No. 13290).

See enclosed maps showing the requested area.

This transaction will not have an effect on the current customer's rates and services.

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.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

A landowner that opts out from the requested area releases the applicant's obligation to provide retail water or sewer utility service to the removed land for any reason.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

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

Utility Representative

Utility Name

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND
AFFECTED PARTIES
DOCKET NO. 54752

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual
notice to the following entities and customers:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is,
owner, member of partnership, title of officer of corporation, or other authorized representative of
applicant); 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

If the applicant 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 to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

Notice to Landowners

CSWR-TEXAS UTILITY OPERATING COMPANY, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13290, NOTICE OF INTENT TO AMEND UNCERTIFICATED AREA TO THEIR CCN, DECERTIFY ALL OF DON HAYS DBA SOUTHWEST WATER COMPANY UNDER CCN NO. 12735, PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12891 FROM RBTQ, INC. DBA SOUTHWEST WATER COMPANY IN LUBBOCK COUNTY, TEXAS

To: _____ Date Notice Mailed: _____, 20____
(Name of Customer, Neighboring System, or City)

(Address)

(City State Zip)

CSWR-Texas Utility Operating Company, LLC 1630 Des Peres Rd, Suite 140
(Purchaser's Name) (Address)
St. Louis, MO 63131
(City), (State) (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend uncertificated area to water CCN No. 13290, decertify all of Don Hays dba Southwest Water Company (Don Hays) under CCN No. 12735, purchase water facilities and to transfer water service area under CCN No. 12891 from RBTQ, Inc. dba Southwest Water Company (RBTQ, Inc.) in Lubbock County, TX from:

RBTQ, Inc. 4601 66th St. Suite B Lubbock, TX 79414
(Seller'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 CSWR-Texas Utility Operating Company, LLC'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:
Southwest Gardens and South Frankford Terrace.

The requested area includes 130 customer connections, is located approximately 5.2 mile(s) southeast of downtown Wolfforth, Texas, and is generally bounded on the north by County Road 7500; on the east by County Road 1840; on the south by County Road 7540; and on the west by Frankford Avenue.

The current CCN's for RBTQ, Inc. (CCN No. 12891) and Don Hays (CCN No. 12735) have the same CCN boundary, including 34 acres that are currently dually certificated.

The requested area is comprised of the following:

34 acres of transferred area from RBTQ, Inc. (CCN No. 12891) to CSWR-Texas (CCN No. 13290);

12.7 acres of uncertificated area to amend (add) to CSWR-Texas (CCN No. 13290); and
34 acres of decertified area from Don Hays (CCN No. 12735).

The requested area includes approximately 46.7 total acres.

The application proposes the subtraction of approximately 34 acres from CCN No. 12891.
The application proposes the subtraction of approximately 34 acres from CCN No. 12735.
The application proposes the addition of approximately 46.7 acres to CCN No. 13290.
46.7 acres will have single certification for CSWR-Texas (CCN No. 13290).

See enclosed maps showing the requested area.

This transaction will not have an effect on the current customer's rates and services.

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.

A landowner that opts out from the requested area releases the applicant's obligation to provide retail water or sewer utility service to the removed land for any reason.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

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

Utility Representative

Utility Name

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO LANDOWNERS DOCKET NO. 54752

STATE OF TEXAS
COUNTY OF _____

_____ has

- Determined that there are no landowners owning tracts of land wholly or partly inside the requested CCN area.
- Provided individual notice to the following landowners owning tracts of land wholly or partly inside the requested CCN area:

DATE OF NOTICE

OATH

I, _____, being duly sworn, file this form as _____ (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); 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 forth therein are true and correct.

Applicant's Authorized Representative

If the applicant 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 to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

Notice for Publication

CSWR-TEXAS UTILITY OPERATING COMPANY, LLC, CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 13290, NOTICE OF INTENT TO AMEND UNCERTIFICATED AREA TO THEIR CCN, DECERTIFY ALL OF DON HAYS DBA SOUTHWEST WATER COMPANY UNDER CCN NO. 12735, PURCHASE WATER FACILITIES AND TO TRANSFER WATER SERVICE AREA UNDER CCN NO. 12891 FROM RBTQ, INC. DBA SOUTHWEST WATER COMPANY IN LUBBOCK COUNTY, TEXAS

<u>CSWR-Texas Utility Operating Company, LLC</u> (Purchaser's Name)	<u>1630 Des Peres Rd, Suite 140</u> (Address)
<u>St. Louis, MO</u> (City), (State)	<u>63131</u> (Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to amend uncertificated area to water CCN No. 13290, decertify all of Don Hays dba Southwest Water Company (Don Hays) under CCN No. 12735, purchase water facilities and to transfer water service area under CCN No. 12891 from RBTQ, Inc. dba Southwest Water Company (RBTQ, Inc.) in Lubbock County, TX from:

<u>RBTQ, Inc.</u> (Seller's Name)	<u>4601 66th St. Suite B</u> (Address)	<u>Lubbock, TX</u> (City), (State)	<u>79414</u> (Zip Code)
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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 CSWR-Texas Utility Operating Company, LLC'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:
Southwest Gardens and South Frankford Terrace.

The requested area includes 130 customer connections, is located approximately 5.2 mile(s) southeast of downtown Wolfforth, Texas, and is generally bounded on the north by County Road 7500; on the east by County Road 1840; on the south by County Road 7540; and on the west by Frankford Avenue.

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The requested area is comprised of the following:

- 34 acres of transferred area from RBTQ, Inc. (CCN No. 12891) to CSWR-Texas (CCN No. 13290);
- 12.7 acres of uncertificated area to amend (add) to CSWR-Texas (CCN No. 13290); and
- 34 acres of decertified area from Don Hays (CCN No. 12735).

The requested area includes approximately 46.7 total acres.

The application proposes the subtraction of approximately 34 acres from CCN No. 12891. The application proposes the subtraction of approximately 34 acres from CCN No. 12735.

The application proposes the addition of approximately 46.7 acres to CCN No. 13290. **46.7 acres will have single certification for CSWR-Texas (CCN No. 13290).**

See enclosed maps showing the requested area.

This transaction will not have an effect on the current customer's rates and services.

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 a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the uncertificated requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

A landowner that opts out from the requested area releases the applicant's obligation to provide retail water or sewer utility service to the removed land for any reason.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas
Central Records
1701 N. Congress, P. O. Box 13326
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

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

PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT DOCKET NO. 54752

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____,

who being by me duly sworn, deposes and that (s)he is the

_____ of the _____
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in _____
(COUNTY/COUNTIES)

and generally circulated in _____, Texas;
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

(DATES)

(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this _____ day of _____, 20____,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____