



Filing Receipt

Filing Date - 2023-10-19 11:20:40 AM

Control Number - 54813

Item Number - 12

DOCKET NO. 54813

**APPLICATION OF CITY OF
DONNA TO AMEND ITS
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN HIDALGO
COUNTY**

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§
§

**PUBLIC UTILITY COMMISSION

OF TEXAS**

APPLICANT’S RESPONSE TO ORDER NO. 4

COMES NOW, the City of Donna (“City”), applicant in the above-entitled and numbered Docket, and file this Response to Order No. 4. In support thereof, City shows the following:

I. BACKGROUND

On September 5, 2023, Commission Staff filed its supplementary recommendation on the administrative completeness of the City of Donna’s March 31, 2023 application to amend certificate of convenience and necessity (“CCN”) number 20825 in Hidalgo County, Texas, wherein Commission Staff provided instructions and forms for providing notice, and proposed a procedural schedule.

On September 6, 2023, the Commission issued its **Order No. 4**, finding the application, as supplemented, administratively complete and directed the City to provide notice of the application as described in the September 5, 2023 memorandum of Chase Lipscomb attached to the Commission Staff’s recommendation, using the included forms.

In its Order No. 4, the Commission established the following procedural schedule for continued processing:

EVENT	DATE
Deadline for the applicant 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, and published in a newspaper of general circulation.	October 20, 2023
Deadline for Commission Staff to file a	October 30, 2023

recommendation on sufficiency of notice.	
Deadline to intervene.	30 days after last date notice is issued.

Applicant hereby responds to Staff's recommendations of September 5, 2023, and Commission's Order No. 4 in support thereof, recommending that the Applicant provide notice of the application as described in the September 5, 2023 memorandum of Chase Lipscomb attached to the Commission Staff's recommendation, using the included forms, as attached hereto as Exhibits "A" through "D" inclusive.

II. CONCLUSION

Applicant respectfully requests that the documents attached hereto as Exhibits "A" through "D" in response to PUC **Order No. 4**, being: (A) Applicant's Affidavit of Notice to Current Customers, Neighboring Utilities and Affected Parties; (B) Applicant's Affidavit of Notice to Landowners; (C) Publisher's Affidavit reflecting evidence of publication of the notice in "The Monitor" newspaper on September 16, 2023 and on September 20, 2023; and (D) the Publisher's Tear Sheet reflecting publication by the newspaper be entered in this matter and that the Commission enter its Order finding the Application sufficient for filing.

Dated: October 19, 2023

Respectfully submitted:

/s/ Richard W. Fryer
Richard W. Fryer
State Bar No. 24085316

Brian J. Hansen
State Bar No. 24072139

FRYER & HANSEN, PLLC
1352 W. Pecan Blvd.
McAllen, Texas 78501
Telephone: (956) 686-6606
Facsimile: (956) 686-6601
Email: email@fryerandhansen.com

ATTORNEYS FOR
CITY OF DONNA, TEXAS

DOCKET NO. 54813
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 the 31st day of July, 2023 in accordance with the Second Order Suspending Rules, Issued in Project No. 50664.

Marisa Lopez Wagley, Division Director
Marisa.Wagley@puc.texas.gov
John Harrison, Senior Managing Attorney
John.Harrison@puc.texas.gov
Kevin Pierce
Kevin.Pierce@puc.texas.gov
Public Utility Commission of Texas
Legal Division
P. O Box 13326
Austin, Texas 78711-3326
Public Utility Commission Staff

/s/ Richard W. Fryer
Richard W. Fryer

EXHIBIT “A”

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 54813

STATE OF TEXAS

COUNTY OF Hidalgo

Chanel Borrego has provided individual
notice via first-class mail to the following entities, affected parties, and customers (include a list if
more than four):

See Attached List

DATE OF NOTICE

9/15/2023

OATH

I, Chanel Borrego, being duly sworn, file this form as
City of Donna Planning (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.

[Signature]
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.

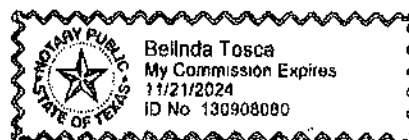
Subscribed and sworn to before me this 15th day of September, 2023,
to certify which witness my hand and seal of office.

Belinda Tosca
Notary Public in and for the State of Texas

Belinda Tosca
Print or Type Name of Notary Public

Commission Expires 11/21/2024

Notice Form Updated: June 9, 2023



City of Alamo
423 N TOWER RD
ALAMO TX 78516

CSWR-Texas Utility Operating Company
1650 DES PERES RD SUITE 303
SAINT LOUIS MO 63131

Donna Irrigation District Hidalgo
County 1
101 N D Salinas Blvd, Donna, TX
78537

NORTH ALAMO WSC
420 S DOOLITTLE RD
EDINBURG TX 78542 - 9707

Hidalgo County Drainage District No. 1
902 N. Doolittle Rd. Edinburg, TX
78542

Hidalgo County Irrigation District No. 2
326 N Standard St, San Juan, TX
78589

Rio Grande Regional Water Authority
322 S Missouri Ave, Weslaco Texas

Hidalgo County Judge
100 E. Cano, Second Floor
Edinburg, TX 78539

~~SALAMANCA ESTATES LP~~
~~11410 N FM 493~~
~~Donna, TX, 78537~~

Notice to Neighboring Systems, Customers, and Cities
NOTICE OF APPLICATION OF THE CITY OF DONNA TO AMEND ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE SEWER UTILITY SERVICE IN
HIDALGO COUNTY, TEXAS

To: City of Alamo
423 N TOWER RD
ALAMO TX 78516

Date Notice Mailed: 9/15, 2023

(City State Zip)

The City of Donna has filed an application with the Public Utility Commission of Texas to amend its sewer CCN No. 20825 for the provision of retail sewer utility service in Hidalgo County/counties, Texas.

The requested area overlaps the district boundaries of Donna Irrigation District Hidalgo County 1, Hidalgo County Drainage District 1, and Rio Grande Regional Water Authority. If these districts do not request a public hearing, the Commission shall determine that the district is consenting to the City of Donna's request to provide retail sewer utility service in the requested area.

The requested area includes 325 customer connections, is located approximately 1.2 mile(s) northwest of downtown Donna, Texas, and is generally bounded on the north by County Road 200; on the east by Goolie Road; on the south by Interstate Highway 2; and on the west by Hutto Road.

The requested area includes approximately 81 acres of uncertificated area.

The application proposes the addition of approximately 81 acres to CCN No. 20825.

See enclosed maps showing the requested area.

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.

[illegible]

Created by: M. Heller
Date Created: 7/19/2023



Requested Area to Amend (Add)

0 2,000 4,000
Feet

EXHIBIT “B”

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO LANDOWNERS DOCKET NO. 54813

STATE OF TEXAS

COUNTY OF Hidalgo

Chanel Borrego, has

- ☐ Determined that there are no landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area.
- ☒ Provided individual notice via first-class mail to the following landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area:

LOS Vecindades R6V LP

DATE OF NOTICE

9/15/2023

OATH

I, Chanel Borrego, being duly sworn, file this form as City of Donna Planning Dir. (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.

Chanel Borrego
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 15th day of September, 2023,
to certify which witness my hand and seal of office.

Belinda Tosca

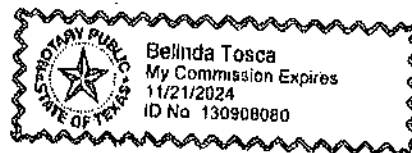
Notary Public in and for the State of Texas

Belinda Tosca

Print or Type Name of Notary Public

Commission Expires 11/21/2024

Notice Form Updated: June 9, 2023



To: LOS VECINDADES RGV LP
11410 N FM 493
DONNA, TX 78537-5084
(City State Zip) Customer or City

Date Notice Mailed: 9, 15, 20 23

Notice Form Updated: June 9, 2023

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.

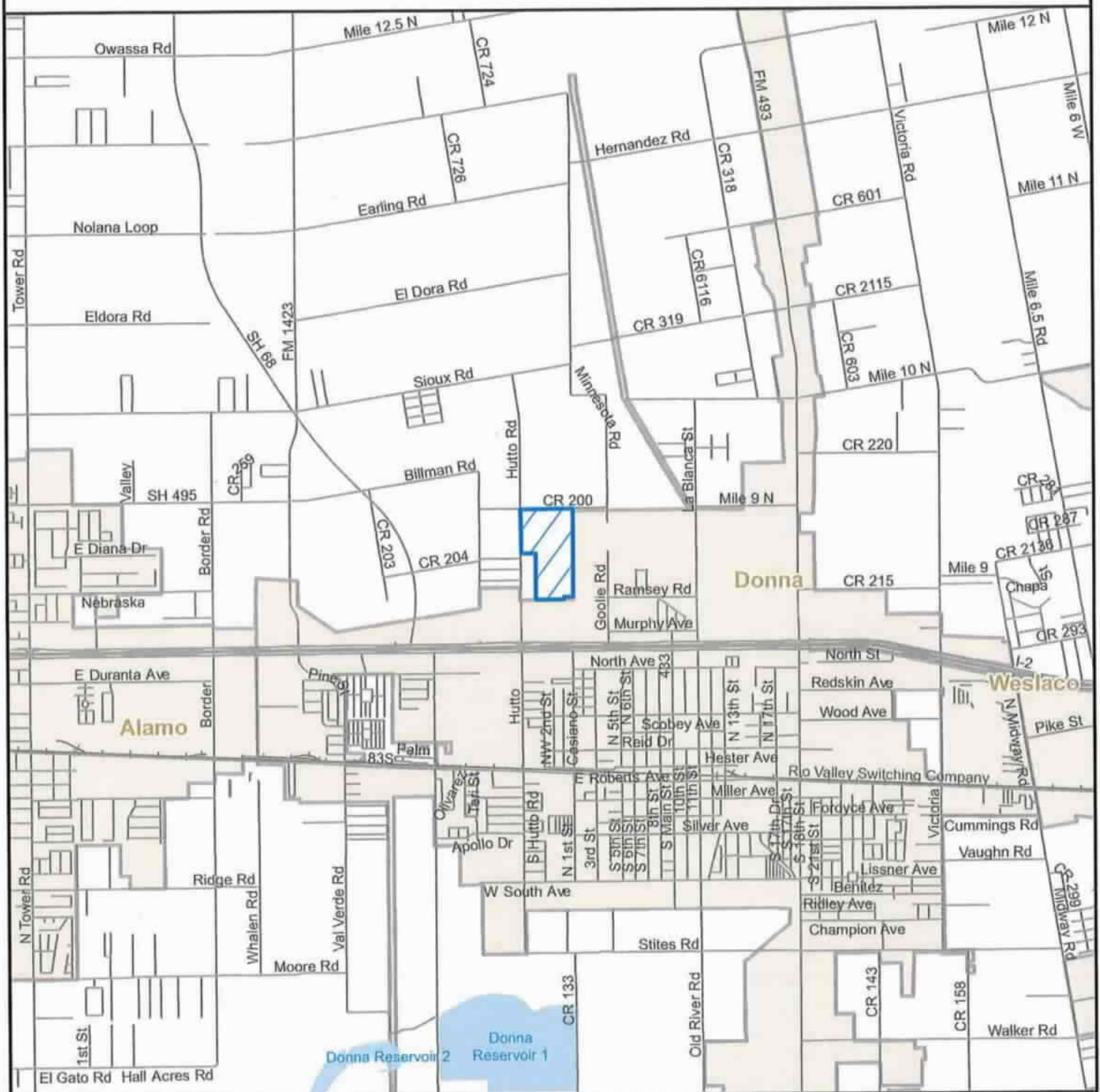
Persons who wish to request this option should file the required documents with the:

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.

Amend City of Donna (CCN No. 20825) in Hidalgo County



General Location Map



Legend

 Requested Area to Amend (Add)

0 2,000 4,000
Feet

EXHIBIT “C”

THE MONITOR

PUBLISHER'S AFFIDAVIT

State of Texas

County of Hidalgo

Norma I. Barras being duly sworn on
her oath states that she is the Legal Account
Representative of THE MONITOR, a daily
newspaper in Hidalgo County, and that the
attached notice did appear in the following
issues:

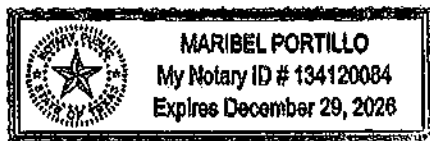
September 16 & 20, 2023

Norma I. Barras

Subscribed and sworn to before me this the
30th day of September A.D. 2023

Maribel Portillo

Notary Public, Hidalgo County



PUBLIC UTILITY COMMISSION OF TEXAS



PUBLISHER'S AFFIDAVIT
DOCKET NO. 54813

STATE OF TEXAS
COUNTY OF

Hidalgo

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

Mercede Contreras

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

Legals Ad Rep.
(TITLE)

of the

The Monitor

(NAME OF NEWSPAPER)

that said newspaper is regularly published in

Hidalgo

(COUNTY/COUNTIES)

and generally circulated in

Hidalgo
(COUNTY/COUNTIES)

, Texas;

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

September 16 & 20, 2023
(DATES)

Mercede Contreras
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this

2

day of

October

, 2023

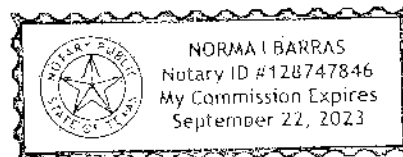
to certify which witness my hand and seal of office.

Norma I. Barras
Notary Public in and for the State of Texas

NORMA I. BARRAS
Print or Type Name of Notary Public

Commission Expires

9-22-2023





REMIT TO:
AIM Media Texas
Business Office
PO Box 3267
McAllen, TX 78502

Page 1

ACCOUNT NO. 10001069 BALANCE DUE \$1,915.34 CHECK NO. _____
MKT. CONSULTANT Maribel Portillo DEPARTMENT MML AMOUNT PAID _____

CITY OF DONNA
FINANCE DEPT
307 S. 12TH STREET
DONNA, TX 78537-8537

Advertising Invoice

INVOICE DATE	INVOICE NO.
9/30/2023	10001069-0923

TO ASSURE PROPER CREDIT - PLEASE RETURN TOP PORTION WITH REMITTANCE - ENTER ACCOUNT NUMBER ON YOUR CHECK

ACCOUNT NUMBER	CURRENT	PAST DUE 31-60 DAYS	PAST DUE 61-90 DAYS	PAST DUE 91-OVER
10001069	\$1,915.34	\$0.00	\$0.00	\$0.00

DATE	REF #	DESCRIPTION	UNITS	AMOUNT
09/01/23	AGING	*BALANCE FORWARD*		2,246.70
09/13/23	30237958	3011-MM Class Legal Public Hearing P&Z	25.50	423.58
09/16/23	30238085	3011-MM Class Legal Sewer Utility Service	47.50	745.88
09/20/23	30238085	3011-MM Class Legal Sewer Utility Service	47.50	745.88
09/25/23	9258	9000-MM Retail Payment CS\CK CITY OF DONNA		2,246.70-



FOR ALL CREDIT CARD PAYMENTS PLEASE DIAL 956-683-4022, THANK YOU.

PREVIOUS BALANCE	NEW CHARGES	CREDITS	BALANCE DUE
\$2,246.70	\$1,915.34	\$2,246.70	\$1,915.34

THE MONITOR

VALLEY STAR



Coastal Current

El Extra

The Herald

Phone: 956-683-4000
Fed ID# 45-5484496
This statement is due
and payable upon receipt.

Notice for Publication

NOTICE OF APPLICATION OF THE CITY OF DONNA TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER UTILITY SERVICE IN HIDALGO COUNTY, TEXAS

The City of Donna has filed an application with the Public Utility Commission of Texas to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20825 for the provision of retail sewer utility service in Hidalgo County, Texas.

The requested area overlaps the district boundaries of Donna Irrigation District Hidalgo County I, Hidalgo County Drainage District 1, and Rio Grande Regional Water Authority. If these districts do not request a public hearing, the Commission shall determine that the district is consenting to the City of Donna's request to provide retail sewer utility service in the requested area.

The requested area includes 325 customer connections; is located approximately 1.2 mile(s) northwest of downtown Donna, Texas, and is generally bounded on the north by County Road 200; on the east by Goodie Road; on the south by Interstate Highway 2; and on the west by Hutto Road.

The requested area includes approximately 81 acres of uncertificated area.

The application proposes the addition of approximately 81 acres to CCN No. 20825.

A copy of the maps showing the requested area are available at: Melden & Hunt Inc 115 W McIntyre St, Edinburg, TX 78541

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 (800) 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.

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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, land owner'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.

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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.

☐ PROOF O.K. BY: _____ ☐ O.K. WITH CORRECTIONS BY: _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

TX-30238085 (100%)

ADVERTISER: CITY OF DONNA

SALES PERSON: TX184

SIZE: \$X9.5

PUBLICATION: MA-The Monitor

PROOF CREATED AT: 9/14/2023 2:00:52 PM

NEXT RUN DATE: 09/16/23

PROOF DUE: 09/15/23 11:59:55

EXHIBIT “D”

101 Legal / Bid Notices

101 Legal / Bid Notices

**EDINBURG STORAGE
CENTER**

**1514 N. CLOSNER BLVD
EDINBURG, TEXAS 78541
956-381-8724**

Will hold a Public Auction of the property being sold to satisfy the Landlords Lien. Sale will be held at 9:00 A.M. On Saturday, September 16, 2023. Property will be sold to the highest bidder for cash .deposit of removal and clean up will be required. Seller reserves the right to withdraw property from sale. Property being sold includes contents in spaces of the following tenants: Beatrice Hinojosa, Lluviana Gutierrez, Ricardo Alvarado Ochoa, Brianna Guerra, Valentin Ramirez, Blanca Rodriguez, Anita Maria Alvarez, Oscar Morales, Alberto Vasquez, Arturo Bernal Martinez, Reuben Rodriguez.

Items being sold: Household items, electronics, exercise equipment, furniture, antiques, sporting equipment. Units will be opened one at a time the day of the auction.

Bids
Prices

101 Legal / Bid Notices

101 Legal / Bid Notices

ENT SCHOOL DISTRICT

accepting proposals on the following item(s):

Opening Date	Time
Thursday, October 12, 2023	10:00 AM

Saturday, September 16, 2023. Interested parties may view the e-Bidding website following this link: <https://www.mn.gov/e-bidding>. The "Online Bidding and Supplier Registration" link will lead to this solicitation.

or reject any or all proposals, and to accept
strict.

PROPOSALS

d Proposals for the following RFP:

Installation, & Removal of Communications Equipment"

urement.opengov.com/portal/co-hidalgo-

Notice for Publication

**NOTICE OF APPLICATION OF THE CITY OF DONNA
TO AMEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE SEWER UTILITY
SERVICE IN HIDALGO COUNTY, TEXAS**

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