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DOCKET NO. 54947

APPLICATION OF EMERALD HILLS	§	PUBLIC UTILITY COMMISSION
WATER FOR A CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	OF TEXAS
SAN PATRICIO COUNTY	§	

**ORDER NO. 5
REQUIRING COMMISSION STAFF CLARIFICATION
AND ESTABLISHING RESPONSE DEADLINE**

This Order addresses the need for clarification from Commission Staff regarding the proof of notice affidavit provided to Emerald Hills by Commission Staff. Specifically, the affidavit included with Commission Staff's recommendation and the affidavit filed by Emerald Hills Water does not appear to be the updated proof of notice affidavit, which includes checkboxes determining that there are no landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area, or whether individual notice via first class mail was provided to landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area.

On or before October 10, 2023, Commission Staff must clarify whether Emerald Hills should be required to complete the updated proof of notice affidavit and provide additional deadlines for Emerald Hills to supplement its affidavit of proof and for Commission Staff to file a supplemental recommendation.

Signed at Austin, Texas the 4th day of October 2023.

PUBLIC UTILITY COMMISSION OF TEXAS



**KATIE MOORE MARX
ADMINISTRATIVE LAW JUDGE**

Emerald Hills Water is pleased to submit the following Public Notice items for review and consideration:

1. Landowner Affidavit
2. Landowner Notification
3. Copy of post marked letter to landowner 25 acres or more (23934 CR 704, LLC is a land hold LLC). I am the only landowner of 25 acres or more within the requested area.
4. 54947-5 clarify, request from PUC about clarification of landowners of 25 acre or more being notified on new updated forms.

Thank you for your consideration.

Lyndon Nance

10-04-2023

Emerald Hills Water

PO Box 904

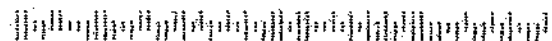
Cibolo, TX 78108

SAN ANTONIO TX 780
RIO GRANDE DISTRICT
11 AUG 2023 PM 3 L



23934 CR 704, LLC
PO Box 904
Cibolo, TX 78108

78108-090404



PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO LANDOWNERS DOCKET NO. 54947

STATE OF TEXAS
COUNTY OF Chadler

Emerald Hills Water 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:

23934 CR 704, LLC

DATE OF NOTICE
8-10-23

OATH

I, Lyndee Vance, being duly sworn, file this form as
Emerald Hills Water (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.

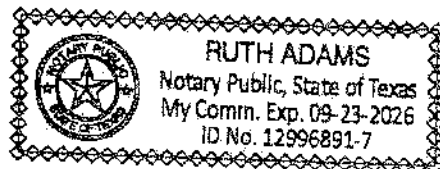
[Signature]
Applicant's Authorized Representative

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 10 day of August, 2023
to certify which witness my hand and seal of office.

[Signature]
Notary Public in and for the State of Texas

Ruth Adams
Print or Type Name of Notary Public



Commission Expires 09-23-2026

Notice Form Updated: June 9, 2023

Notice to Neighboring Systems, Customers, and Cities**NOTICE OF APPLICATION OF EMERALD HILLS WATER TO OBTAIN A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE WATER UTILITY SERVICE IN SAN PATRICIO COUNTY, TEXAS**To: 23934 CR 704, LLC
(Neighboring System, Landowner, Customer or City)Date Notice Mailed: 8-10, 20 23PO Box 904
(Address)
Cibola TX 78108
(City State Zip)

Emerald Hills Water has filed an application with the Public Utility Commission of Texas to obtain a water certificate of convenience and necessity (CCN) for the provision of retail water utility service in San Patricio County, Texas.

The requested area overlaps the district boundaries of Nueces River Authority, Port of Corpus Christi Authority, and San Patricio County Drainage District. If these districts do not request a public hearing, the Commission shall determine that the district is consenting to Emerald Hill Water's request to provide retail water utility service in the requested area.

The requested area includes 62 customer connections, is located approximately 0.25 mile(s) northeast of downtown Lakeside, Texas, and is generally bounded on the north by Lake Corpus Christi; on the east by the intersection of County Road 4 and Brown Lane; on the south by County Road 4; and on the west by Sunny Lane.

The requested area includes approximately 81.2 acres, comprised of uncertificated area to amend (add) to Emerald Hills Water and the issuance of water CCN number.

The application proposes the addition of approximately 81.2 acres and the issuance of water CCN number to Emerald Hills Water.

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.