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DOCKET NO. 55304

APPLICATION OF TEXAS WATER UTILITIES, L.P. AND SWWC UTILITIES, INC. DBA HORNSBY BEND UTILITY COMPANY, INC. FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN TRAVIS COUNTY	§ § § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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AGREED CLARIFICATION IN RESPONSE TO ORDER NO. 16

Texas Water Utilities, L.P. (TWU), on behalf of itself and SWWC Utilities, Inc. dba Hornsby Bend Utility Company, Inc. (collectively, Applicants), and with the agreement of the Staff (Staff) of the Public Utility Commission of Texas (Commission) (collectively the Parties), files this clarification regarding the agreed modifications to the proposed final certificates for this proceeding. The only other party to this case is the Office of Public Utility Counsel (OPUC). OPUC did not take part in the review of the final maps, certificates, and tariffs, and therefore, takes no position on the clarification. Pursuant to Order No. 16, this clarification is timely filed on or before October 29, 2024.

I. CLARIFICATION

The Parties are not requesting to add counties to TWU’s Commission-approved water and sewer certificates. The modifications agreed to were necessary because the certificates Commission Staff emailed to TWU on September 3, 2024, were missing counties that had been added in other recently approved dockets. More specifically, Docket No. 54171 received Commission approval on August 15, 2024.¹ In that proceeding, TWU’s water certificate of convenience and necessity (CCN) was amended to include facilities and service area in Bosque County. On September 4, 2024, TWU received approval of a sewer CCN amendment adding service area in Caldwell County.²

Although Docket No. 54171 had been approved by the Commission, the water certificate Commission Staff provided to TWU for review and consent in this proceeding did not include Bosque County. Similarly, the sewer tariff provided for consent did not include Caldwell

¹ *Application of Texas Water Utilities, L.P. and CS Water Corporation for Sale, Transfer, or Merger of Facilities and Certificate Rights in Bosque County*, Docket No. 54171, Order at Ordering Paragraph No. 5 (Aug. 15, 2024).

² *Application of Texas Water Utilities, L.P. to Amend Its Certificate of Convenience and Necessity in Caldwell County*, Docket No. 56317, Notice of Approval (Sept. 4, 2024).

County. Therefore, TWU requested that Commission Staff modify the certificates to include the complete list of counties in which TWU has been approved to provide service.

The water and sewer certificates consented to by TWU were submitted with the Joint Supplemental Motion to Admit Evidence and Proposed Notice of Approval filed in this proceeding on October 11, 2024. They correctly identify all counties in which TWU is currently certificated to provide service, including Bosque County (for water) and Caldwell County (for sewer). The Parties have requested the admission of these certificates into the record for this proceeding. Accordingly, they are not requesting that the administrative law judge (ALJ) make any corrections to TWU's certificates. They are only requesting that the ALJ approve the certificates consented to by TWU and admitted into the record as evidence.

In the event the ALJ believes this clarification is a necessary part of the record for this proceeding, the Parties move to admit this pleading into the record as evidence.

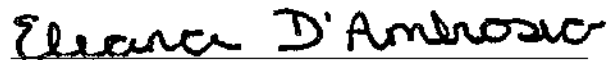
II. CONCLUSION

The Parties respectfully submit this clarification in response to Order No. 16 and request that they be granted any relief to which they may be justly entitled.

Respectfully submitted,

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**ATTORNEYS FOR TEXAS WATER
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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on October 16, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.



Eleanor D' Ambrosio