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DOCKET NO. 57776

APPLICATION OF TEXAS WATER	§	PUBLIC UTILITY COMMISSION
UTILITIES, L.P. TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE	§	OF TEXAS
AND NECESSITY IN LIBERTY	§	
COUNTY	§	

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

On February 28, 2025, Texas Water Utilities, L.P. (TWU) filed an application to amend its Certificates of Convenience and Necessity (CCN) in Liberty County. TWU holds sewer CCN No. 20899. TWU filed supplemental information on May 2 and 5, 2025.

On April 29, 2025, the administrative law judge (ALJ) filed Order No. 3, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file supplemental comments on the administrative completeness of the application and proposed notice and a recommendation regarding how to proceed with the application—and propose a procedural schedule, if appropriate by June 4, 2025. Therefore, this pleading is timely filed.

I. ADMINISTRATIVE COMPLETENESS

Staff has reviewed the application and supplemental information and, as detailed in the attached memorandum from Kellen McMurray of the Infrastructure Division, and Fred Bednarski, Rate Regulation Division recommends that the application, as supplemented, be found 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 TWU proceed with providing public notice to all landowners, neighboring utilities, political subdivisions, and other persons listed in the attached memorandum using the notice form provided by Ms. McMurray. Along with each individual notice, Staff recommends that TWU provide an accurate map delineating the requested service

area. Staff further recommends that TWU publish notice of the application for two consecutive weeks in a newspaper of general circulation in Liberty County.

Once notice has been provided, Staff recommends that TWU 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. TWU should also provide a completed publisher's affidavit and a copy of the newspaper tear sheets demonstrating publication. Finally, Staff recommends that TWU use the attached notices and affidavits to meet these requirements.

III. PROCEDURAL SCHEDULE

Staff recommends the application be found administratively complete. Staff therefore proposes the following procedural schedule:

Event	Date
Deadline for TWU 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	July 21, 2025
Deadline for Staff to file a recommendation on sufficiency of notice	July 31, 2025
Deadline to intervene	30 days after notice is issued

IV. CONCLUSION

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

Dated: June 4, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Marisa Lopez Wagley
Division Director

Phillip Lehmann
Managing Attorney

/s/ Kevin R. Bartz

Kevin R. Bartz
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DOCKET NO. 57776

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 4, 2025 in accordance with the Second Order Suspending Rules, filed in Project No. 50664.

/s/ Kevin R. Bartz

Kevin R. Bartz

Public Utility Commission of Texas

Memorandum

TO: Kevin Bartz, Attorney
Legal Division

FROM: Kellen McMurry, Infrastructure Policy Analyst
Infrastructure Division

DATE: June 4, 2025

RE: Docket No. 57776 – *Application of Texas Water Utilities, L.P. to Amend Its Certificate of Convenience and Necessity in Liberty County*

On February 28, 2025, Texas Water Utilities, L.P. (Texas Water Utilities) filed with the Public Utility Commission of Texas (Commission) an application to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20899 in Liberty County, Texas under Texas Water Code (TWC) §§ 13.242 through 13.250 and 16 Texas Administrative Code (TAC) §§ 24.225 through 24.237.

Based on the mapping review by Jacob Stone, Infrastructure Division, the revised maps filed with Item 10 and revised digital mapping data filed with Item 11 on May 2, 2025, are sufficient.

The requested area includes 0 customer connections and approximately 83.6 acres of uncertificated area to amend (add) to CCN No. 20899. The application proposes the addition of approximately 83.6 acres to CCN No. 20899.

The application indicates that the total acreage being requested is approximately 84 acres, however, the mapping review determined the requested area is approximately 83.6 acres.

Based on the mapping review and my technical and managerial review of the additional information filed by Texas Water Utilities on May 2, 2025, and May 5, 2025, I recommend that the application be deemed administratively complete. I further recommend that Texas Water Utilities 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:
 - *City of Plum Grove*

- *City of Splendora*
 - *East Montgomery County Improvement District*
 - *Quadvest, L.P. (CCN No. 20952)*
- b. The county judge of each county that is wholly or partially included in the requested area:
- *Liberty County Judge*
- c. Each landowner of a tract of land that is at least 25 acres and is wholly or partly located in the requested area to be added. 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.
- d. Any affected existing 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.
- 3) Provide notice using the attached notice forms.
- 4) Provide a copy of the maps deemed sufficient (general location and detailed maps) during administrative review delineating the requested area with each individual notice to neighboring utilities, other affected parties, landowners and customers.
- 5) Within 30 days of the date the notice was mailed, Texas Water Utilities must file the following as proof of notice in the docket:
 - a. A copy of the notices (1 example of each type of notice).
 - 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 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 to be added:
 1. Each property ID;
 2. Landowner Name;
 3. Address; and

4. The acreage owned by each listed landowner.
- f. 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 Texas Water Utilities. Texas Water Utilities will have 20 days from the receipt of the RFI to respond.

Public Utility Commission of Texas

Memorandum

TO: Kevin Bartz, Attorney
Legal Division

FROM: David Lopez, Rate Analyst
Fred Bednarski III, Financial Analyst
Rate Regulation Division

DATE: June 04, 2025

RE: Docket No. 57776 – *Application of Texas Water Utilities, L.P. to Amend its Certificate of Convenience and Necessity in Liberty County*

On February 28, 2025, Texas Water Utilities, L.P. (TWU) filed an application to amend its sewer certificate of convenience and necessity (CCN) number 20899 in Liberty County under Subchapter G of Texas Water Code Chapter 13.

We reviewed the answers provided to questions 28, 29, 30, and 31 of the application and supplemental information. 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 for Publication

**NOTICE OF APPLICATION OF TEXAS WATER UTILITIES, L.P. TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER UTILITY
SERVICE IN LIBERTY COUNTY, TEXAS**

Texas Water Utilities, L.P. has filed an application with the Public Utility Commission of Texas to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20899 for the provision of retail sewer utility service in Liberty County, Texas.

The requested area is located approximately 2 miles northwest of downtown Plum Grove, Texas, and is generally bounded on the north by County Road 370; on the east by County Road 3706; on the south by Cow Branch; and on the west by County Road 3704.

The requested area includes 0 customer connections and approximately 83.6 acres of uncertificated area to amend (add) to CCN No. 20899. The application proposes the addition of approximately 83.6 acres to CCN No. 20899.

A copy of the maps showing the requested area are available at: 1812 Centre Creek Dr. Austin, TX 78714

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 may contact the commission through Relay Texas at 1-800-735-2989. 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.

**Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission directly at (512) 936-7136.*

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 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. 57776

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 _____

Notice to Neighboring Systems, Customers, and Cities

**NOTICE OF APPLICATION OF TEXAS WATER UTILITIES, L.P. TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER UTILITY
SERVICE IN LIBERTY COUNTY, TEXAS**

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

(Address)

(City State Zip)

Texas Water Utilities, L.P. has filed an application with the Public Utility Commission of Texas to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20899 for the provision of retail sewer utility service in Liberty County, Texas.

The requested area is located approximately 2 miles northwest of downtown Plum Grove, Texas, and is generally bounded on the north by County Road 370; on the east by County Road 3706; on the south by Cow Branch; and on the west by County Road 3704.

The requested area includes 0 customer connections and approximately 83.6 acres of uncertificated area to amend (add) to CCN No. 20899. The application proposes the addition of approximately 83.6 acres to CCN No. 20899.

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 may contact the commission through Relay Texas at 1-800-735-2989. 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.

**Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission directly at (512) 936-7136.*

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.

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 57776

STATE OF TEXAS
COUNTY OF _____

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

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

**NOTICE OF APPLICATION OF TEXAS WATER UTILITIES, L.P. TO AMEND ITS
CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE SEWER UTILITY
SERVICE IN LIBERTY COUNTY, TEXAS**

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

(Address)

(City State Zip)

Texas Water Utilities, L.P. has filed an application with the Public Utility Commission of Texas to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20899 for the provision of retail water/sewer utility service in Liberty County/counties, Texas.

The requested area is located approximately 2 miles northwest of downtown Plum Grove, Texas, and is generally bounded on the north by County Road 370; on the east by County Road 3706; on the south by Cow Branch; and on the west by County Road 3704.

The requested area includes 0 customer connections and approximately 83.6 acres of uncertificated area to amend (add) to CCN No. 20899. The application proposes the addition of approximately 83.6 acres to CCN No. 20899.

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 may contact the commission through Relay Texas at 1-800-735-2989. 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.

**Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission directly at (512) 936-7136.*

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.

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO LANDOWNERS DOCKET NO. 57776

STATE OF TEXAS
COUNTY OF _____

- _____ has
- ☐ Determined that there are no landowners owning tracts of land at least 25 acres or more wholly or partly inside the requested area to be added:
 - ☐ Provided individual notice via first-class mail to the following landowners owning tracts of land at least 25 acres or more wholly or partly inside the requested area to be added:

LANDOWNER NAME	# OF ACRES	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 _____