

SOAH DOCKET NO. 582-12-0707
TCEQ DOCKET NO. 2011-1566-UCR

APPLICATION FROM AQUA § BEFORE THE STATE OFFICE
UTILITIES, INC. DBA AQUA TEXAS, §
INC., CCN NOS. 11157 AND 20453, TO §
TRANSFER AND CANCEL CCNS § OF
13114 AND 21005 FROM TEXAS- §
AMERICAN WATER COMPANY IN §
BRAZORIA, HARRIS, LIBERTY, §
MATAGORDA, AND MONTGOMERY § ADMINISTRATIVE
COUNTIES § HEARINGS

CUSTOMERS' EXCEPTIONS TO THE PROPOSAL FOR DECISION AND
PROPOSED ORDER

Respectfully submitted,

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APPLICATION FROM AQUA UTILITIES, INC. DBA AQUA TEXAS, INC., CCN NOS. 11157 AND 20453, TO TRANSFER AND CANCEL CCNS 13114 AND 21005 FROM TEXAS- AMERICAN WATER COMPANY IN BRAZORIA, HARRIS, LIBERTY, MATAGORDA, AND MONTGOMERY COUNTIES	§ § § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**CUSTOMERS’ EXCEPTIONS TO THE PROPOSAL FOR DECISION AND
PROPOSED ORDER**

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**CUSTOMERS' EXCEPTIONS TO THE PROPOSAL FOR DECISION AND
PROPOSED ORDER**

TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

NOW COME Jesse Parker, Sandra Hyde, Richard T. Hyde and Rafael Alcala (“Customers”) who file these Exceptions to the Proposal for Decision and Proposed Order and in support thereof would show as follows:

I. INTRODUCTION

The Administrative Law Judge dismissed this case on jurisdictional grounds based upon an interpretation of the effect of a June 15, 2011 letter sent to Aqua Texas, Inc. (“Aqua” or “Aqua Texas”), the applicant seeking approval of the acquisition of Texas American Water Company (“Texas American”). The June 15th letter was written by Ms. Tammy Benter on behalf of the Executive Director. The applicant filed its request under Section 13.301 of the Water Code which applies to the sale, transfer, or merger (“STM”) of private water and sewer utilities. The June 15th letter indicated that the Executive Director was not going to request a hearing and that Aqua could proceed to close the transaction.

It turns out at the time the June 15th letter was written that the City of Houston had not received written notice of the transaction. Notice to the City of Houston is required by Commission rule. It further turns out *that besides Houston, three other cities did not receive mailed notice as required by the Commission rule.*

In making her determination, the Administrative Law Judge relied upon Subsection (f) of Section 13.301 but ignored the effect of three other subsections. Subsections (a), (g), and (h) require that public notice requirements be completed *before* an STM application is approved. Until public notice has been completed the 120-day review period for the Executive Director does not start to run. This can only mean one thing; namely, that the June 15th letter was at best only an interim opinion and at worst was simply void. Either way the Executive Director had authority on September 13, 2011 to refer the application to SOAH for a hearing.

II. NOTICE REQUIREMENTS

Before a sale, merger, or transfer of a certificate of convenience and necessity can be approved by the Commission public notice must be completed under Section 13.301 of the Water Code. ¹ TCEQ Rules 291.109 and 291.112 implemented Section 13.301.² Rule 291.112 spells out the notice requirements. Notice must be mailed to cities and neighboring retail public utilities, as follows:

The applicant shall mail notice to cities and neighboring retail public utilities providing the same utility service whose corporate limits or certificated service area boundaries are within two miles of the requested service area boundaries, and any city with an extraterritorial jurisdiction which overlaps the proposed service area boundaries.³

Under Rule 291.112(c)(3) mailed notice must be sent to cities in two situations. First, any city that provides water and sewer service and is located within two miles of

¹ Tex. Water Code §13.301(a)(2).

² *Application of East Cedar Creek Fresh Water Supply District, Certificate of Convenience and Necessity (CCN) No. 11682 to Acquire Facilities and Transfer a Portion of CCN No. 11206 from the City of Mabank and to Amend its CCN No. 11682, located in Henderson County, SOAH Docket No. 582-10-1868, TCEQ Docket No. 2009-1865-UCR, Proposal for Decision at page 4. (Nov. 10, 2010).*

³ 30 Tex. Admin. Code §291.112(c)(3).

the service territory of the utility to be acquired must be given notice. Second, any city whose extraterritorial jurisdiction (“ETJ”) overlaps with the service territory of the utility to be acquired must also be notified. So, in the case at bar, it was incumbent upon Aqua to notify cities that fell into either of these categories.

Aqua Texas is the largest investor-owned water and wastewater utility in Texas. Over the past ten years it has acquired the service territories of many private water and sewer companies in Texas. In this instance Aqua needed to review the service territories of Texas American Water Company that it was acquiring to determine which cities needed to be notified. It is evident that only a very cursory review was undertaken.

III. THE ALJ ERRED IN RULING THAT ADMINISTRATIVE APPROVAL IS FINAL BEFORE NOTICE IS COMPLETED

A. At the time the June 15th letter was issued notice had not been completed.

On March 30, 2011 a letter from Glen E. Lewis of Aqua Texas, with attachments, was filed at the Commission by Aqua Texas indicating what neighboring utilities and cities had been notified about the STM Application.⁴ From the listing of recipients in Exhibit A, attached to the letter, it is clear that the Cities of Houston, Hillcrest Village, Woodbranch Village and Stagecoach were not notified, as will be shown below, even though Rule 291.112(c)(3) required that they receive notice from Aqua Texas. Texas American, the utility being acquired, had service territory either in the ETJ of those cities or there was service territory within two miles of the cities who provide water and sewer service, or both.

In connection with the Customers’ Reply Brief⁵ dealing with the jurisdictional issues raised by Aqua Texas, an affidavit of cartographer Patrick Horton, along with his qualifications was filed in this proceeding. That affidavit⁶ has been reproduced for these

⁴ Exhibit ED-B. The list of neighboring utilities and cities notified is set forth in an attachment to the letter which was designated “Exhibit A”.

⁵ Customers’ Reply Brief on Jurisdiction, Standing, Summary Disposition and Remand filed at SOAH in this proceeding on December 6, 2011.

⁶ Customers’ Exhibit No. 2 attached to these exceptions.

exceptions along with the three maps prepared by Mr. Horton dealing with geographical boundaries of the Cities of Hillcrest Village⁷, Woodbranch Village⁸ and Stagecoach⁹ along with the boundaries of the pertinent public water systems of Texas American.

1. Aqua failed to notify the City of Houston until August 23, 2012.

The Administrative Law Judge found that the City of Houston had not been notified until August 23, 2011.¹⁰ The City of Houston has an ETJ which goes out five miles from its municipal boundaries.¹¹ Aqua determined that several of the Texas American public water systems are located close to Houston's corporate limits—but this determination was not made for more than two months *after* the June 15th letter.¹² In fact, two of the largest systems of Texas American, the Greenwood Village, and Mary Francis Subdivisions,¹³ are contiguous with the boundary for the City of Houston.¹⁴

2. Aqua failed to notify the City of Hillcrest Village.

In the notice filed with the TCEQ on March 30, 2011, the public water systems of Calico Farms and South Meadows are listed and their general location in Brazoria County is described.¹⁵ On Mr. Horton's map, Customers' Exhibit No. 3, it is easy to see that the service territory of those two Texas American subdivisions, are within two miles of the City of Hillcrest Village which is just to the southeast of the City of Alvin in Brazoria County. The City of Hillcrest Village provides water service¹⁶ and wastewater service¹⁷ to its citizens.¹⁸ Thus, the City of Hillcrest Village was entitled to notice but no notice was mailed to the City of Hillcrest Village.

⁷ Customers' Exhibit No. 3 attached to these exceptions.

⁸ Customers' Exhibit No. 4 attached to these exceptions.

⁹ Customers' Exhibit No. 6 attached to these exceptions.

¹⁰ Proposed Order, FOF No. 7.

¹¹ Texas Local Government Code §42.021 (a) (5).

¹² Exhibit ED-C at page 1.

¹³ Id, Attachment C, Harris County subdivisions.

¹⁴ Customers' Exhibit No. 1 attached to these exceptions.

¹⁵ Exhibit ED-C, Brazoria County Subdivisions.

¹⁶ <http://www10.tceq.state.tx.us/iwud/util/index.cfm?fuseaction=DetailUtility&ID=16842>.

¹⁷ The City of Hillcrest Village has a wastewater license and permit from the TCEQ as WQ0010420001.

¹⁸ <http://www.cityofhillcrestvillage.org/information.htm>.

3. Aqua failed to notify the City of Woodbranch Village

The City of Woodbranch Village is located approximately 32 miles north of the City of Houston and approximately 12 miles south of the City of Cleveland, Texas on US Highway 59. The Laird Estates Subdivision is a Texas American public water system and its location is generally described in the notice filed with the Commission.¹⁹ Woodbranch Village has its own water system²⁰ and its own wastewater system.²¹

The map attached to Customers' Exhibit No. 4 shows the geographic relationship of the City of Woodbranch Village to Laird Estates.²² As the map makes clear, Woodbranch Village is just across US Highway 59 from Laird Estates. Woodbranch Village has its own water system²³ and its own wastewater system.²⁴ It is well within the two mile perimeter for notice purposes. Yet, once again Aqua failed to provide notice to another city that it was required to notify.

4. Aqua failed to notify the City of Stagecoach.

Like Woodbranch Village, the City of Stagecoach is located in Montgomery County. The City is situated midway between the Cities of Magnolia and Tomball. The Enchanted Forest Subdivision in Montgomery County is one of the public water systems listed and generally described in the notice.²⁵ Due to its size²⁶, the City of Stagecoach has a half mile ETJ outside its municipal boundaries. As can be seen on the map attached as Customers' Exhibit No. 6, the service territory of Texas American's Enchanted Forest Subdivision overlaps with the extraterritorial jurisdiction of the City of Stagecoach. Thus, the City of Stagecoach should have been notified by Aqua, but was not so notified.

¹⁹ Exhibits ED-B.

²⁰ <http://www10.tceq.state.tx.us/iwud/util/index.cfm?fuseaction=DetailUtility&ID=17816>.

²¹ The City of Woodbranch Village has a wastewater license and permit from the TCEQ as WQ0011993001. The City Secretary for the City of Woodbranch Village also provided an affidavit regarding the fact that Woodbranch Village has its own water and wastewater system. See Customers' Exhibit No. 5 attached to these exceptions.

²² Customers' Exhibit No. 4.

²³ <http://www10.tceq.state.tx.us/iwud/util/index.cfm?fuseaction=DetailUtility&ID=17816>.

²⁴ The City of Woodbranch Village has a wastewater license and permit from the TCEQ as WQ0011993001. The City Secretary for Woodbranch Village also provided an affidavit regarding the fact that Woodbranch Village has its own water and wastewater system. See Customers' Exhibit No. 5 attached to these exceptions.

²⁵ Exhibit ED-B.

²⁶ Texas Local Government Code §42.021(a)(1).

B. Notice must be completed before administrative approval is final.

The Proposal for Decision (“PFD”) and the Proposed Order rely on only one subsection of Section 13.301 of the Water Code, Subsection (f).²⁷This is a fatal flaw in the analysis. Subsection (f) provides that a sale or acquisition may be completed: (1) at the end of a 120 day review period or (2) once the utility is notified by the Executive Director that a hearing will not be requested. On June 15, 2011 the Executive Director sent a letter to Aqua notifying the utility that a hearing would not be requested. At this point the PFD concludes that the application, for all practical purposes, was approved. However, it is possible to come to such a conclusion only if Subsection (f) is interpreted in isolation from three other subsections of Section 13.301. The three subsections are set forth below.

Subsection (a) A utility or a water supply or sewer service corporation, on or before the effective date of a sale, acquisition, lease, or rental of a water or sewer system that is required by law to possess a certificate of public convenience and necessity or the effective date of a merger or consolidation with such a utility or water supply or sewer service corporation, shall:

- (1) file a written application with the commission; and
- (2) unless public notice is waived by the executive director for good cause shown, give public notice of the action.

Subsection (g) If a hearing is requested or if the utility or water supply or sewer service corporation fails to make the application as required or to provide public notice, the sale, acquisition, lease, or rental may not be completed unless the commission determines that the proposed transaction serves the public interest.

Subsection (h) A sale, acquisition, lease, or rental of any water or sewer system required by law to possess a certificate of convenience and necessity that is not completed in accordance with the provisions of this section is void.

If the letter of June 15th is interpreted as the final approval of Aqua’s STM application, then, the three subsections will be nullified in whole or in part. Subsection (a) requires that a utility shall file a written application and “*shall*” provide public notice.

²⁷ Proposal for Decision at 3-4; Proposed Order, COL No. 4.

As set forth above, Aqua did not provide public notice to all the cities that it was required to notify by the time of the June 15th letter. To give effect to the public notice requirement of Subsection (a), the June 15th letter cannot be regarded as a final approval of the STM Application.

Subsection (g) requires that the commission—not the Executive Director—determine if the transaction is in the public interest if public notice has not been provided. If the June 15th letter is interpreted as the final approval of the application, then, the Commission would be deprived of its right to make the public interest determination when public notice has not been completed. So, to interpret the June 15th letter as the final approval of the STM application would largely nullify Subsection (g).

Subsection (h) mandates that any approval of the STM application would be void if the provisions of the section, including the public notice requirement of Subsection (a), are not complied with. In no uncertain terms, the Legislature has determined that the June 15th letter is void if public notice has not been mailed to the appropriate recipients.

To give effect to Subsections (a), (g) and (h), Subsection (f) assumes that at the time the letter is sent from the Executive Director that public notice had been completed. This is the only way all four subsections can be harmonized. In the event that public notice has not been completed at the time the letter is sent notifying the utility that a hearing is not going to be requested, then, the letter does not constitute final approval of the application but only an interim approval. This is consistent with the fact that the 120 day review period does not begin to run until public notice has been completed.

In commenting about the adoption of TCEQ Rule 291.109(a), the Commission made it perfectly clear that the Executive Director's 120 day review period does not begin to run until the required public notice has been completed.

The commission agrees that TWC §13.301, defines when the 120-day period begins. The commission disagrees that the adopted rule is beyond the commission's authority. The rule simply states, consistent with the statute, that

the 120-day period begins *after* the application is filed and any *required notice*, mailed and/or published, *has been provided*.²⁸(Emphasis added)

Thus, any letters issued by the Executive Director under Subsection (f) of Section 13.301 can only be interim in nature, prior to the start of the review period.

C. Blaming the Executive Director is not appropriate

Aqua claimed before the Administrative Law Judge that it notified everyone that the Executive Director told them to notify and thus should not be held responsible for the failure to provide notice to any other cities. This ignores the fact that it is the utility that is responsible for providing notice and not the Executive Director.²⁹ It is the utility, especially one whose parent corporation is publicly traded, that must do due diligence before the acquisition closes. At a minimum, in exercising due diligence, it is the acquiring utility that must become totally familiar with the assets, easements and service territory of the utility that it is seeking to acquire. It is totally inappropriate to blame the Executive Director for the failure to provide notice to the City of Woodbranch Village, for example. Woodbranch Village *is just across the road* from Laird Estates, one of the Texas American' subdivisions. The geographical location of this subdivision should have been totally familiar to Aqua as it prepared to close on the acquisition Texas American.

It is obvious that Aqua did not take its public notice responsibilities seriously. It is difficult to imagine that Aqua did not know that many of the Texas American subdivisions were located just outside the City of Houston. In spite of that fact, Aqua failed to mail notice to the City of Houston until two months after the June 15th letter had been issued.³⁰ This failure cannot be blamed on the Executive Director since it was the Executive Director who notified Aqua about this notice deficiency. In spite of being

²⁸ 30 Tex. Reg. 8973 (Dec. 30, 2005).

²⁹ 30 Tex. Admin. Code §291.112(c)(3).

³⁰ Proposal for Decision at 2; Proposed Order, FOF No. 7.

notified of this deficiency on July 29, 2011,³¹ Aqua still did not send a letter to the City of Houston for almost a month, August 23, 2011.³²

IV. THE EXECUTIVE DIRECTOR HAD AUTHORITY TO REFER THE APPLICATION TO SOAH.

Given the fact that the June 15th letter did not constitute final approval of the application, the Executive Director clearly had authority to refer the application to SOAH on September 13, 2011.³³ At the time of the referral the Executive Director was unaware of the failure to notify the Cities of Hillcrest Village, Woodbranch Village and Stagecoach. Now the Executive Director has additional reasons for the referral. Further, under Subsection (g) of Section 13.301, since public notice was not completed, the Commission must decide if the transaction is in the public interest. There are nine criteria for making a public interest determination.³⁴ This determination is highly fact intensive. The fact that public notice was not completed is a testament to the quality of management of Aqua Texas with regard to this fundamental requirement.

V. PRAYER

NOW COME Jesse Parker, Sandra Hyde, Richard T. Hyde and Rafael Alcala (“Customers”) who pray that this proceeding be remanded to the State Office of Administrative Hearings for a hearing, using the nine criteria for making a public interest determination under TCEQ Rule 291.109(e)(5). Customers pray that this remand to SOAH occur with all deliberate speed.

³¹ Id.

³² Id.; Proposed Order, FOF No. 6.

³³ Id.; Proposed Order, FOF No. 8.

³⁴ 30 Tex. Admin. Code §291.109(e)(5).

Respectfully submitted,

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State Bar No. 02795000 *Leslie Lindsay*

ATTORNEY FOR CUSTOMERS

CERTIFICATE OF SERVICE

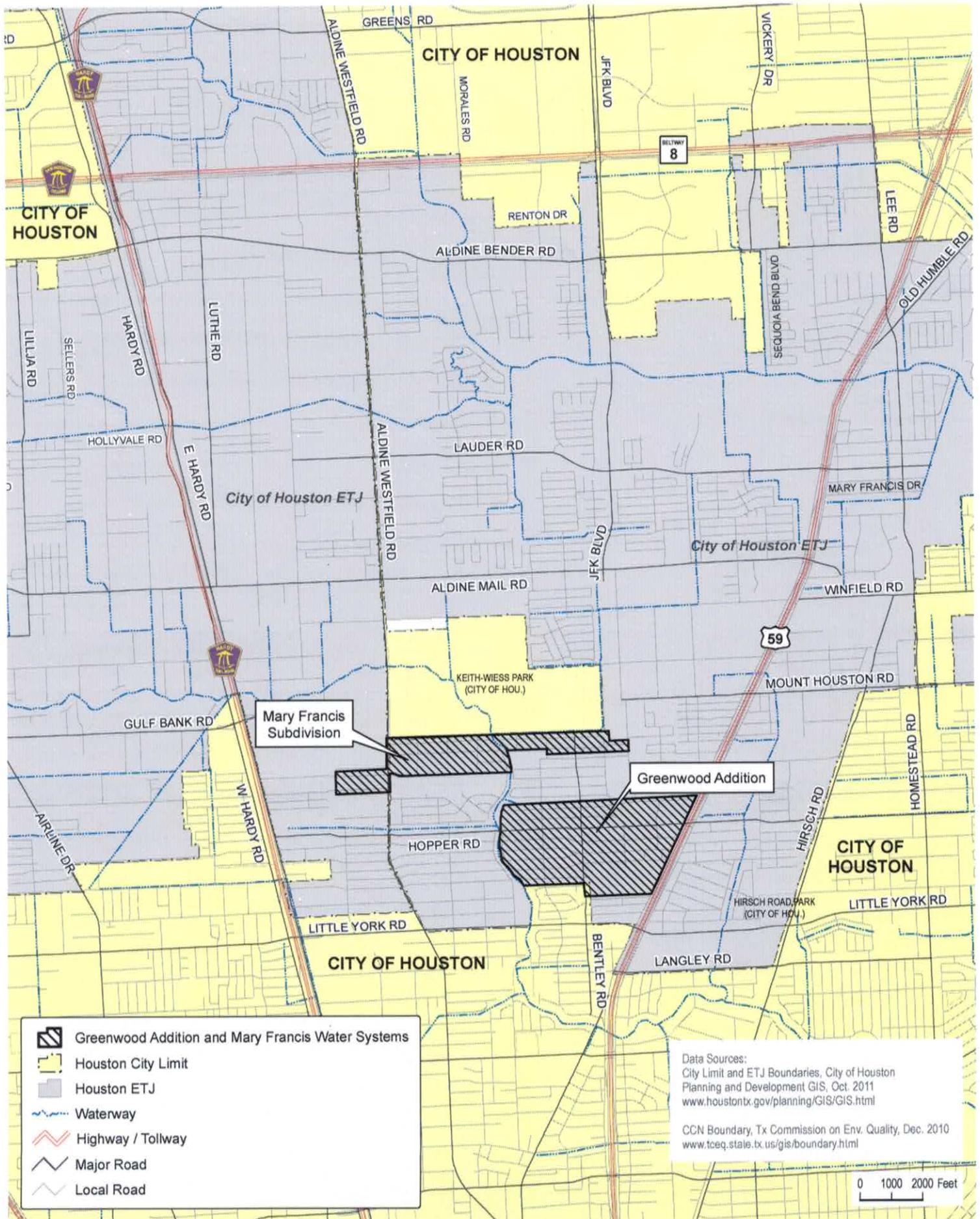
I hereby certify that a true and correct copy of the foregoing document was served upon all parties of record by fax and/or first class mail this 25th day of June, 2012.



Jim Boyle *w/permission*
Leslie Lindsay

CUSTOMERS' EXHIBIT NO. 1

Map Of Mary Francis
and Greenwood Village Subdivisions
and City of Houston's ETJ



CITY OF HOUSTON

CITY OF HOUSTON

City of Houston ETJ

City of Houston ETJ

CITY OF HOUSTON

CITY OF HOUSTON

Mary Francis Subdivision

Greenwood Addition

GREENS RD

ALDINE WESTFIELD RD

MORALES RD

JFK BLVD

VICKERY DR

BELTWAY 8

RENTON DR

ALDINE BENDER RD

LEE RD

OLD HUMBLE RD

SEQUOIA BEND BLVD

LULLIA RD

SELLERS RD

HARDY RD

LUTHE RD

HOLLYVALE RD

E HARDY RD

ALDINE WESTFIELD RD

LAUDER RD

MARY FRANCIS DR

ALDINE MAIL RD

JFK BLVD

59

WINFIELD RD

GULF BANK RD

Mary Francis Subdivision

KEITH-WIESS PARK (CITY OF HOU.)

MOUNT HOUSTON RD

W HARDY RD

HOPPER RD

Greenwood Addition

HIRSCH RD

HOMESTEAD RD

AIRLINE DR

LITTLE YORK RD

HIRSCH ROAD PARK (CITY OF HOU.)

LITTLE YORK RD

LANGLEY RD

BENTLEY RD

CUSTOMERS' EXHIBIT NO. 2

Affidavit of Patrick Horton,
Cartographer

AFFIDAVIT OF PATRICK HORTON

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE me, the undersigned authority, personally appeared Patrick Horton, who, being duly sworn, deposed as follows:

1. My name is Patrick L. Horton, I am of sound mind, capable of making this affidavit and personally acquainted with facts stated herein stated.
2. Since October, 2007 I have been employed as the GIS Administrator for Hawes Hill and Calderon LLP of Houston, Texas. The firm provides consulting services to Cities, Management Districts and other special purpose government entities. The firm is focused on finding resources to revitalize areas of cities and counties which are blighted or substandard.
3. For eleven years, from 1996 through September 2007, I was in charge of cartographic and geospatial projects to support regional and county-wide watershed planning efforts for the Houston-Galveston Area Council ("H-GAC"). There are thirteen counties served by H-GAC, including the Counties of Harris, Montgomery and Brazoria. The Cities of Hillcrest Village, Woodbranch Village and Stagecoach are members of H-GAC. They were members during the time that I was employed as a cartographer by the Council.
4. I have attached as an addendum to this affidavit, my work and educational background as a cartographer. The term "GIS" is used by cartographers to mean Geographical Information System. GIS is a computer system used for capturing, storing, analyzing, and managing data and associated attributes which are spatially referenced to the earth.
5. I prepared three maps which are attached to the Customers' Reply Brief filed in SOAH Docket No. 582-12-0707. The data that I used for the map of the City of Hillcrest Village's geographical relationship with the two Texas American Water Company's Public Water Systems, South Meadows and Calico Farms, came from: (a) City Limit Boundaries, Texas Strat

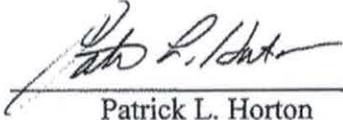
Map, Aug. 2010 (TNRIS); (b) Subdivision Boundary, Brazoria CAD 2007 and (c) CCN Boundary, Texas Commission on Environmental Quality, December, 2010

www.tceq.state.tx.us/gis/boundary.html >. The Hillcrest Village map is Attachment G to the Reply Brief. The data that I used for the City of Woodbranch Village's geographical relationship with the Texas American Water Company's Public Water System, Laird Estates, came from: (a) City Limit Boundaries, Montgomery CAD 2010; and (b) CCN Boundary, Texas Commission on Environmental Quality, December, 2010. The Woodbranch Village map is Attachment H to the Reply Brief. The data that I used for the City of Stagecoach's geographic relationship with Texas American Water Company's Public Water System, Enchanted Forest, came from: (a) City Limit Boundaries, Montgomery CAD 2010; and (c) CCN Boundary, Texas Commission on Environmental Quality, December, 2010, www.tceq.state.tx.us/gis/boundary.html >. The Stagecoach map is Attachment I to the Reply Brief.

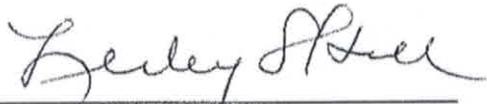
6. The information that I relied upon to create the maps, Attachment G, Attachment H and Attachment I to the Reply Brief, is the sort of information typically relied upon by cartographers like myself. Based on my knowledge of the areas involved and my checking with other data sources, I have no doubt about the accuracy of the data that I utilized to create the maps for the purpose for which it was being utilized; namely to show the geographic relationship of the Texas American Public Water Systems to the three cities.

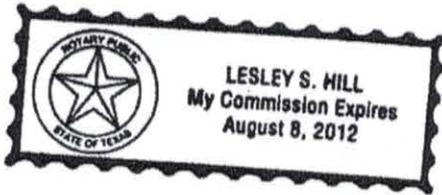
7. In my work for Hawes Hill and Calderon I am frequently called upon to utilize the 2010 census data with the maps, graphs or charts that I create. The firm manages and administers the East Aldine Management District. Both the Greenwood Village and the Mary Francis Subdivisions, Public Water Systems of Texas American Water Company are located in the District. Based on the 2010 census data, more than 70% of the residents are of Hispanic origin. This is consistent with my extensive contact with the District on many different projects.

Further affiant sayeth not.


Patrick L. Horton

SWORN TO and SUBSCRIBED before me by Patrick L. Horton on this 7th day of December, 2011.


Notary Public in and for the State of Texas



My commission expires: 8-8-2012

ADDENDUM

Qualifications of Cartographer Patrick L. Horton

Work History:

GIS Administrator

Hawes Hill Calderon LLP

(2007-present)

Responsible for supporting the geospatial, cartographic and real property land record data and information needs for special district clients, including municipalities, all across Texas.

Instructor

Houston Community College at Stafford Campus

(2005-2008)

Developed and taught 16 week GIS Course introducing students to the global positioning system, thematic cartography and the development of geographic databases.

Chief GIS Specialist, Community and Environmental Planning,

Houston-Galveston Area Council of Council of Governments for 13 Counties (“H-GAC”)

(1996 – 2007)

Developed web-based and interactive mapping applications providing access to regional geographic data sets, facilitating data delivery, and supporting regional, county-wide and watershed level planning efforts.

GIS Design Analyst

South Carolina Department of Health & Environmental Control

(1990 – 1995)

Lead in implementing and developing the agency’s enterprise-wide Regulatory and Environmental GIS.

Geographic Information System Technician

Research Planning, Inc

(1989 – 1990)

Developed, maintained and provided quality-control of digital natural resource databases used in hazardous material spill response.

Texas Natural Resources Information System, Intern

(Aug.–Dec. 1988)

Prior to graduating, Mr. Horton interned with the Texas Natural Resource Information System (part of the Texas Water Development Board) facilitating the management and access to the System’s vast statewide resource of maps and aerial photography.

Educational Background:

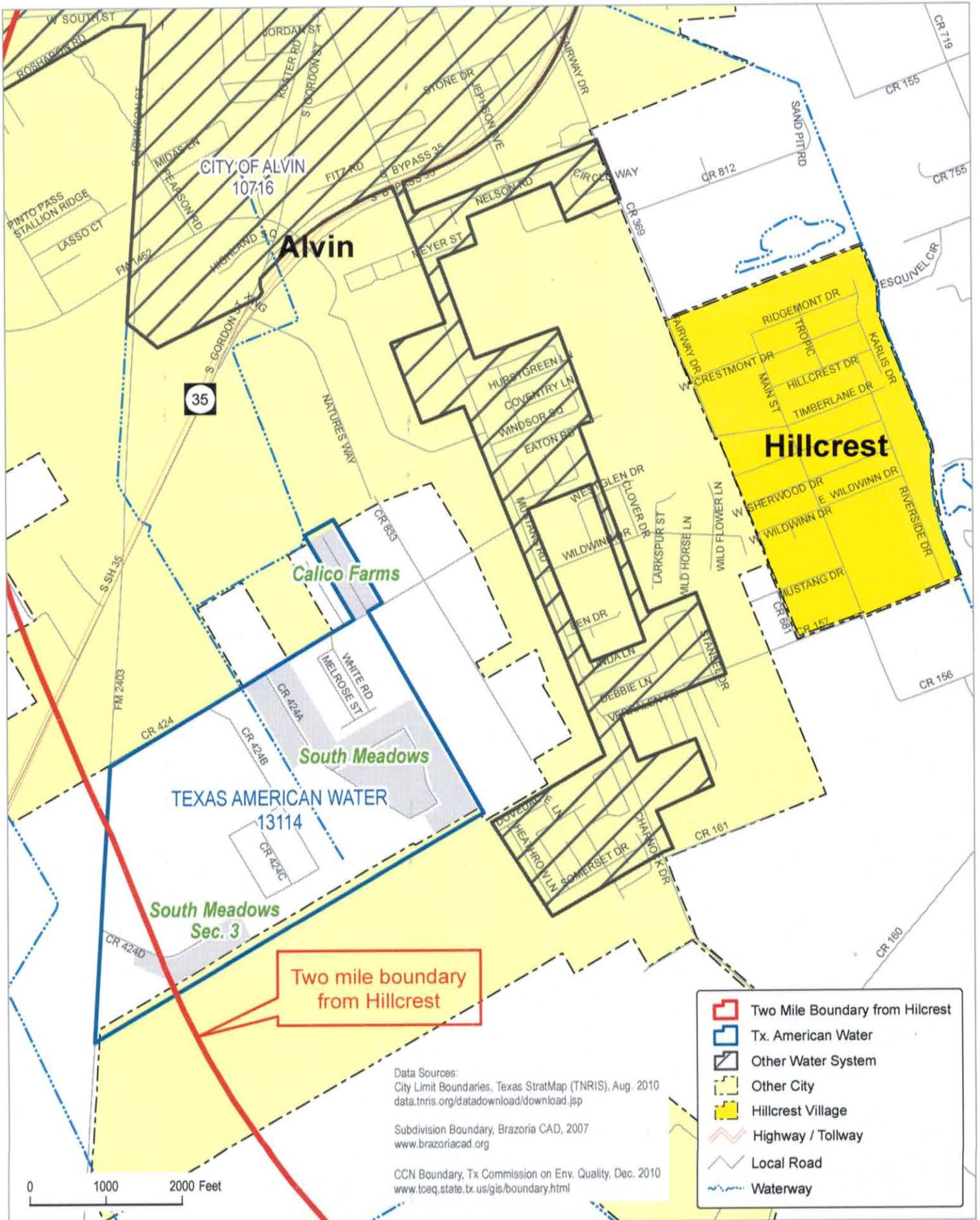
1988, Bachelor of Science Degree in Geography from Texas State University – San Marcos, with an emphasis in Geographic Techniques (Thematic Cartography, Aerial Photo interpretation, Remote Sensing and GIS). Completed extensive post-graduate training in the use and application of Geographic Information Systems, Global Positioning Systems, and internet-based technologies.

Special Studies and Projects:

- How's the Water, 1998-2007, Basin Summary Report of Water Quality
- H-GAC Illegal Dumping Online Database and Mapping System, Technical Support
- H-GAC Closed Landfill Inventory, Technical Support
- Basin Highlights Report, 1998-2007, Cartographic and Data Compilation
- Land Cover Analysis, 2002, GIS-based data to facilitate watershed analysis & protection, Houston-Galveston Region
- What watershed do you live in?, 2000 Large-format map production
- Galveston Bay Estuary Program (TNRIS), 1998-2000, Data and Information System, Principal Project Lead

CUSTOMERS' EXHIBIT NO. 3

Map of Calico and South Meadows
Subdivisions and City of Hillcrest Village



CITY OF ALVIN
10716

Alvin

Hillcrest

Calico Farms

South Meadows

TEXAS AMERICAN WATER
13114

**South Meadows
Sec. 3**

**Two mile boundary
from Hillcrest**

-  Two Mile Boundary from Hilcrest
-  Tx. American Water
-  Other Water System
-  Other City
-  Hillcrest Village
-  Highway / Tollway
-  Local Road
-  Waterway

Data Sources:
City Limit Boundaries, Texas StratMap (TNRIS), Aug. 2010
data.tnris.org/datadownload/download.jsp

Subdivision Boundary, Brazoria CAD, 2007
www.brazoriacad.org

CCN Boundary, Tx Commission on Env. Quality, Dec. 2010
www.tceq.state.tx.us/gis/boundary.html

0 1000 2000 Feet

CUSTOMERS' EXHIBIT NO. 4

**Map of Laird Estates Subdivision
and City of Woodbranch Village**

CUSTOMERS' EXHIBIT NO. 5

**Affidavit of Charlotte Smith,
City Secretary, City of Woodbranch Village**

CUSTOMERS' EXHIBIT NO. 6

**Map of Enchanted Forest Subdivision
and Stagecoach's ETJ**

