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May 21, 2021

Via First Class U.S. Mail  
 Office of the Chief Clerk  
 MC-105  
 TCEQ  
 P.O. Box 13087  
 Austin, Texas 78711-3087

**REVIEWED**

MAY 24 2021

By GCW

CHIEF CLERKS OFFICE  
 2021 MAY 24 PM 12:22  
 TEXAS COMMISSION  
 ON ENVIRONMENTAL  
 QUALITY

Re: Contested Hearing Request for Grayson County MUD No. 6

Dear Chief Clerk,

Our law firm represents Marilee Special Utility District, a political subdivision of the State of Texas ("Marilee"), who received the Texas Commission on Environmental Quality (the "Commission" or "TCEQ") letter dated April 20, 2021 and related notice for the creation of Grayson County Municipal Utility District No. 6, TCEQ Internal Control No. D-02262021-037 and No. D-1132020-024 (the "Notice"), respectively.

Marilee has not received a copy of an Affidavit of Publication or any information indicating that the required notice has been published. However, seeing that this written hearing request is within 30 days of the TCEQ letter dated April 20, 2021, this written hearing request is timely submitted.

Pursuant to the Notice, Marilee respectfully requests a contested case hearing regarding the creation of Grayson County Municipal Utility District No. 6 (the "proposed District"), and provides the required information as follows:

(1) Requestor's Information:

Marilee Special Utility District  
 Attn: General Manager  
 P.O. Box 1017, Celina, Texas 75009  
 Phone Number: (972) 382-3222  
 Fax Number: (972) 382-4864

with copy to:  
 The Law Office of James W. Wilson  
 103 W. Main Street, Allen, Texas 75002  
 Phone Number: (972) 727-9904  
 Fax Number: (972) 755-0904

- 
- (2) Petitioner: Razor Family Ranch LP, a Texas limited partnership  
CN605833664; RN111136032; TCEQ Internal Control No. D-1132020-024  
*See also* TCEQ Internal Control No. D-02262021-037 (as indicated in TCEQ letter dated April 20, 2021)
- (3) On behalf of Marilee Special Utility District, we request a contested case hearing.
- (4) Marilee is affected by the petition in a way not common to the general public. As provided further below, **all of the proposed District (273.7 acres) is located fully within Marilee's water service area** under Certificate of Convenience and Necessity No. 10150 ("CCN"). Under its CCN, Marilee is the **exclusive retail water service provider to the properties within its service area, including the proposed District.**

*If* the petition is granted, the Commission is authorizing the creation of a MUD, which can provide retail water service under Chapters 49 and 54 of the Texas Water Code, within Marilee's service area.

Marilee has **not** consented to the creation of the proposed District. Neither Petitioner nor the City of Gunter (the "City") have discussed with Marilee or provided any information regarding the specific purpose of the proposed District, what entity will be the water service to the proposed District, and has not reassured that Marilee will remain the retail water service provider for the proposed District, in writing.

Marilee did not receive a copy of the petition, the City's Resolution No. 2020-10-15-1, or any proposed water plans, to determine whether it is the intent of Petitioner and the City that Marilee will remain the water service provider.

Marilee only received the TCEQ letter and Notice issued by the Commission on April 20, 2021, which provides that:

"[t]he petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair, improve, and extend a waterworks and sanitary sewer system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of water; and (4) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend such additional facilities, including roads, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created ... the cost of said project will be approximately \$48,475,000 (\$33,050,000 for water, wastewater, and drainage ...." (emphasis added).

Absent information from Petitioner and the City to provide otherwise, Marilee would be greatly affected as the granting the petition would authorize the proposed District to be a water service provider in Marilee's CCN/service area.

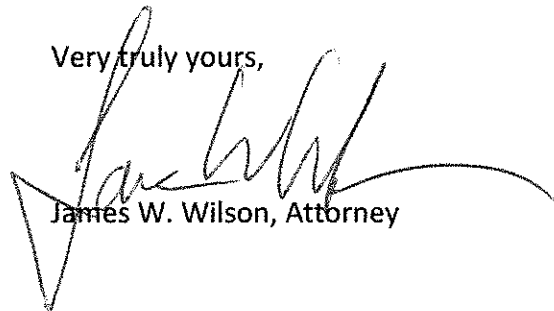
(5) As provided above, the proposed District is wholly located in Marilee's CCN. **Attachment A to this request includes a true and correct copy of the portion of Marilee's CCN and system map reflecting its waterlines and facilities, and the location of the proposed District is shown in red.** There are currently existing waterlines and meters of Marilee located on both tracts of the proposed District, including Marilee's waterline running through the 61.67-acre tract of the proposed District.

The following proposed adjustments to petition would satisfy Marilee's concerns:

- that Marilee is the sole retail water service provider to all land (including any subsequent subdivision thereof) of the proposed District
- that the Petitioner or any developer of the proposed District will request water service from Marilee, in accordance with Marilee's Rate Order, rules and regulations, as the CCN holder
- removal of any language indicating the proposed District will maintain, own, operate, repair, or improve a waterworks system.

Should you have any questions or require further information, please feel free to contact us.

Very truly yours,

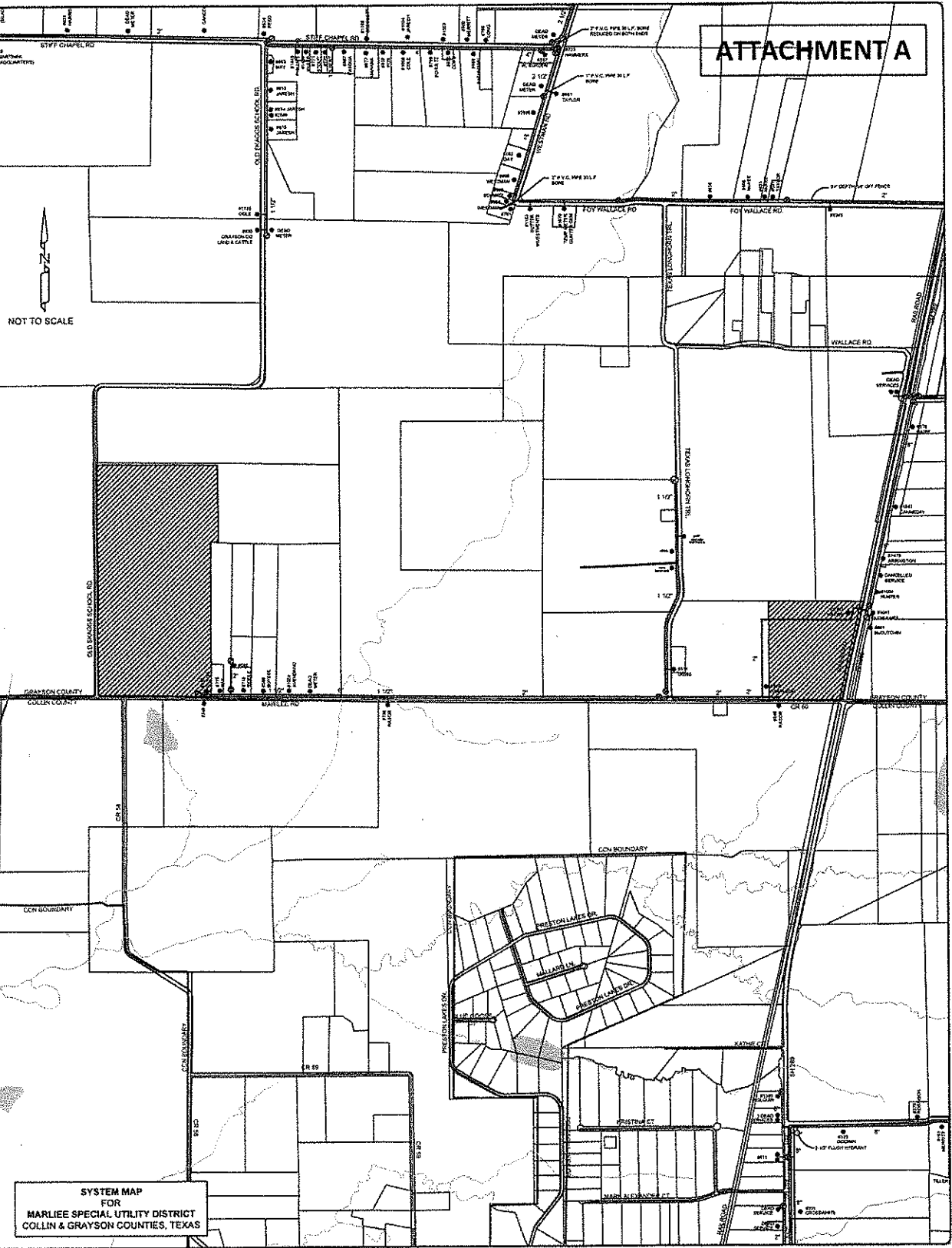


James W. Wilson, Attorney

Attachment

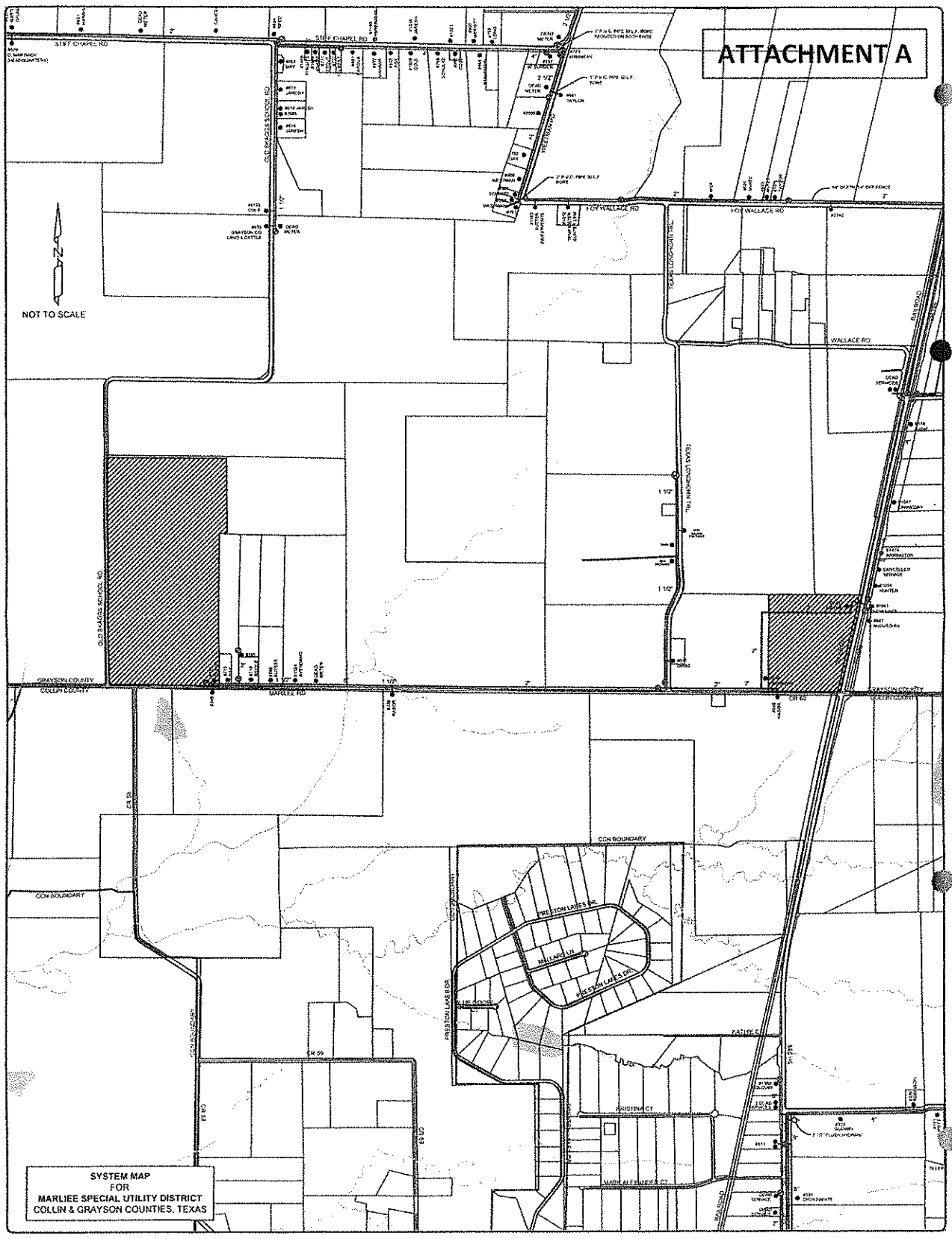
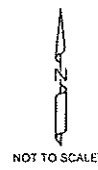
c: Marilee SUD *(via email)*

# ATTACHMENT A



SYSTEM MAP  
FOR  
MARLEE SPECIAL UTILITY DISTRICT  
COLLIN & GRAYSON COUNTIES, TEXAS

# ATTACHMENT A

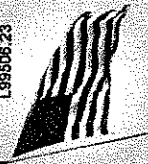


SYSTEM MAP  
FOR  
MARLEE SPECIAL UTILITY DISTRICT  
COLLIN & GRAYSON COUNTIES, TEXAS

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FROM 75013



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**W**

THE LAW OFFICE OF  
**JAMES W. WILSON**  
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CJ

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