

**TCEQ DOCKET NO. 2023-0845-DIS**

<b>PETITION REGARDING THE CREATION OF JOHNSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 1</b>	§ § § § §	<b>BEFORE THE TEXAS COMMISSION  ON  ENVIRONMENTAL QUALITY</b>
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**REPLY ON REQUEST FOR CONTESTED CASE HEARING**

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TO THE HONORABLE COMMISSIONERS:

COMES NOW, Johnson County Special Utility District (“JCSUD”) and files this reply on its request for a contested case hearing on the petition filed by applicant Samuell Sparkman Brindley Trust’s (“Trust”), now apparently replaced by Cipriani Island Laguna Azure, LLC and Megatel Homes, LLC (“Cipriani”),<sup>1</sup> for creation of Johnson County Municipal Utility District No. 1 (“Petition”) and would respectfully show the following.

JCSUD concurs with the recommendations of the TCEQ Executive Director and Office of Public Interest Counsel. JCSUD’s hearing request should be granted as it should be apparent that it is a retail public utility affected by the creation of a municipal utility district with authority to provide retail water service within JCSUD exclusive water certificate of convenience and necessity (“CCN”) No. 10081 service area. In fact, Cipriani’s response notes the fact that Cipriani has requested retail water service from JCSUD and offers no legal basis for denying JCSUD’s hearing request. The creation of Johnson County Municipal Utility District No. 1 would duplicate one or more services provided by JCSUD. JCSUD has a unique justiciable interest that could not be adequately represented by any other party and the TCEQ should grant JCSUD’s hearing request.

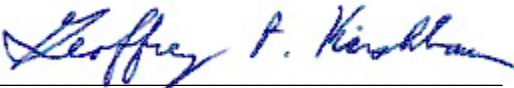
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<sup>1</sup> It looks like this just occurred on October 2, 2023. JCSUD questions the substitution’s propriety given public notice was provided earlier.

**PRAYER**

Johnson County Special Utility District is an “affected person” within the meaning of the Texas Water Code and the Texas Commission on Environmental Quality’s rules and opposes the Petition. JCSUD requests that the Commission hold a contested case hearing on Samuel Sparkman Brindley Trust’s or Cipriani’s petition for creation of Johnson County Municipal Utility District No. 1. Upon proper notice and hearing, JCSUD further requests the Commission deny the Petition.

Respectfully submitted,

By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2023, a true and correct copy of the foregoing has been served on the following as indicated:

**VIA TCEQ E-FILING**

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