



Control Number: 42852



Item Number: 25

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014.

TCEQ Interoffice Memorandum

RECEIVED 2852

EP

TO: Bridget C. Bohac, Chief Clerk

2014 SEP 17 PM 4:44
PUBLIC UTILITY COMMISSION
FILING CLERK

THRU: Tammy Benter, Manager
Utilities and Districts Section
Water Supply Division

4/29/14

Lisa Fuentes, Team Leader
Utilities Financial Review Team
Water Supply Division

4/29/14

FROM: Fred Bednarski
Utilities Financial Review Team
Water Supply Division

FB

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 MAY -1 PM 2:55
CHIEF CLERKS OFFICE

DATE: April 29, 2014

SUBJECT: Docket No. 2014-0594-UCR; Application from the City of Splendora to amend Certificate of Convenience and Necessity (CCN) No. 11727 in Montgomery and Liberty Counties; Application No. 37569-C

CN: 600624712; RN: 101384626

We hereby transfer the official file for the above referenced application to the Chief Clerk's Office. Please refer this application to the State Office of Administrative Hearings (SOAH) and request that a hearing be scheduled.

Texas Commission on Environmental Quality (TCEQ) received this application on April 1, 2013, and accepted for filing on June 28, 2013. On October 4, 2013, we received a protest from Russell & Rodriguez, L.L.P., Attorney at Law, on behalf of the City of Patton Village. The letter states that a portion of the proposed area is within an area where the City of Patton Village provides service or seeking to provide service.

Staff estimates 10 people to attend this hearing. Attached is a mailing list for this application.

The staff assigned to this case are:

Technical - Fred Bednarski/Heidi Graham

Legal -

If we may be of further service regarding this matter, please call.

Tammy Benter

Tammy Benter, Section Manager

TB/FB/mmg

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Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 29, 2014

Mr. Jeremy Williams
Utility Director
City of Splendora
P.O. Box 1087
Splendora, Texas 77372

Re: Docket No. 2014-0594-UCR; Application from the City of Splendora to Amend Certificate of Convenience and Necessity (CCN) No. 11727 in Montgomery and Liberty Counties; Application No. 37569-C

CN 600624712; RN 101384626

Dear Mr. Williams:

On April 1, 2013, the Texas Commission on Environmental Quality (TCEQ) received your application to amend a CCN in Montgomery and Liberty Counties and accepted it for filing on June 28, 2013. TCEQ received a protest from Russell & Rodriguez, L.L.P. representing the City of Patton Village.

This matter has been referred to the State Office of Administrative Hearings for scheduling. When a hearing has been scheduled, you will receive a notice of hearing which explains when and where the hearing will be held.

In order to review the application, the staff of the TCEQ may need additional information regarding your utility's service. You may be receiving Staff Requests for Information (RFI's) within a few weeks. We would appreciate your cooperation in providing the information requested.

If you have questions about this process or what material you should bring with you to the hearing, please contact Mr. Fred Bednarski at (512) 239-4758, email fred.bednarski@tceq.texas.gov or Ms. Heidi Graham at (512) 239-0844, by fax at 512/239-0030, or if by correspondence include MC153 in the letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Tammy Benter".

Tammy Benter, Section Manager
Utilities and Districts Section
Water Supply Division
Texas Commission on Environmental Quality

TB/FB/mmg

Mailing List for City of Splendor
Docket No. 2014-0594-UCR
(Application No. 37569-C)

Mr. Jeremy Williams
Utility Director
City of Splendor
P.O. Box 1087
Splendor, Texas 77372

Representing – The City of Splendor

Mr. Arturo Rodriguez
Russell & Rodriguez, L.L.P.
1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628

Representing – The City of Patton Village

Todd Galiga, Environmental Law Division, MC 173
Vic McWherter, Public Interest Counsel, MC 103
Fred Bednarski, Plan & Groundwater Review Section, MC 153
TCEQ Region No. 12 Office

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: City of Patton Village Call from: Joy
Date of call: 2/19/14 File no.: 37569-C
Phone no.: (281) 689-9511 Subject: Map Protest

Information for file: ^{with Joy} Left a message for Lead Tenant
Mayor Pro-Tem with ~~City of Patton~~ ^{City of Patton}
Village to resolve ~~the~~ ^{the} CAN boundary
dispute or will refer to hearing
as of this Friday 2/21/14.

Signed Fred Bednarski

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen

William Heubner

Call to: O'Malley Engineers

Call from: Fred B

Date of call: 2/19/14

File no.: [scribble]

Phone no.: (817) 836-7937

Subject: 39569-C

Information for file:

*Informed William about trouble
obtaining disclosure from Russell &
Rodriguez, LLP to resolve protest.
Counsel gave party on Feb firm a
deadline ~~at~~ as of this Friday ^{2/21} to
resolve the issue. William stated
that regardless they do not want
to cancel the application
withdraw*

Signed

Fred Bealnski

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: _____	Call from: <u>Richard Charly</u>
Date of call: <u>2/17/14</u>	File no.: _____
Phone no.: <u>(512) 930-1317</u>	Subject: <u>City of Splendora</u> <u>City of Potters Village</u>

Information for file: A Rodriguez → City council meeting this Thursday get involved with us this Friday.

→ 2/19/14 → Lett Art ~~at~~ message for the City of Potters Village to resolve protest or refer to hearing this Friday 2/19/14.

Signed F. J. Beckwith, DTP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

O'Malley Engineers

Call to: William Huebner
Date of call: 11/14/13
Phone no.: (979) 836-7937

Call from: Fred Bednarski III
File no.: 37569 - C
Subject: Opt Out Information

11/14/13

Information for file: Talked to Mr. Huebner ^{and} inquired about the information we forwarded him regarding the 3 opt out notices + 1 protest. He replied that they have all the information needed to draw the opt outs except for the City of Totten Village. They are trying to come to some sort of agreement and will be in touch as soon as he is able to come to some sort of agreement. The guy working on this is out of the office until next Monday due to a wedding.

Signed Fred Bednarski III