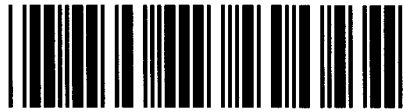
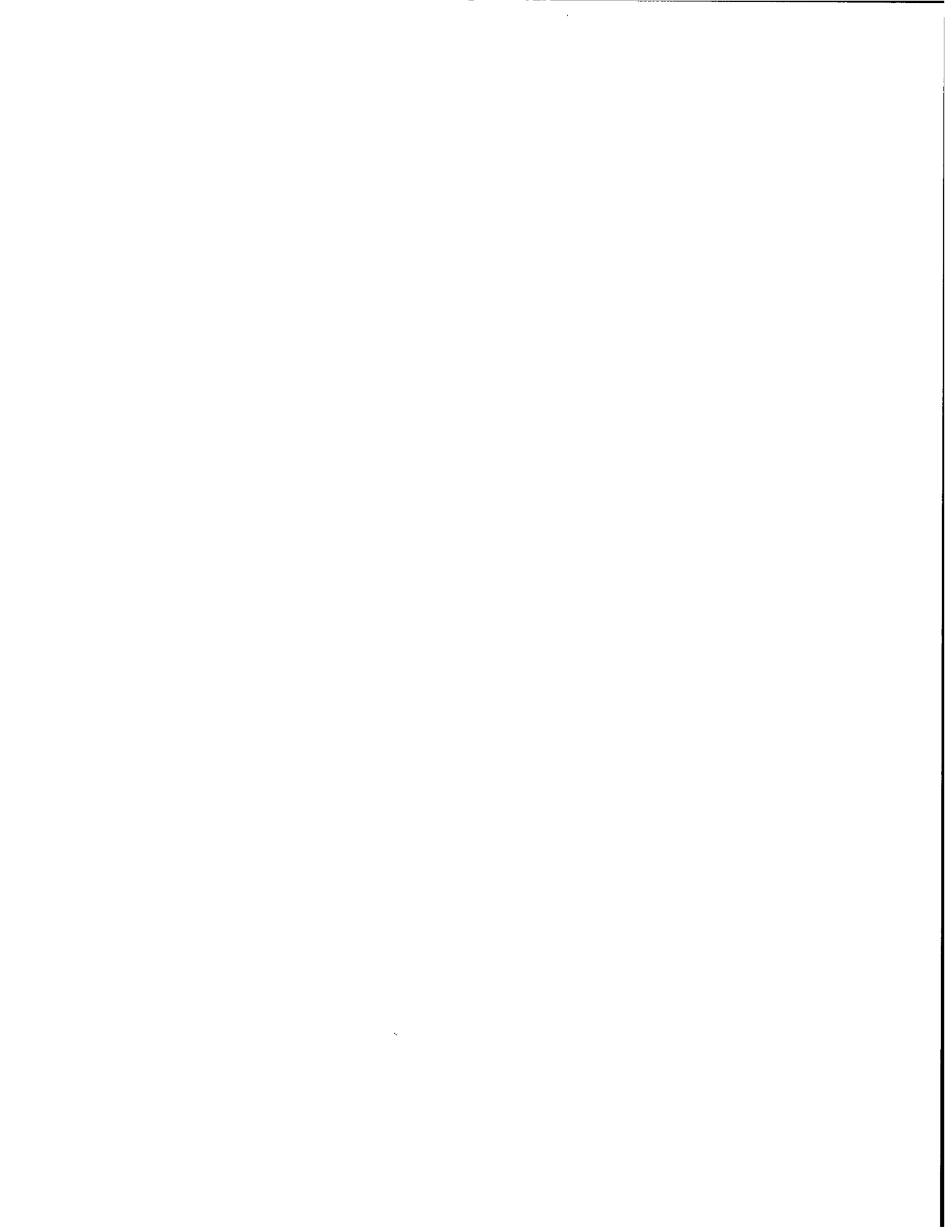


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Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
PROTECTING TEXAS BY REDUCING AND PREVENTING POLLUTION
QUALITY COMMISSION
FILING CLERK

April 22, 2013

**BY FAX 979/836-7936 AND
BY CERTIFIED MAIL**

Mr. William J. Huebner, P.E.
O' Malley Engineers, LLP
P.O. Box 1976
Brenham, Texas 77834

NOTICE OF DEFICIENCY

Re: Application from the City of Splendor 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. Huebner:

Your CCN application for the City of Splendor received on April 1, 2013, has been assigned Application No. 37569-C, but has not been accepted for filing. Please refer to the application number in future correspondence.

Additional information is necessary in order for your application to be accepted for filing.

Maps do not meet requirements. Digital data submitted does not appear to be projected. Also, there were no actual location maps and no facilities maps. Data for existing CCN areas is available at <http://www.tceq.texas.gov/gis/iwudview.html>. Please provide four (4) copies the following items:

- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county; and
- B. A map showing only the proposed area by:
 - i. Metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - ii. Projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
 - iii. Following verifiable natural and man-made landmarks; or
 - iv. A copy of recorded plat map with metes and bounds; and
- C. Provide separate and additional maps of the proposed area(s) to show the following:

Mr. William J. Huebner, P.E.

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- i. All facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
- ii. Any facilities, customers or area currently being served outside the applicant's certificated area(s).

Please note that on November 14, 2012, the Commission implemented a policy to strictly enforce the requirement that CCN related applications include a complete list of entities providing the same type of retail utility service (i.e., water and/or sewer) as requested in the application, within a specified area. See the "New System Information" under Item 4 of the application. For applicants requesting a new CCN for the first time, the requirement is to provide a list of entities within a five mile area of the proposed area. For applicants requesting to amend an existing CCN, the requirement is to provide a list of entities within two miles of the proposed area. The list should include should include all retail public utilities, counties, districts and groundwater districts, and cities whose corporate limits and/or extraterritorial jurisdiction (ETJ) are within two and/or five miles of your proposed CCN area.

Below are TCEQ links that will assist you in assembling the list:

<http://www.tceq.texas.gov/gis/iwudview.html>. Please note that the iWUD Viewer only provides information on entities with registered CCN numbers.

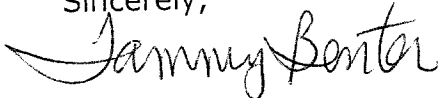
<http://www.tceq.texas.gov/groundwater/districts/html>. For groundwater conservation districts.

Assistance through the TCEQ's Financial Managerial and Technical (FMT) contract is available for applicants in need of assistance in compiling their list and for help using the iWUD Viewer. To request assistance, please contact the Water Supply Division at utildist@tceq.texas.gov or 512/239-4691.

Processing of the above referenced application cannot proceed and notices cannot be published or mailed until we receive the requested items. These items must be completed and returned to our office by **May 20, 2013**. If we do not receive the requested information by this date your application will be returned for failure to prosecute.

If you have any questions, please contact Ms. Kristy Nguyen at 512/239-4634, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

TB/KN/om