



Control Number: 42923



Item Number: 1

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.



FULCRUM

CONSULTING SERVICES

#42923

PLANNERS * ENGINEERS * ARCHITECTS * SURVEYORS

June 27, 2013

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Water Supply Division
Utilities & Districts Section MC-153
P.O. Box 13087
Austin, TX 78711-3087

Re: City of Edcouch - Application to Obtain or Amend A Water or Sewer
Certificate of Convenience and Necessity (CCN)

Dear Utilities & Districts Section,

Enclosed please find ONE (1) original and THREE (3) copies of an Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN) for the City of Edcouch. If you should have any questions of concerns please feel free to contact me by phone (956-797-3411) or by email (rysquierdo@fulcrum-cs.com).

Sincerely,
Fulcrum Consulting Services, Inc.

Raul Ysquierdo Jr.
Graduate/Project Engineer

XC: Fulcrum Consulting Services – Office File

RECEIVED
2014 SEP 19 PM 2:44
PUBLIC UTILITY COMMISSION
FILING CLERK



**APPLICATION TO OBTAIN OR AMEND A WATER OR
SEWER CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN)**

2013 JUN 28 PM 11 40
WATER SUPPLY DIV.
TCEQ
RECEIVED

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CERTIFICATE OF CONVENIENCE AND NECESSITY

CITY OF EDCOUCH

APPLICATION TO OBTAIN A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

HIDALGO, TEXAS

PREPARED BY:

FULCRUM CONSULTING SERVICES

P.O. BOX 530540

HARLINGEN, TEXAS 78553-0540

CITY OF EDCOUCH
CCN APPLICATION

ATTACHMENTS

ATTACHMENT A APPLICANT INFORMATION

- 1 C.i: Articles of Incorporation and By-Laws
- 1 C.iii: Identification of all members

ATTACHMENT B LOCATION INFORMATION

- 2. B.iii: Addresses, Economic Needs

ATTACHMENT C

- 3 A: General Location Map
- 3 C: Description for Proposed Area

ATTACHMENT D EXISTING SYSTEM INFORMATION

- 4 A.i: List of Public Drinking Water Supply System(s)
- 4 A.iv: Wastewater Treatment Permit

ATTACHMENT E FINANCIAL INFORMATION

- 5 A. iv: Inspection Report Letter
- 5 A. v: Explanation of Actions



APPLICATION TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

*CN# 600676683

*RN#

*If known (See Instructions)

PURPOSE OF THIS APPLICATION

☒ OBTAIN ☐ New Water CCN ☒ New Sewer CCN

☐ AMEND ☐ Water CCN# ☐ Sewer CCN#

1. APPLICANT INFORMATION

Utility Name CITY OF EDCOUCH

Utility Address (City/ST/ZIP/Code) 211 SOUTHERN AVE/ EDCOUCH, TX/ 78538

Utility Phone Number and Fax (956) 262-2140 / (956) 262-4953

Contact Person: Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant manager, or other title related to the applicant.

Name Robert S. Schmalzried

Title Mayor

Street Address (City/ST/ZIP/Code) 211 SOUTHERN AVE/ EDCOUCH, TX/ 78538

Telephone and Fax (956) 262-2140 / (956) 262-4953

E-Mail Address cityofedcouch@aol.com

County (ies) in which service is proposed: HIDALGO COUNTY

A. Check the appropriate box and provide information regarding the legal status of the applicant:

- ☐ Investor owned utility
☐ Individual
☐ Home or Property Owners Association
☐ Partnership
☐ For-profit corporation
☒ Non-profit, member-owned, member-controlled cooperative corporation
(Water Code Chapter 67, Water Supply or Sewer Service Corporation)
☐ Municipality
☐ District
☐ Other Please Explain:

In addition to these factors,

- the Commission must ensure that the applicant possesses the financial, managerial, and technical capability to provide continuous and adequate service **AND**
- the applicant must also demonstrate that regionalization or consolidation with another retail public utility is not economically feasible.

If there are **no protests**, you will be provided a copy of the technical staff recommendation and proposed CCN. If you have any questions or concerns, you should contact the technical staff person assigned to your application immediately. If you disagree with the staff recommendation and/or proposed CCN, the application will be considered contested, and a hearing may be requested.

If the application is **contested and a hearing is requested**, the application may be referred to the State Office of Administrative Hearings (SOAH). During the preliminary hearing, the presiding Administrative Law Judge (ALJ) may give the parties time to negotiate a settlement. Alternative Dispute Resolution (ADR) is available upon request of all of the parties. If a settlement is reached, the application will be remanded to staff for administrative processing. If a settlement is not reached, a discovery schedule and a date for an evidentiary hearing will be set. The ALJ will take testimony from each party and present a report to the Commission to consider in making a final decision on the application.

The completed application and copies should be sent to:

Texas Commission on Environmental Quality
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

★★★THIS APPLICATION IS NOT A RATE CHANGE APPLICATION.
THE APPROPRIATE FORMS NEEDED TO FILE A RATE CHANGE
APPLICATION MAY BE OBTAINED BY CONTACTING THE
UTILITIES AND DISTRICTS SECTION, TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY. ★★★

N/A

- B. If the applicant is a For-Profit business or corporation, please include the following information:
- Provide a copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts.
 - Provide the corporation's charter number as recorded with the Office of the Texas Secretary Of State _____
 - Provide a listing of all stockholders and their respective percentages of ownership.
 - Provide a copy of the company's organizational chart, if available.
 - Provide a list of all directors and disclose the title of each individual.
 - Provide a list of all affiliated organizations (if any) and explain the relationship with the applicant.
- C. If the applicant is a Water Code Chapter 67 water supply or sewer service corporation: SEE ATTACHMENT A
- Provide a copy of the Articles of Incorporation and By-Laws.
 - Provide the corporation's charter number as recorded with the Office of the Texas Secretary of State.
 - Identify all members including name, address, title, and telephone number.
 - Provide a copy of the corporation's Certificate of Account Status from the Texas Comptroller of Public Accounts.

2. LOCATION INFORMATION

- A. Are there people already living in the proposed area? ☒ Yes ☐ No

If YES, are any currently receiving utility service?

☒ Yes ☐ No If YES, from Whom? CITY OF EDCOUCH _____

Demonstrate the Need for Service by providing the following:

- B. Have you received any requests for service in the requested service area?
- ☒ Yes ☐ No If YES, provide the following: PLEASE SEE ATTACHMENT B
- Describe the service area and circumstances driving the need for service in the requested area. Indicate the name(s) and address(es) of landowner(s), prospective landowner(s), tenant(s), or resident(s) that have requested service; and/or
 - Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, septic tank permits, hospitals, etc.); and/or
 - Discuss in detail the environmental need(s) for service in the requested area (i.e. failing septic tanks in the requested area, fueling wells, etc.); and/or
 - Provide copies of any written applications or requests for service in the requested area; and/or
 - Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area. If no, please justify the need for service in the proposed area.
 - If none of these items exist or are available, please justify the need for service in the proposed area in writing.

Note: Failure to demonstrate a need for additional service in the proposed service area may result in the delay and /or possible denial of the application.

- C. Is any portion of the proposed service area inside an incorporated city or district?

☒ Yes ☐ No

If YES, within the corporate limits of: City of Edcouch

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

- D. Is any portion of the proposed service area inside another utility's CCN area?

☐ Yes ☒ No

If YES, has the current CCN holder agreed to decertify the proposed area?

☐ Yes ☐ No N/A

If NO, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest.

3. MAP REQUIREMENTS: SEE ATTCHMENT C

Attach the following hard copy maps with each copy of the application:

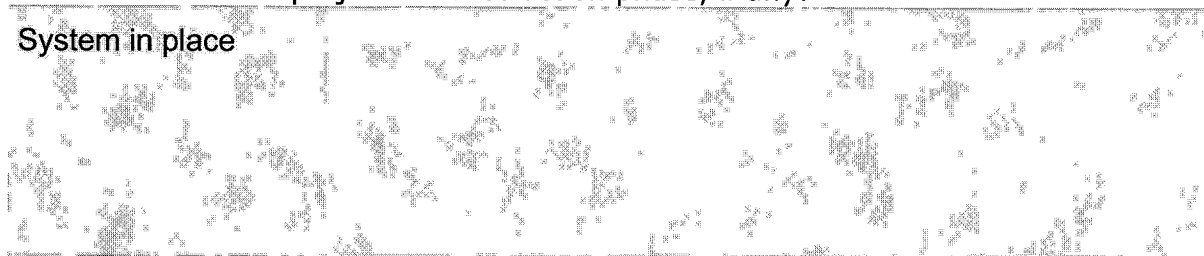
- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
- B. A map showing only the proposed area by:
- metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - projectable 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
 - following verifiable natural and man-made landmarks; or
 - a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area.
- D. Provide separate and additional maps of the proposed area(s) to show the following:
- all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
 - any facilities, customers or area currently being served outside the applicant's certificated area(s).

Note: Failure to provide adequate mapping information may result in the delay or possible denial of your application. Digital data submitted in a format other than ESRI ArcGIS may result in the delay or inability to review applicant's mapping information.

4. NEW SYSTEM INFORMATION OR UTILITIES REQUESTING A CCN FOR THE FIRST TIME SEE ATTACHMENT D

- A. Please provide the following information:
- a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
 - copies of written requests seeking to obtain service from each of the public drinking water systems or sewer systems listed in #4.A.i above or documentation that it is not economically feasible to obtain service from each entity;
 - copies of written responses from each system or evidence that they did not reply; and
 - for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
- B. Were your requests for service denied?
- If yes, please provide documentation of the denial of service and go to 4.C.
 - If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separate analysis must be prepared and submitted for each utility that granted your request for service.
- C. Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any:

System in place



- D. Date of plat approval, if required: _____
Approved by: _____
- E. Date Plans & Specifications submitted for approval: _____
Log # _____ Attach copy of approval letter if available.
- F. Date construction is scheduled to commence: _____
- G. Date service is scheduled to commence: _____

5. EXISTING SYSTEM INFORMATION

- A. Please provide the following information for **each** water and/or sewer system, attach additional sheets if necessary.

i. Water system's TCEQ Public Water System identification number(s):

1	0	8	0	0	0	3												
---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

ii. Sewer system's TCEQ Discharge Permit number(s)

W	Q	t	x	0	0	5	-	6	1	4	W	Q					-			
---	---	---	---	---	---	---	---	---	---	---	---	---	--	--	--	--	---	--	--	--

- iii Date of last inspection: 01/23/2013
- iv Attach a copy of the most recent inspection report letter, SEE ATTACHMENT E
- v For each system deficiency listed in the inspection report letter; attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates.

- B. Provide the following information about the utility's certified operators

Name	Classes	License Number
Juan L. Olivares	B	WS0005641
Juan L. Olivares	B	WW0012861
Rigoberto Garza	B	WS00000067
Rigoberto Garza	C	WW0036188
Antonio Carrillo	A	W00000001

- Attach additional sheet(s) if necessary -

- C. Using the current number of customers, is any facility component in systems named in #5A above operating at 85% or greater of minimum standard capacity?

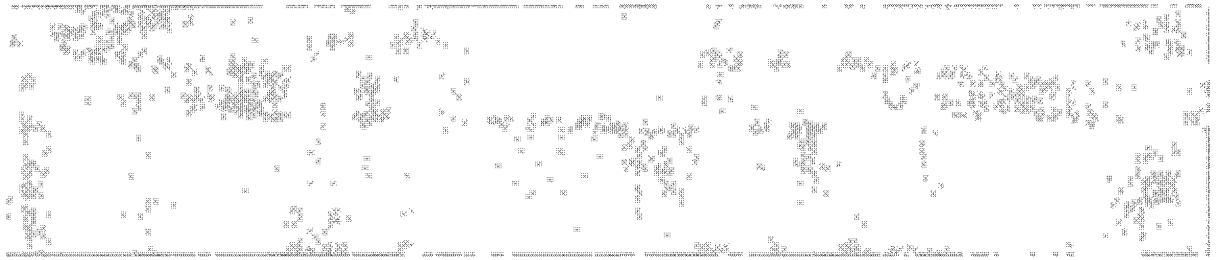
☒ Yes ☐ No

Attach an explanation listing the actions to be taken to make system improvements including proposed completion dates (See 291.93(3)(A) of TCEQ Rules).

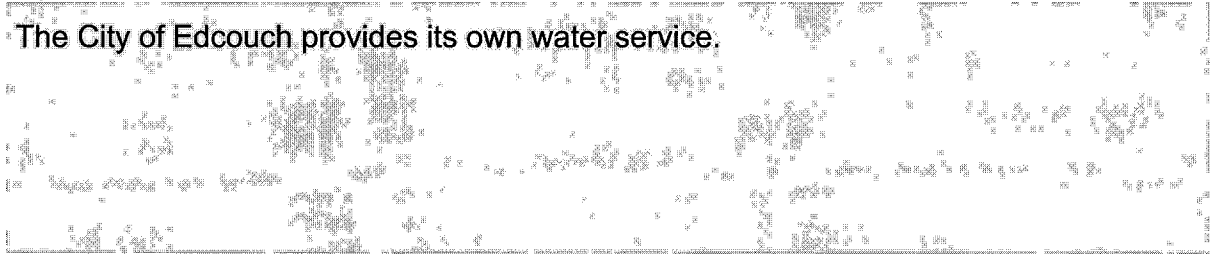
- D. in the table below, the number of existing and/or proposed metered and non-metered connections (by size). The proposed number should reflect the information presented in the business plan or financial documentation and reflect the number of service requests identified in Question 2.b in the application.

Water System			Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
5/8" or 3/4" meter			Residential		
1" meter or larger			Commercial		
Non-Metered			Industrial		
Other:			Other:		
Total Water			Total Sewer		

- E. If this application is for a water CCN only, please explain how sewer service is or will be provided:



- F. If this application is for a sewer CCN only, please explain how water service is or will be provided:



- G. Effect of Granting a Certificate Amendment. N/A
Explain in detail the effect of granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following:
- i the applicant,
 - ii any retail public utility of the same kind already serving the proximate area; and
 - iii any landowner(s) in the requested area.

- H. Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?

- i ☒ No, (skip the rest of this question and go to #6)
- ii ☐ Yes, Water

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Source	% of Total Treatment

- iii Sewer treatment capacity,

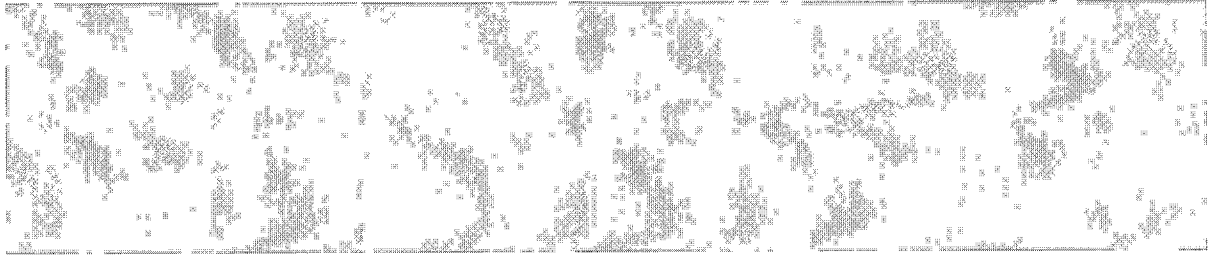
- iv ☐ Yes

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Source	% of Total Treatment

- vi Provide a signed and dated copy of the most current water or sewer treatment capacity purchase agreement or contract.

- I. Ability to Provide Adequate Service.
Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration:
- i. the current and projected density, and
 - ii. the land use of the requested area.
- J Effect on the Land.
Explain the effect on the land to be included in the certificated area.



6. FINANCIAL INFORMATION

- A. For new systems and for applicants with existing CCNs who are constructing a new stand alone system: N/A
- i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system, and the source of that capital (such as a financial statement for the developing entity) for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
 - ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates should correlate to the projected growth in connections, shown on the projected profit and loss statement.
 - iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.
- B. For existing systems:
- i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
 - ii. Attach a proposed rate schedule or tariff.
★NOTE: An existing system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application.
- C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.

- D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.

Note: Failure to provide adequate financial information may result in the delay or possible denial of your application.

7. NOTICE REQUIREMENTS

- A. All proposed notice forms must be completed and submitted with the application. However, do not mail or publish them until you receive written approval from the Commission to do so.
- B. The Commission cannot grant a CCN until proper notice of the application has been given. **Commission rules do not allow a waiver of these notice requirements for CCN applicants.**
- C. **It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.**
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more, and customers are included with this application to use in preparing your proposed notices. (These notice forms are also available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the Commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully and note any additional neighboring utilities which may be included in the acceptance letter.
- F. Notice For Publication:
The applicant shall publish the notice in a newspaper having general circulation in the county or counties where a CCN is being requested, once each week for two consecutive weeks beginning with the week after the notice is received from the Commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the Commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. Notice To Neighboring Utilities:
- i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area.
 - ii. For applications for the issuance of a **NEW** CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **five (5) miles** of the requested service area.
 - iii. For applications for the **AMENDMENT** of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **two (2) miles** of the requested service area.

- H. Notice to Customers
Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application. The notice must also list all zip codes affected by the application.
- I. The Commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the Commission. Wait until you receive written authorization to do so. This will occur after the Commission has reviewed the notices for completeness, and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public. It is the applicant's burden to ensure that correct and accurate notice is provided.

OATH

STATE OF TEXAS
COUNTY OF HIDALGO

I, Robert S. Schmalzried, being duly sworn, file this application as City of Edcouch (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Commission on Environmental Quality.

I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.



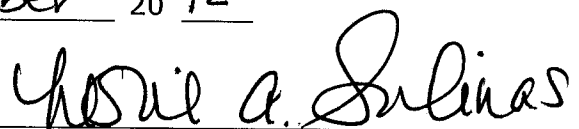
AFFIANT

(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas,
This day 20 of November 20 12

SEAL



NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS



Leslie A. Salinas

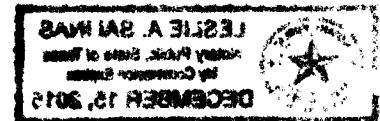
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES

12/15/15

- H. Notice to Customers
Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application. The notice must also list all zip codes affected by the application.
- I. The Commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the Commission. Wait until you receive written authorization to do so. This will occur after the Commission has reviewed the notices for completeness, and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public. It is the applicant's burden to ensure that correct and accurate notice is provided.



Notice to Customers of IOUs in Proposed Area

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN

Hidalgo COUNTY(IES), TEXAS

Dear Customer: _____ Date Notice Mailed _____ 20 13

Name of Applicant City of Edcouch has filed an application for a
CCN to obtain or amend CCN No. (s) _____ and to
decertify a portion(s) of _____ with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide Sewer
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hidalgo County(ies).

The proposed utility service area is located approximately 2 miles East
[direction] of downtown Elsa, [City or Town] Texas.

A copy of the proposed service area map is available at (Utility Address and Phone
Number): 211 Southern Avenue Edcouch, Texas

The proposed amendment affects customers and/or areas located in the following zip
code(s):

78538

(List All Affected Zip Codes)

The current utility rates which were first effective on September 2 20 05

Monthly Flat Rate of \$ _____ Per connection

-OR-

Monthly Base Rate Including per 1000 gallons
connection for:

5/8" meter	\$ <u>12.00</u>
1" meter	\$ _____
1 1/2" meter	\$ _____
2" meter	\$ _____

Other\$ _____

Gallonge charge of \$ 2.75 Per 1,000
Gallons above minimum (same for all meters sizes)

Miscellaneous Fees

Regulatory Assessment

Tap Fee (Average Actual Cost)

Reconnecting fee:

- Non Payment (\$25.00 max)
- Transfer
- Customer's request

Late fee

Returned Check charge

Customer Deposit (\$50.00 max)

Meter test fee

(Actual Cost not Exceed \$25.00)

Other Fees Inspection

1%
\$ <u>500.00</u>
\$ _____
\$ _____
\$ _____
\$ <u>5.00 or 10%</u>
\$ _____
\$ _____
\$ _____
\$ <u>25.00</u>

Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.

Persons who wish to intervene or comment should write the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER/SEWER UTILITY SERVICE IN

HIDALGO COUNTY(IES), TEXAS

To: _____ Date Notice Mailed _____ 20 _____
(Neighboring System, Landowner or City)

(Address)

City State Zip

Name of Applicant CITY OF EDCOUCH has filed an application for a
CCN to obtain or amend CCN No. (s) _____ and to
decertify a portion(s) of _____ with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide SEWER
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in HIDALGO County(ies).

The proposed utility service area is located approximately 2 miles East
[direction] of downtown Elsa, [City or Town] Texas, and is
generally bounded on the north by Mile 17 North Rd.; on the east by
Mile 2 1/2 West Rd.; on the south by Mile 16 North Rd.; and on the west by Mile 4 West Rd.

See enclosed map of the proposed service area.

The total area being requested includes approximately 719.52 acres and 8,256
current customers.

The proposed amendment affects customers and/or areas located in the following zip
code(s):

78538
(List All Affected Zip Codes)

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

HISTORICAL BALANCE SHEETS

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO						
EQUITY TO TOTAL ASSETS						

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

IF A HEARING IS HELD, it is important that you or your representative attend to present your concerns. Your request serves only to cause a hearing to be held and is not used during the hearing.

If you are a landowner with a tract of land at least 25 acres or more, and is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

HISTORICAL EXPENSES STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

HISTORICAL INCOME STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
METER NUMBER						
Existing Number of Taps						
New Taps per Year						
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

PROJECTED BALANCE SHEETS

	START UP	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO						
EQUITY TO TOTAL ASSETS						

PROJECTED INCOME STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
METER NUMBER						
Existing Number of Taps						
New Taps per Year						
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

PROJECTED EXPENSES STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

PROJECTED SOURCES AND USES OF CASH STATEMENTS

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
SOURCES OF CASH						
Net Income						
Depreciation (if Funded)						
Loan Proceeds						
Other						
Total Sources						
USES OF CASH						
Net Loss						
Principle Portion of Pmts.						
Fixed Asset Purchase						
Reserve						
Other						
TOTAL USES						
NET CASH FLOW						
DEBT SERVICE COVERAGE						
Cash Available for Debt						
Service (CADS)						
Net Income (Loss)						
Depreciation , or Reserve Interest						
TOTAL						
REQUIRED DEBT SERVICE (RDS)						
Principle Plus Interest						
DEBT SERVICE COVERAGE RATIO						
CADS Divided by RDS						

ATTACHMENT A

TCEQ APPLICATION TO OBTAIN A SEWER CERTIFICATION OF
CONVENIENCE AND NECESSITY

CITY OF EDCOUCH, TEXAS

ATTACHMENT "A"

(COSSS REFERENCE TO QUESTION 1 C.i)

1
COUNTY CLERK
EDINBURG, TEXAS

THE STATE OF TEXAS, [

COUNTY OF HIDALGO.....]

TO THE HONORABLE A.W.CAMERON, JUDGE OF THE COUNTY COURT
IN HIDALGO COUNTY, TEXAS.

We, the undersigned petitioners, being legally qualified electors of the state of Texas, and resident citizens for six months last past within the territorial limits herein proposed for incorporation into a city or town to be known and have for its name Edcouch, of which the now unincorporated town of Edcouch, Texas, is a part of the territory proposed for said incorporation,

And being desirous of incorporating the hereinafter described territory into a city or town under and by virtue of the laws of the State of Texas, and under and by virtue of the Article No. Nine Hundred Sixty six (966) Chapter No. One (1) Title No. Twenty eight (28) under Caption " Cities and towns" wherein it provides "Any city or town having six hundred inhabitants or over may be incorporated as such with all the powers, rights, immunities and privileges mentioned and described in the provisions of this title relating to cities and towns, in the manner described in Chapter Eleven (11) of this title for incorporating towns and villages.

Except that the application to become incorporated shall be signed by at least fifty qualified electors, residents of of such city or town, and

Except that when an election is held according to the provisions of said chapter the words "Towns and villages" shall be construed to mean "cities and towns" and "When the entry by the county judge provided in Article 1139 is made with reference to a city or town of six hundred inhabitants and over, such cities or towns shall be vested with all the rights and privileges of such cities conferred by this title",

And as your petitioners will show they come within the above recited provisions of said Article 966 made and provided for in such cases by the law..... of said State, regulating the incorporation of unincorporated cities and towns and villages,

2

Hereby petition, that upon satisfactory proof of the representations, and allegations herein contained, to this Honorable Court, that it cause an election to be held in the Community House located in the unincorporated town of Edcouch, Texas, on a date not later than the... day of July A.D. 1928 for the purpose of determining whether the hereinafter described territory of which the unincorporated town of Edcouch town of Edcouch is a part, be incorporated as a city or town under the provisions of said Article 966 in the manner described in said Chapter Eleven with the above recited exceptions as aforesaid.

In support of our petition we respectfully show the follows:

I.

That your petitioners constitute fifty or more of the qualified electors residing within the boundary or limits of the territory proposed to be incorporated into a city or town and have so resided therein for the six months last past.

II.

That the inhabitants living within the said territory proposed to be incorporated NUMBER SIX HUNDRED and more. That this number was arrived at by the taking of the census of the population immediately before and in anticipation of making this petition; that the census was taken at the instance and request of citizens living within the territory proposed for incorporation by trustworthy and reliable citizens thereof and their count is evidenced by affidavits duly sworn to which is hereby offered in support of said count and hereby attached to and made a part of this petition. That the territory proposed for incorporation is described as follows:

H DESCRIPTION OF THE PROPOSED CORPORATE LIMITS OF EDCOUCH, TEXAS.

PARCEL NUMBER ONE.

Beginning at the northwest corner of Lot 3, in Block 126 of the West Tract Subdivision of the American Rio Grande Land & Irrigation Company thence southerly along its west boundary line and the west boundary line of Lots 6, 11, and 14, in said block 126, 5280 feet to the southwest corner of

lot 14, which point is the southwest corner of this tract, thence to the left 90 degrees, no minutes, easterly along the south boundary line, said lot 14, and along the south boundary line of lots 15 and 16, in said block 126, and fractional lot 13, in block 123, 4077.6 feet to a point, which point is the southeast corner of this tract, thence to the left 89 degrees 25 minutes, 5280.28 feet to a point on the north boundary line of fractional lot 4, in block 123, which point is the northeast corner of this tract, thence to the left 90 degrees and 35 minutes westerly along the north boundary line of fractional lot 4, in block 123, and along the north boundary line of lots 1, 2, and 3, in block 126, 4131.6 feet to the point of beginning and containing the following farm tracts to-wit: The east 16.38 acres of farm tract 554 and all of farm tracts 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, and 565 also the Canal right-of-way owned by the American Rio Grande Land & Irrigation Company within above described tract, all containing 497.53 acres, more or less.

PARCEL NUMBER TWO.

BEGINNING at the northeast corner of fractional lot No. 4, in Block No. 123, of the Adam's Tract Subdivision of the American Rio Grande Land & Irrigation Company, thence westerly along its north line 1161.48 feet to its northwest corner, which point is the northwest corner of this tract thence to the left 89 degrees 26 $\frac{1}{2}$ minutes southerly along the west boundary line of said fractional lot 4, and along the west boundary line of lot 5, 12, and 13, in said Block 123, 5280.28 feet to the southwest corner of lot 13, which is also the southwest corner of this tract, thence to the left 90 degrees 33 $\frac{1}{2}$ minutes easterly along the south boundary line of said lot 13, 1212.8 feet, to a point which point is the southeast corner of this tract, thence to the left 90 degrees no minutes, 2640. feet, thence to the right 45 degrees, no minutes 1866.7 feet, thence to the left 135 degrees, no minutes 1320 feet, thence to the right 90 degrees no minutes 1320 feet to the point of beginning, which is the northeast corner of this tract, and containing the following farm tracts to wit: all of farm tracts 1145, and 1146, the west 36.56 acres of Farm Tract 1144, and the west 35.39 acres of farm tract 1147, all containing 163.9 acres, more or less.

Said territory being designated as parcel No. 1 and parcel No. 2 for the reason that said unincorporated territory of which the said unincorporated town of Edcouch is a part lies and is situated partly in what is commonly called West Tract Subdivision, and partially in the Adams Tract Sub-division of lands in Hidalgo County, Texas, said Parcel No. 1 being situate in said West Tract and parcel No. 2 being situated in said Adams Tract.

III.

That your petitioners desire that the name of the proposed incorporated town be "EDCOUCH".

IV.

That all the land lying within the said boundaries proposed to be incorporated is shown and set forth by a map prepared by Ben T. Sanders, civil engineer, said map being hereto attached, presented, made a part of this petition and identified by the following lettering at the bottom of said map.

" SKETCH SHOWING

PROPOSED CORPORATE LIMITS OF
EDCOUCH TEXAS"

THEREFORE, We the said qualified electors and residents within said territory proposed for incorporation for six months last past, petition this Honorable Court that it cause the required notice of Election to incorporate be given and order an Election be held at the place and within the time above stated, and if not within the time asked for, then within such reasonable time as this honorable Court in its discretion shall determine; said Election to determine whether the territory herein described and proposed for incorporation be incorporated in and under the name of Edcouch" as provided for under the laws of the State of Texas, Article 966, Chapter No. I Title No. 28 under the Caption "Cities and towns" and in the manner described in Chapter Eleven Title No. 28 under Caption" town" and villages," herein above referred to.

We further petition this honorable court to appoint a qualified elector residing within the territory proposed to be incorporated, as

officer to proside at said election, and that in the event the election to incorporate carries, make entry upon the records of the commissioners court that the inhabitants, of the territory including the unincorporated town of Edcouch proposed to be incorporated, number SIX HUNDRED AND OVER and is incorporated as the city or town "Edcouch" designating these said boundaries in the entry, and that this honorable court will upon the the Returns showing a majority of votes cast are in favor of incorporation, order an election of officers commission the Mayor, issue certificates of election to the officers elected and cause to be done any and all other acts as provided for under the laws of the State of Texas and Chapter Eleven, Title 28 herein and above referred to.

SIGNATURES.

C.G.Hart	Art. Bruggeman	H.D.Niday
A.J.Harrell	Mrs. Art. Bruggeman	O.R.Gafner
H.F.Bruggeman	H.D.Minyard	Chas.M.Adkins
D.Q.Squyres	W.D.McMiller	T.M.Jarvis
J.I.Ballinger	E.E.Black,	W.M.Carter
F.J.Robinson	M.P.Sachland	J.A.March
J.N.Hunter	Mrs. H.F.Bruggeman	J.B.Lester
S.A.Barnard	Mrs. M.P.Sachland	Mrs. S.A.Barnard
Mrs I.P.Barnard	Mrs. J.B.Lester	Mrs. S.L.Standlet
W.C.Pearcey	J.C.Sammons	A.P.Hill
Geo.R.Carter	R.C.Gordon	Mrs. A.P.Hill
Mrs. W.C.Pearcey	Mrs. R.C.Gordon	Nicholas Tholison
A.P.Peters,	W.L.McCaleb	Mrs. J.N.Hunter
P.M. Voigh	Mrs. W.L.McCaleb,	Ira Whitlock
Wm. Wolff	W.E.Whitlock	J.M.Palmer
Mrs.Wm.Wolff	Bertha E.Squyres	W.O.Capter
O.R.Smith	Anna G.Rockey	A.J.Stephens
Mrs.O.R.Smith	Mrs. J.L.Rockey	Mrs. A.J.Stephens
Mrs. C.E.Netz,	S.W.Pearce	M. Valdez
E.C.Reasonover	Mrs. F.Myrtle Pearce	Uvaldo Lopez
Mrs. E.C.Reasonover	Mrs. Ira Whitlock	Pedro Soto
J.M.Sturges	Mrs. A.M.Menlls	Martin Vega

A.R.Barker	H.W.Dyche	Pedro Suarez
Fred Vela	Mrs. A.B.Barker	Catrin Villareal X
Mrs. F.J.Robertson	A.T.Doly	Isabel Saenz,
J.W.Rockey	Mrs. A.T.Doly	Juvenal Galan
James L. Rockey	J.H.Brewer	Isabel V.Galan
Edith Lester	Mrs O.R.Gofner	Abe Pierson
Sadie Lester	J.D.Standley	H.G.Pettit
J.B.Lester	Mrs.T.M.Jarvis	J.H.O'Neil

A petition having been presented to me on the 11th day of July A.D. 1928, signed by fifty and more persons praying that an election be held to determine whether that certain territory described in their said petition be incorporated as a city or town to be named Edcouch.

And, it appearing that the said signers and petitioners are duly qualified electors in this State and that they were resident citizens within the territory proposed for incorporation for six months last past.

And it appearing that the residents within said territory number six hundred, and more,

And it appearing that the petitioners in their petition come within the provisions of Article No. 966 Chapter One, Title No. 28 under "Caption "Cities and Towns" of the laws of the State of Texas and have complied with the requirements therein set out to wit, petitioned for incorporation after the manner described in Chapter eleven of this title for incorporating towns and villages.

Except that the application to become incorporated shall be signed by at least fifty qualified electors, residents of such city or town, and

Except than when an election is held according to the provisions of said chapter the word " towns and villages" shall be construed to mean "(cities and towns"

And it appearing from said petition that the petitioners have complied with the laws of this state in describing the proposed territorial

boundaries and furnishing a map of the proposed territory to be incorporated

And it, appearing that proof offered in support of their allegation as to the number of inhabitants residing within said territory is good and sufficient.

And, it appearing that they have complied with the laws in fixing a name by which the proposed incorporated town will be known when incorporated.

And it appearing that the petitioners have done and performed all things requisite to incorporate said town "Edcouch" under and by virtue of the laws of the State of Texas, and under and by virtue of Article 966, Chapter I, Title 28 under the Caption "Cities and towns" and in the manner described in Chapter Eleven said Title 28 under Caption" towns and villages herein above referred to, up to the point of voting for or against incorporation.

THEREFORE, I, A.W.Cameron, in my capacity as county judge of Hidalgo County, Texas, do hereby order an election to be held within the hereinafter described territorial boundary proposed to be incorporated at the Community House in the unincorporated town of Edcouch, Texas on the 24th day of July, A.D. 1928, for the purpose of determining whether the lands and territory within the following described bounds be incorporated into a city and town, form of Government to be known as and named Edcouch.

The territory proposed to be incorporated is situated in Hidalgo County, Texas and is described by metes and bounds as follows:

PARCEL NUMBER ONE.

BEGINNING at the Northwest corner of Lot 3, in Block 126 of the West Tract Subdivision of the American Rio Grande Land and Irrigation Company, thence Southerly along its West boundary line and the West boundary line of Lots 6, 11 and 14 in said block 126, 5280 feet to the Southwest corner of Lot 14, which point is the Southwest corner of this tract; thence to the left 90 degrees, no minutes, Easterly along the South boundary line said lot 14, and along the South boundary line of Lots 15 and 16, in said block 126, and fractional lot 13, in Block 123, 4077.6 feet to a point, which point is the Southeast corner of this tract; thence to the left 89

degrees and 25 minutes 5280.28 feet to a point on the North boundary line of fractional Lot 4, in Block 123, which point is the Northeast corner of this tract, thence to the left 90 degrees and 35 minutes Westerly along the North boundary line of fractional lot 4, in Block 123, and along the north boundary line of Lots 1, 2, and 3 in Block 126 4131.6 feet to the point of beginning and containing the following farm tract to wit: The East 16.38 acres of farm tract 554 and all of farm tracts 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, and 565; also the Canal right of way owned by the American Rio Grande Land and Irrigation Company within above described tract all containing 497.53 acres more or less.

PARCEL NUMBER TWO.

Beginning at the northeast corner of fractional lot No. 4 in block No. 123 of the ADAM'S TRACT SUBDIVISION of the American Rio Grande Land and Irrigation Company, thence Westerly along its North boundary line 1161.48 feet to its northwest corner which point is the northwest corner of this tract, thence to the left 89 degrees 26½ minutes southerly along the West boundary line of said fractional lot 4 and along the West boundary line of Lots 5, 12 and 13 in said block 123, 5280.28 feet to the southwest corner of lot 13, which is also the southwest corner of this tract, thence to the left 90 degrees 33½ minutes easterly along the south boundary line of said lot 13, 1212.8 feet to a point which point is the southeast corner of this tract; thence to the left 90 degrees no minutes 2640 feet, thence to the right 45 degrees no minutes 1866.7 feet; thence to the left 135 degrees no minutes 1320 feet; thence to the right 90 degrees no minutes 1320 feet to the point of beginning; which is the northeast corner of this tract and containing the following farm tracts to wit: all of farm tracts 1145 and 1146, the west 36.56 acres of farm tract 1144 and the west 35.39 acres of farm tract 1147, all containing 163.9 acres more or less.

J.I. Ballinger is hereby appointed presiding officer of said election and he shall select two judges and two clerks to assist in holding it.

A previous notice of ten days shall be given of said election by posting advertisements at three public places within the territorial limits above described which includes as a part thereof the unincorporated town

of Edcouch, Texas, and the election shall be held in the manner prescribed for holding elections in other cases.

Every male person who has attained the age of twenty one years and who has resided within the limits of the territory herein above described, and proposed to be incorporated for the six months next preceding the date of said election and is a qualified (voter) elector under the laws of the State, shall be entitled to vote at said election.

On each ticket the voter must write or cause to be written or printed "Corporation or "No Corporation".

WITNESS my hand and the seal of the County Court of said county, this 11th day of July, A. D. 1928.

A. W. Cameron, County Judge,
Hidalgo County, Texas.

THE STATE OF TEXAS, |
COUNTY OF HIDALGO.....|

BEFORE ME, the undersigned authority, on this day personally appeared J.R.Bales, who, being by me duly sworn, says on his oath, that he posted a true copy of the notice of election hereto attached at the Post Office City of Edcouch, County of Hidalgo, State of Texas, at the Community House City of Edcouch, County of Hidalgo, and at State of Texas, and at the Edcouch Theater City of Edcouch, County of Hidalgo, State of Texas, in the now unincorporated town of Edcouch, Texas, each of which is a public place in said town, on the 12th day of July, A.D. 1928, which was more than ten days prior to the date of said election.

J. R. Bales.

Subscribed and sworn to before me this 13th day of July, A.D. 1928.

(SEAL)

CAM E. HILL, County Clerk,

Hidalgo County,

By Scott O. Dankers, Deputy.

FEES.
Posting three notices \$3.00
Mileage..... \$2.00
Total..... \$5.00

10

ELECTION NOTICE.

Notice is hereby given that an election will be held at the Community House in the unincorporated town of Edcouch, Texas on the 24th day of July A.D. 1928 for the purpose of determining whether the following described lands and territory within the following described bounds, be incorporated into a city and town form of government to be known as and under the style and name

EDCOUCH.

The territory proposed to be incorporated is situated in Hidalgo County, Texas and is described by metes and bounds as follows:

PARCEL NUMBER ONE.

Beginning at the northwest corner of lot #3 in block 126 of the West Tract Subdivision of the American Rio Grande Land and Irrigation Company, thence southerly along its west boundary line and the west boundary line of of lots 6, 11 and 14 in said block 126, 5280 feet to the southwest corner of lot 14, which point is the southwest corner of this tract; thence to the left 90 degrees, no minutes, easterly along the south boundary line of said lot 14, and along the south boundary line of lots 15 and 16 in said block 126, and fractional lot 13 in block 123, 4077.6 feet to a point, which point is the southeast corner of this tract, thence to the left 89 degrees 25 minutes, 5280.28 feet to a point on the north boundary line of fractional lot 4 in block 123, which point is the northeast corner of this tract, thence to the left 90 degrees and 35 minutes westerly along the north boundary line of fractional lot 4 in block 123 and along the north boundary line of lots 2 and 3 in block 126, 4131.6 feet to the point of beginning and containing the following farms tracts to wit: The east 16.38 acres of farm tract 554 and all of farm tracts 555, 556, 557, 558, 559, 560, 561, 562, 563, 564 and 565, also the canal right-of-way owned by the American Rio Grande Land and Irrigation Company within above described tract all containing 497.53 acres more or less.

PARCEL NUMBER TWO.

Beginning at the northeast corner of fractional lot No. 4 in Block No. 123 of the ADAM'S TRACT SUBDIVISION of the American Rio Grande Land and Irrigation Company, thence, westerly along its north boundary line 1161.48

feet to its northwest corner, which point is the northwest corner of this tract; thence to the left 89 degrees 26 $\frac{1}{2}$ minutes southerly along the west boundary line of said fractional lot 4, and along the west boundary line of lots 5, 12, and 13 in said block 123, 5280.28 feet to the southwest corner of lot 13, which is also the southwest corner of this tract; thence to the left 90 degrees 33 $\frac{1}{2}$ minutes easterly along the south boundary line of said lot 13, 1212.8 feet to a point which point is the the southeast corner of this tract; thence to the left 90 degrees no minutes 2640 feet; thence to the right 45 degrees, no minutes 1866.7 feet, thence to the left 135 degrees, no minutes 1320 feet, thence to the right 90 degrees no minutes 1320 feet to the point of beginning, which is the northeast corner of this tract, and containing the following farm tracts to wit: all of farm tract 1145 and 1146, the west 36.56 acres of farm tract 1144 and the west 35.39 acres of farm tract 1147, all containing 163.9 acres, more or less.

J. I. Ballinger has been appointed presiding officer at said election and he shall select two judges and two clerks to assist in holding it and said election shall be held in the manner prescribed for holding other elections.

Every male person who has attained the age of twenty-one years and who has resided within the limits of the territory herein above described, and proposed to be incorporated, for six months next preceding the date of said election, and is a qualified elector under the laws of this State shall be entitled to a vote at said election.

On each ticket the voter must write or cause to be written or printed "CORPORATION" or "NO CORPORATION".

Said election shall be held in pursuance of a Petition filed with me on the 11th day of July, A.D. 1928, and an order made by me on the 11th day of July, A.D. 1928.

WITNESS my hand and the seal of the county court of this County, this 11th day of July, A.D. 1928.

(SEAL)

A. W. CAMERON, County Judge,
Hidalgo County, Texas.

This the 1 day of Aug. 1928, came on to be considered, tabulated and counted before and by me, the county Judge of Hidalgo County, Texas, in the presence of the County clerk of such county, the returns of a certain election heretofore ordered by me, the County Judge of said County, to be held on the 24th day of July, 1928, at the community house in Edcouch, to enable the qualified resident electors of the proposed corporate lands and boundaries of the unincorporated town of Edcouch to determine whether the lands and territory within the boundaries of the proposed corporate boundaries, as described in the petition ordering said election, should be incorporated as a City or Town to be known as Edcouch; and it appearing to me upon so tabulating and counting such returns that 40 votes were cast in favor of, and 5 votes against, the said proposition to incorporate the lands and territory, as described in the petition ordering said election, as a City or Town to be known as Edcouch, and that such election carried in favor of incorporating said town of Edcouch by a majority of 35 votes, it is accordingly ordered that such election resulted

NOW, THEREFORE, by virtue of the authority vested in me under such order and the law, I, A.W.Cameron, County Judge of Hidalgo County, Texas, do hereby order that on the 14th day of Aug. 1928, at the Community House, in City of Edcouch, an election shall be held for the purpose of electing City Officials who shall manage and conduct the affairs of the incorporated City of Edcouch, as set out in Title 28 and under caption "Cities and Towns" of the general laws of Texas.

D.Q.Spyres is hereby appointed presiding officer of said election and he shall select two judges and two clerks to assist in holding it.

A previous notice of ten days shall be given of said election by posting advertisements at three public places within the limits of the City of Edcouch, Texas, and the election shall be held in the manner prescribed for holding elections in other cases.

Every male person whoe has attained the age of twenty-one years and who has resided within the limits of the City of Edcouch for the six months next preceeding the date of said election and is a qualified elector under the laws of the State of Texas, shall be entitled to vote at said election.

On each ticket the voter must write or cause to be written or printed the name of the party he wishes to vote for for each respective office.

WITNESS my hand and the seal of the County Court of Hidalgo County, this 1st day of Aug. A.D. 1928.

(SEAL)

A. W. Cameron, County Judge,
of Hidalgo County, Texas.

ELECTION NOTICE.

Notice is hereby given that an election will be held at the Community House in the City of Edcouch, Texas, on the 14th day of August, A.D. 1928, in Hidalgo County, for the purpose of electing City Officials for the City of Edcouch, who shall manage and conduct the affairs of the incorporated City of Edcouch, as set out in Title 28 and under caption "Cities and Towns" of the general laws of Texas.

D.Q.Squyres has been appointed presiding officer at said election and he shall select two judges and two clerks to assist in holding it and said election shall be held in the manner prescribed for holding other elections.

Every male person who has attained the age of twenty-one years and who has resided within the City Limits of Edcouch for six months next preceding the date of said election, and is a qualified elector under the laws of this State shall be entitled to vote at said election.

On each ticket the voter must write or cause to be written or printed the name of the party he wishes to vote for for each respective office.

Said election shall be held in pursuance of an order made by me on the 1 day of Aug. 1928.

WITNESS MY HAND AND THE SEAL OF THE COUNTY COURT OF THIS COUNTY, this 1 day of Aug. A.D. 1928.

A. W. Cameron, County Judge,
Hidalgo County, Texas.

THE STATE OF TEXAS, COUNTY OF HIDALGO.

BEFORE ME, the undersigned authority, on this day personally appeared E.B.Burke, who, being by me duly sworn, says an oath that he post-

ed a true copy of the notice of election, hereto attached, at Postoffice Community House and Theatre, in the City of Edcouch in said county, each of which is a public place in said City, on the 2nd day of August, 1928, which was more than ten days prior to the date of said election.

E. B. Burke.

SUBSCRIBED AND SWORN TO BEFORE ME this the 2nd day of August, 1928.

(Seal of office)

A.J.Stephens, Notary Public

(SEAL)

for Hidalgo Co. Texas.

This, the 15th day of August, 1928 came on to be considered tabulated and counted before and by me, the County Judge of Hidalgo County, Texas, in the presence of the County Clerk of said county, the returns of a certain election heretofore ordered by me, the County Judge of said County, to be held on the 14th day of August A.D. 1928, at the Community House in Edcouch, Texas, to enable the qualified resident electors of said town, to elect a Mayor, five Aldermen and a Marshall for said town,

And, it appearing to me upon so tabulating and counting of the returns of said election, that H.F.Bruggeman, received a majority of the votes cast for Mayor, J.B.Lester J.C.Sammons, H.D.Minyard, A.B.Barker and A.J.Stephens received a majority of the votes cast for alderman and J.N.Hunter received a majority of the votes cast for City marshall, it is accordingly ordered that such election resulted;

THEREFORE, I, A.W.Cameron, County Judge of Hidalgo County, Texas, by virtue of authority vested in me, do hereby Commission for mayor of the said town of Edcouch, H.F. Bruggeman; for Aldermen, J.B.Lester, J.C.Sammons, H.D. Minyard, A.B.Barker, and A.J.Stephens; for city marshall, J.N.Hunter, elected to hold said offices until their successors are duly elected and qualified

WITNESS my hand and seal of the County Court of Hidalgo County, Texas, this 15th day of August, A.D. 1928.

(SEAL)

A. W. Cameron, County Judge,
of Hidalgo County, Texas.

* * * * *

THE STATE OF TEXAS, |
COUNTY OF HIDALGO.....|

I, CAM E. HILL, Clerk County Court, and Ex-Officio Clerk
of the County Commissioners Court of Hidalgo County, Texas, do hereby
certify that the above and foregoing is a true and correct copy of Order,
IN THE MATTER OF THE INCORPORATION OF THE CITY OF EDGOUCH, Texas, as the
same appears of record in the County Commissioners Court Minutes of Hi-
dalgo County, Texas, in Volume "J" page 113 et seq.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 26th day of June,
A.D. 1929.

CAM E. HILL, Clerk County Court, and
Ex-Officio Clerk of the Commissioners
Court of Hidalgo County, State of Texas.

By Scott D. [Signature] Deputy.

* * * * *

TCEQ APPLICATION TO OBTAIN A SEWER CERTIFICATION OF
CONVENIENCE AND NECESSITY

CITY OF EDCOUCH, TEXAS

ATTACHMENT "A"

(COSSS REFERENCE TO QUESTION 1 C.iii)

Name	Title	Email Address	Phone
Robert S. Schmalzried	Mayor	<u>robscott2813@yahoo.com</u>	720-5880
Eduardo "Eddy" Gonzalez	Mayor Pro-tem	<u>eddyg1050@sbcglobal.net</u>	472-0404
Veronica S. Ramirez	Aldерwoman PL 1	<u>solis.veronica@yahoo.com</u>	292-4626
Noe Garcia Jr.	Alderman PL 2	<u>noegarcia6@yahoo.com</u>	647-3955
Ruth Ruiz	Aldерwoman PL 3		975-9420
Daniel Guzman	Alderman PL 4	<u>dannyguzman65@yahoo.com</u>	551-0486
Juan J. Cedillo	Interim City Manager	<u>jcedillo61@yahoo.com</u>	802-7772

Note* Mailing address for all Councilmembers is:

**City of Edcouch
P. O. Box 100,
Edcouch, Texas 78538**

ATTACHMENT B

**TCEQ APPLICATION FOR
SEWER CERTIFICATE OF CONVENIENCE AND
NECESSITY
CITY OF EDCOUCH, TEXAS
ATTACHMENT "B"
(CROSS REFERENCED TO QUESTION Bi - iii)**

The City of Edcouch is located right off of Highway 107 between US Highway 281 and US Highway 77 approximately 17.9 miles Northeast of the City of McAllen Texas. The project is located within the Rio Grande Valley region. Currently sanitary sewer is being treated from the City of Edcouch by the existing wastewater system. Residents living just outside the city limits are not being serviced by the city's wastewater system and are using septic tanks if anything. About 95% of the community is considered economically disadvantaged. (AEIS Reports 2010-2011) The City of Edcouch is in violation with the Texas Commission of Environmental Quality for surpassing the limits set forth by the discharge permit (WQ0014919001). The City of Edcouch is in need of upgrades for the sewer system that is in place now. Old sewer lines, old lift stations, population growth as well as insufficient resources have caused the City of Edcouch to come in violation with TCEQ.