

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY  
(CCN) TO PROVIDE WATER UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

To: Pierce, Ethel Michelle & T F Estate & Chisum  
(Neighboring Landowner)  
P.O. Box 592  
(Address)  
Taylor, Texas 76574-0592  
(City, State, Zip)

Date Notice Mailed: July 12, 2010

City of Thrall has filed an application to amend CCN No. 13063 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located adjacent to the city limits of Thrall, Texas, and is generally bounded on the north by approximately 1,000 feet north of US 79; on the east by approximately 1,800 feet east of CR 424; on the south by approximately 2,500 feet south of US 79; and on the west by approximately 1,500 feet west of Neil St. The total area being requested includes approximately 47.6 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 76578. See enclosed map of the proposed service area.

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.

RECEIVED  
JUL 21 10 7:33  
TCEQ-WATER SUPPLY

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 exclude the tract 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 request 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.

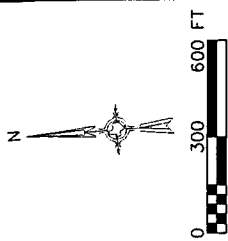
Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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.

# CITY OF THRALL PROPOSED WATER CCN



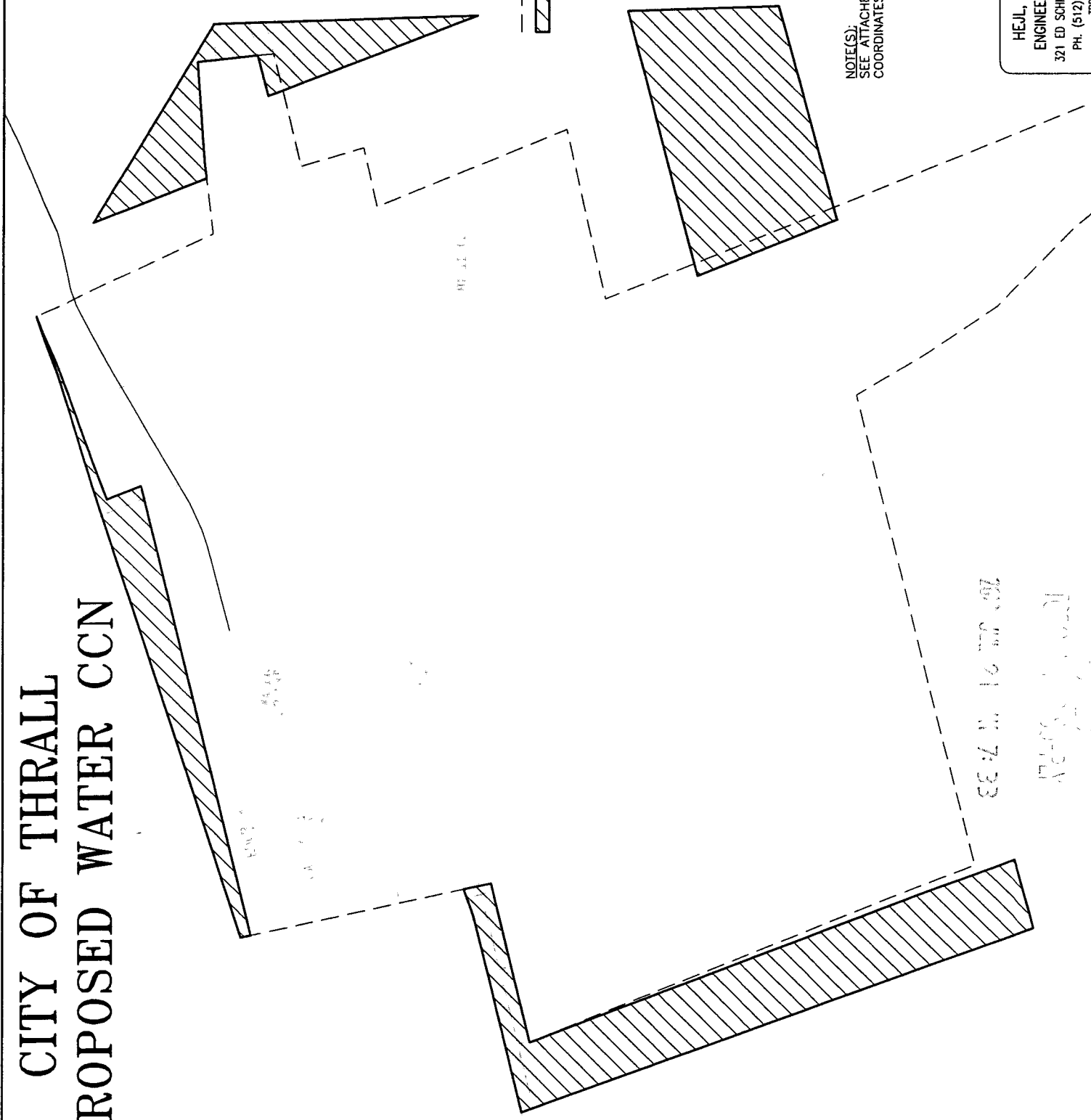
**LEGEND**  
 --- EXIST. CITY LIMITS  
 ▨ PROP. WATER CCN

NOTE(S):  
 SEE ATTACHED SPREADSHEET FOR  
 COORDINATES OF PROPOSED CCN AREAS.

PREPARED BY:

HEJL, LEE & ASSOCIATES, INC.  
 ENGINEERING • SURVEYING • PLANNING  
 321 ED SCHMIDT BLVD., STE. 100, HUTTO, TX 78634  
 PH. (512) 642-3292 FAX (512) 642-4230  
 TBPB FIRM REGISTRATION NO. F-755

PREPARED: 07/08/10 FILE NO. THRALL\_PROP\_CCN2.DWG PROJECT NO. 10958 CJE



Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 23, 2010

The Honorable Troy Marx  
Mayor of Thrall  
P.O. Box 346  
Thrall, Texas 76578-0346

### **NOTICE OF DEFICIENCY**

Re: Application from the City of Thrall to Amend Certificate of Convenience and Necessity (CCN) No. 13063, in Williamson County; Application No. 36627-C

CN: 600735245; RN: 101387751 (City of Thrall)

Dear Mayor Marx:

On March 12, 2010, you were sent an acceptance letter which instructed you to provide correct notice of the application without delay. The deadline for returning proof of notice was April 9, 2010. To date we have not received the required notice documentation to indicate that notice was provided to these entities.

Please complete and return the requested information by **July 26, 2010**. Processing of the application cannot proceed until the close of the 30 day public comment period which begins after all of the required notices have been given. If we do not receive the requested information by this date, your applications will be returned for failure to prosecute.

If you any questions please contact me at 512/239-3654, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Sheresia Perryman".

Sheresia Perryman  
Utilities & Districts Section  
Water Supply Division

SP/ln

Enclosure

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 12, 2010

The Honorable Troy Marx  
Mayor of Thrall  
P.O. Box 346  
Thrall, Texas 76578-0346

Re: Application from the City of Thrall, to Amend Certificate of Convenience and Necessity (CCN) No. 13063, in Williamson County; Application No. 36627-C

CN: 600735245; RN: 101387751

Dear Mayor Marx:

Your application for the City of Thrall, to amend the CCN was received on January 28, 2010, and has been accepted for filing. Thank you for providing the items we requested with your February 26, 2010, letter. Ms. Sheresia Perryman has been assigned to perform the technical review.

Your next step is to provide the **revised** public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Williamson County. It is the responsibility of the applicant to provide correct notice of the application to any utilities and cities within two (2) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area or other affected parties in your requested area. You will also be required to provide mailed notice to all landowners with more than 25 acres in your proposed CCN area pursuant to TCEQ 30 TAC Chapter 291 Rules adopted on January 5, 2006. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN lies. Check the notices carefully before mailing or publishing.

A review of our files and maps indicates that, **in addition to the neighboring utilities noted on your application, you must provide notice to the following entity:**

Williamson County

Information related to utilities and districts including addresses can be obtained from the TCEQ web site located at [www10.tceq.state.tx.us/iwud](http://www10.tceq.state.tx.us/iwud).

As proof that notice was provided, you are required to send us the following:

March 12, 2010

- a) an original and three copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
- b) four copies of each individual notice and map sent to neighboring utilities and affected parties;
- c) four copies of notice and map sent to each landowner; and
- d) an original and three copies of the signed affidavits that individual notice to neighboring utilities, affected individuals and each landowner has been given. (Copies of the Affidavit forms are enclosed with this letter.)

Please be sure to include a map showing the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner. It is the applicant's burden to provide an accurate map delineating the proposed area with each individual notice.

After further technical review additional financial, technical or other information may also be requested through future correspondence.

These items must be completed and returned to our office by April 9, 2010. Processing of this application cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. 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. Sheresia Perryman at 512/239-3654, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

TB/KLB/lm

Enclosures: as stated

*Notice for Publication*

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE  
AND NECESSITY (CCN) TO PROVIDE WATER  
UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

City of Thrall has filed an application to amend CCN No. 13063 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located adjacent to the city limits of Thrall, Texas, and is generally bounded on the north by approximately 1,000 feet north of US 79; on the east by approximately 1,800 feet east of CR 424; on the south by approximately 2,500 feet south of US 79; and on the west by approximately 1,500 feet west of Neil St. The total area being requested includes approximately 47.6 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 76578.

A copy of the proposed service area map is available at 104 S. Main Street, Thrall, Texas 76578 or by calling 512/898-5306.

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 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 exclude the tract 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 request 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 UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

To: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_, 2010  
(Neighboring System, Landowner or City)  
  
(Address)  
  
(City                      State                      Zip)

City of Thrall has filed an application to amend CCN No. 13063 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located adjacent to the city limits of Thrall, Texas, and is generally bounded on the north by approximately 1,000 feet north of US 79; on the east by approximately 1,800 feet east of CR 424; on the south by approximately 2,500 feet south of US 79; and on the west by approximately 1,500 feet west of Neil St. The total area being requested includes approximately 47.6 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 76578. See enclosed map of the proposed service area.

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 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 exclude the tract 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 request 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.



Texas Commission on Environmental Quality

APPLICATION NO. \_\_\_\_\_

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_,

who being by me duly sworn, deposes and says that (s)he is the \_\_\_\_\_ of  
the \_\_\_\_\_

TITLE

\_\_\_\_\_ ; that  
said

NAME OF NEWSPAPER

newspaper is regularly published in \_\_\_\_\_

County(ies) and generally circulated in

\_\_\_\_\_ County (Counties), Texas; and that

the attached notice was published in said newspaper on the following date(s), to wit: \_\_\_\_\_

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to certify  
which

witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_



Texas Commission on Environmental Quality

APPLICATION NO. \_\_\_\_\_

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

, STATE OF TEXAS

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual notice to  
the following entities:

DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is, owner,  
member of partnership, title of officer of corporation, or other authorized representative of applicant); that  
in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the  
notices given with this application, and have complied with all notice requirements in the application and  
application acceptance letter; and that all such statements made and matters set for therein are true and  
correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant 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 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to certify  
which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public  
Commission Expires \_\_\_\_\_



Texas Commission on Environmental Quality

APPLICATION NO. \_\_\_\_\_

AFFIDAVIT OF NOTICE TO LANDOWNERS

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual notice to  
the following entities:

DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is, owner,  
member of partnership, title of officer of corporation, or other authorized representative of applicant);  
that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar  
with the notices given with this application, and have complied with all notice requirements in the  
application and application acceptance letter; and that all such statements made and matters set for  
therein are true and correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant 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 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to  
certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public  
Commission Expires

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 12, 2010

The Honorable Troy Marx  
Mayor of Thrall  
P.O. Box 346  
Thrall, Texas 76578-0346

Re: Application from the City of Thrall, to Amend Certificate of Convenience and Necessity (CCN) No. 13063, in Williamson County; Application No. 36627-C

CN: 600735245; RN: 101387751

Dear Mayor Marx:

Your application for the City of Thrall, to amend the CCN was received on January 28, 2010, and has been accepted for filing. Thank you for providing the items we requested with your February 26, 2010, letter. Ms. Sheresia Perryman has been assigned to perform the technical review.

Your next step is to provide the **revised** public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Williamson County. It is the responsibility of the applicant to provide correct notice of the application to any utilities and cities within two (2) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area or other affected parties in your requested area. You will also be required to provide mailed notice to all landowners with more than 25 acres in your proposed CCN area pursuant to TCEQ 30 TAC Chapter 291 Rules adopted on January 5, 2006. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN lies. Check the notices carefully before mailing or publishing.

A review of our files and maps indicates that, **in addition to the neighboring utilities noted on your application, you must provide notice to the following entity:**

Williamson County

Information related to utilities and districts including addresses can be obtained from the TCEQ web site located at [www10.tceq.state.tx.us/iwud](http://www10.tceq.state.tx.us/iwud).

As proof that notice was provided, you are required to send us the following:

March 12, 2010

- a) an original and three copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
- b) four copies of each individual notice and map sent to neighboring utilities and affected parties;
- c) four copies of notice and map sent to each landowner; and
- d) an original and three copies of the signed affidavits that individual notice to neighboring utilities, affected individuals and each landowner has been given. (Copies of the Affidavit forms are enclosed with this letter.)

Please be sure to include a map showing the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner. It is the applicant's burden to provide an accurate map delineating the proposed area with each individual notice.

After further technical review additional financial, technical or other information may also be requested through future correspondence.

These items must be completed and returned to our office by April 9, 2010. Processing of this application cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. 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. Sheresia Perryman at 512/239-3654, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

TB/KLB/ln

Enclosures: as stated

*Notice for Publication*

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE  
AND NECESSITY (CCN) TO PROVIDE WATER  
UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

City of Thrall has filed an application to amend CCN No. 13063 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located adjacent to the city limits of Thrall, Texas, and is generally bounded on the north by approximately 1,000 feet north of US 79; on the east by approximately 1,800 feet east of CR 424; on the south by approximately 2,500 feet south of US 79; and on the west by approximately 1,500 feet west of Neil St. The total area being requested includes approximately 47.6 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 76578.

A copy of the proposed service area map is available at 104 S. Main Street, Thrall, Texas 76578 or by calling 512/898-5306.

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 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 exclude the tract 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 request 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 UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

To: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_, 2010  
(Neighboring System, Landowner or City)

(Address)

(City                  State                  Zip)

City of Thrall has filed an application to amend CCN No. 13063 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located adjacent to the city limits of Thrall, Texas, and is generally bounded on the north by approximately 1,000 feet north of US 79; on the east by approximately 1,800 feet east of CR 424; on the south by approximately 2,500 feet south of US 79; and on the west by approximately 1,500 feet west of Neil St. The total area being requested includes approximately 47.6 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 76578. See enclosed map of the proposed service area.

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 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 exclude the tract 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 request 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.



Texas Commission on Environmental Quality

APPLICATION NO. \_\_\_\_\_

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_,

who being by me duly sworn, deposes and says that (s)he is the \_\_\_\_\_ of  
the \_\_\_\_\_

TITLE

\_\_\_\_\_ ; that  
said \_\_\_\_\_

NAME OF NEWSPAPER

newspaper is regularly published in \_\_\_\_\_

County(ies) and generally circulated in

\_\_\_\_\_ County (Counties), Texas; and that

the attached notice was published in said newspaper on the following date(s), to wit: \_\_\_\_\_

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to certify  
which

witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_



Texas Commission on Environmental Quality

APPLICATION NO. \_\_\_\_\_

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
STATE OF TEXAS

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual notice to  
the following entities:

DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is, owner,  
member of partnership, title of officer of corporation, or other authorized representative of applicant); that  
in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the  
notices given with this application, and have complied with all notice requirements in the application and  
application acceptance letter; and that all such statements made and matters set forth therein are true and  
correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant 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 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to certify  
which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public  
Commission Expires \_\_\_\_\_



Texas Commission on Environmental Quality

APPLICATION NO. \_\_\_\_\_

AFFIDAVIT OF NOTICE TO LANDOWNERS

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual notice to  
the following entities:

DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OATH

I, \_\_\_\_\_, being duly sworn, file this form as  
\_\_\_\_\_ (indicate relationship to applicant, that is, owner,  
member of partnership, title of officer of corporation, or other authorized representative of applicant);  
that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar  
with the notices given with this application, and have complied with all notice requirements in the  
application and application acceptance letter; and that all such statements made and matters set for  
therein are true and correct.

\_\_\_\_\_  
Applicant's Authorized Representative

If the applicant 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 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to  
certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public  
Commission Expires

To: Administrative Reviewer

Date: March 8, 2010

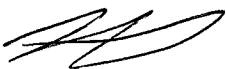
From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-016-10/36627-C  
City of Thrall (13063) to amend water CCN in Williamson county

- X 1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
7. Map submitted is digital request digital data.
9. Utility notice was sufficient.
- X 10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:
- TWO MILES:
- Noack WSC (12359)
- Southwest Milam WSC (10027)
- Williamson county
- All cities and etjs within 2 miles of the proposed area

- X 11. Notice:
- On the North by approximately 1000ft North of US79
- On the East by approximately 1800ft East of CR424
- On the South by approximately 2500ft South of US79
- On the West by approximately 1500ft West of Neil St.

12. Other comments:



Kent Steelman

**HEJL, LEE &  
ASSOCIATES, INC.**  
TBPE FIRM NO. F-755

DANIEL P. HEJL, JR.

P.E., R.P.L.S., AICP

CHIEN Y. LEE

P.E., R.P.L.S., AICP

ENGINEERING  
SURVEYING  
PLANNING

321 ED SCHMIDT BLVD., SUITE 100  
HUTTO, TEXAS 78634

PHONE  
512-642-3292  
FAX  
512-642-4230  
E-MAIL  
hlaine@austin.rr.com

February 26, 2010

Ms. Karen Blaschke  
Utilities & Districts Section, Water Supply Division  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

**REF: City of Thrall Application to Amend Certificate of Convenience  
and Necessity (CCN) No. 13063, in Williamson County  
TCEQ CCN Application No. 36627-C  
HLA Project No. 10958**

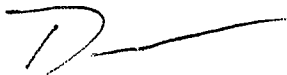
Dear Ms. Blaschke,

Hejl, Lee & Associates, Inc. (HLA) has prepared this letter in response to your letter dated February 10, 2010 to the City of Thrall regarding the deficiencies to the above-mentioned application. HLA provides four (4) copies of the following for your review:

1. Updated general location map with delineated proposed service areas.
2. PDF map delineating proposed service areas with Texas state plane coordinates of the service area boundaries.
3. ESRI Shapefiles of the proposed service areas. The shapefiles are in state plane coordinates, NAD 83, Texas Central Zone, feet.

HLA trusts that the attached maps and digital data files address the deficiencies described in your letter. HLA appreciates the opportunity to work with TCEQ to amend the City of Thrall's water CCN. If you have any questions or need additional information or clarification please do not hesitate to contact our office.

Yours very truly,  
**HEJL, LEE & ASSOCIATES, INC.**

  
Daniel P. Hejl, Jr., P.E., R.P.L.S., AICP  
Principal

Attachments: Four (4) General Location Maps  
Four (4) Proposed CCN Maps  
Four (4) CD's with Shapefiles and Digital Data

Cc: The Honorable Troy Marx, Mayor, City of Thrall  
Mr. Ted Hejl, City Attorney, City of Thrall

RECEIVED  
TCEQ WATER SUPPLY  
FEB 26 2010 9:43 AM

**ATTACHMENT 2**

**GENERAL LOCATION MAP**

RECEIVED  
TCEQ WATER SUPPLY  
2010 MAR -3 AM 9:43

[illegible]

RECEIVED  
ICEQ WATER SUPPLY

FILE\_NÓ. location\_map.DWG

21

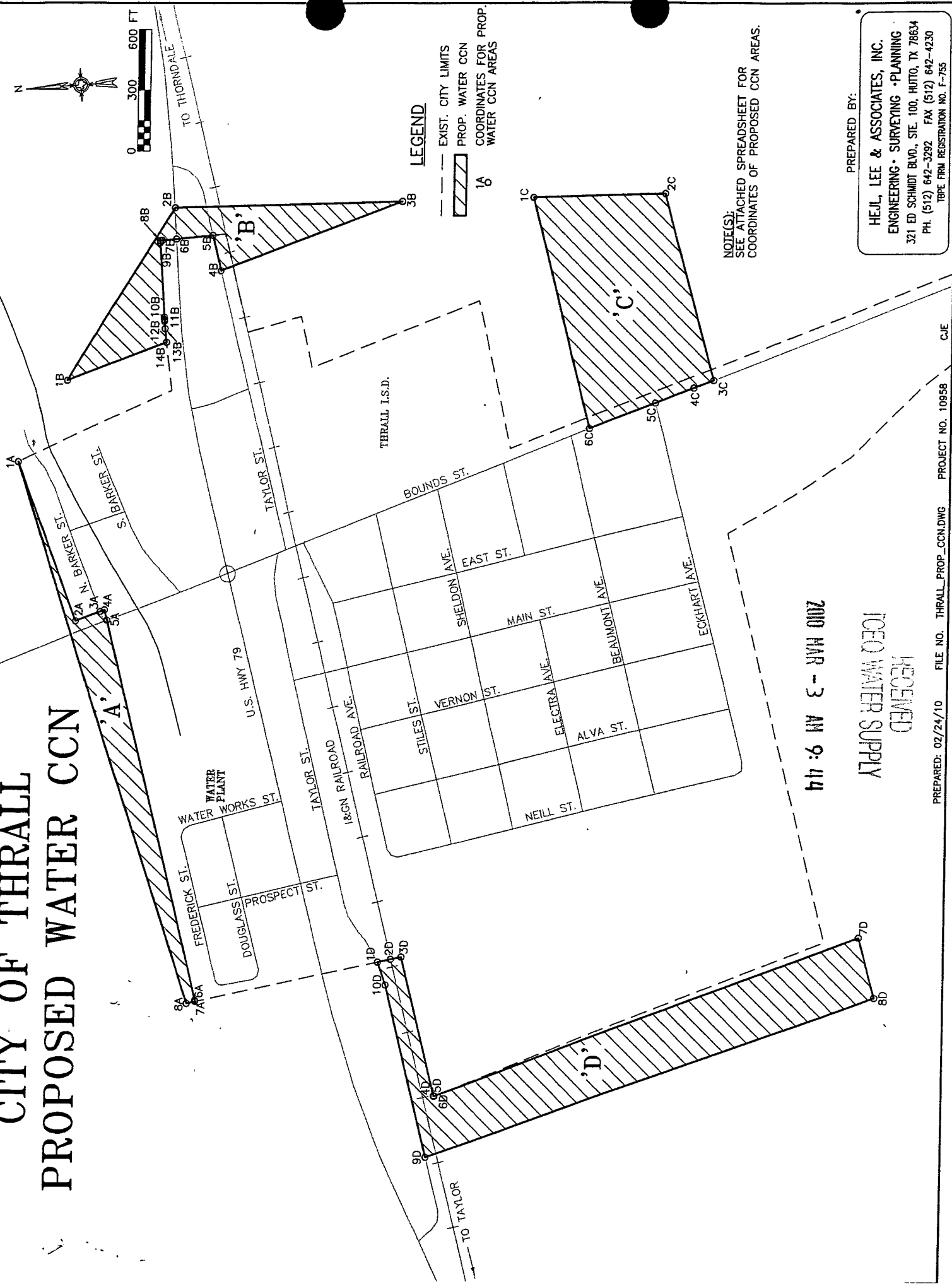
HEIJL, LEE & ASSOCIATES, INC.  
ENGINEERING • SURVEYING • PLANNING  
321 ED SCHMIDT BLVD., STE 100, HUTTO, TX 78634  
PH. (512) 642-3292 FAX (512) 642-4230  
TYPE FIRM REGISTRATION NO. F-755

**ATTACHMENT 3**

**PROPOSED CITY OF THRALL  
CCN MAP**

RECEIVED  
TCEQ WATER SUPPLY  
2010 MAR -3 AM 9:44

# CITY OF THRALL PROPOSED WATER CCN



**CITY OF THRALL**  
**PROPOSED WATER CCN AREA COORDINATES**  
 HLA PROJECT NO. 10958

POINT NO.	NORTHING	EASTING
1A	10192998.5622	3252326.4800
2A	10192697.2431	3251543.3287
3A	10192577.7332	3251590.9860
4A	10192556.1051	3251599.6151
5A	10192543.1278	3251546.6464
6A	10192085.2926	3249677.1780
7A	10192083.9602	3249671.2754
8A	10192126.9371	3249661.7027
1B	10192757.8123	3252727.7127
2B	10192249.9798	3253573.9818
3B	10191122.6716	3253605.5645
4B	10192017.0579	3253265.1394
5B	10192061.1308	3253438.6197
6B	10192241.7640	3253419.7752
7B	10192310.3491	3253412.6146
8B	10192320.3659	3253411.5639
9B	10192319.6358	3253401.5459
10B	10192293.2618	3253037.5834
11B	10192292.4066	3253025.8925

POINT NO.	NORTHING	EASTING
12B	10192291.7514	3253017.5477
13B	10192288.9435	3252981.7641
14B	10192280.6406	3252914.8151
1C	10190475.7051	3253623.6899
2C	10189830.5496	3253641.7646
3C	10189581.3297	3252727.7489
4C	10189676.6323	3252689.7448
5C	10189862.8479	3252615.4835
6C	10190179.8595	3252489.0637
1D	10191179.0023	3249864.7714
2D	10191114.7535	3249878.5067
3D	10191063.8678	3249889.3848
4D	10190895.9311	3249210.1871
5D	10190893.8339	3249211.0175
6D	10190893.5019	3249209.0466
7D	10188832.8793	3249982.8052
8D	10188751.9929	3249686.1543
9D	10190930.7463	3248909.3506
10D	10191139.1541	3249752.2751

**NOTE(S):**

1. All coordinates are in State Plane, Nad 83, Texas Central Zone, feet.

2010 MAR - 3 AM 9:44

RECEIVED  
 TCEQ WATER SUPPLY

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



91 7108 2133 3935 2029 4817

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 10, 2010

**BY FAX TO 512/898-2481 AND**  
**BY CERTIFIED MAIL**

The Honorable Troy Marx  
Mayor of Thrall  
P.O. Box 346  
Thrall, Texas 76578-0346

### **NOTICE OF DEFICIENCY**

Re: Application from the City of Thrall, to Amend Certificate of Convenience and Necessity (CCN) No. 13063, in Williamson County; Application No. 36627-C

CN: 600735245; RN: 101387751

Dear Mayor Marx:

Your CCN application for the City of Thrall, received on January 28, 2010, has been assigned Application No. 36627-C, but has not been accepted for filing. Please refer to the application number in future correspondence.

Processing for the above referenced application cannot proceed and notices cannot be published or mailed until we receive maps meeting the mapping requirements.

It appears no metes and bounds or digital map data were submitted and the location map submitted does not delineate the proposed service area. Please submit four (4) copies of the following map information.

1. General location maps delineating the proposed service area with enough detail to accurately locate the proposed service area within the county.
2. Maps showing **only** the proposed service area by:
  - a. metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor; or
  - b. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled for each utility), or
  - c. following verifiable natural and man-made landmarks; or

The Honorable Troy Marx  
Page 2  
February 10, 2010

- d. copies of recorded plat map with metes and bounds.
- 3. Written descriptions of the proposed service area.

These items must be completed and returned to our office by **March 5, 2010**. 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 me at 512/239-6932, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Karen Blaschke  
Utilities & Districts Section  
Water Supply Division  
Texas Commission on Environmental Quality

TB/KLB/ln

To: Administrative Reviewer

Date: February 2, 2010

From: Cartographer-Utilities & Districts Section

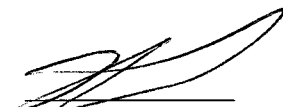
Subject: Overlap & Notice Check for Administrative Review No. A-016-10/36627-C  
City of Thrall (13063) to amend water CCN in Williamson county

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
7. Map submitted is digital request digital data.
9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:  
TWO MILES:

X 11. Notice: **DO NOT NOTICE**

X 12. Other comments: **Maps do not meet requirements. Please submit original and copies of the following. (no metes and bounds or digital data, location map has no detail.)**

- 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:
  - (1) Metes and bounds survey certified by a licensed state or register professional land surveyor ; or
  - (2) Projectable digital data with metadata (proposed areas should be in a single record and clearly labeled for each utility) ; or
  - (3) Following verifiable natural and man-made landmarks; or
  - (4) Copy of recorded plat map with metes and bounds
- C. A written description of the proposed service area.



Kent Steelman

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 23, 2010

The Honorable Troy Marx  
Mayor of Thrall  
P.O. Box 346  
Thrall, Texas 76578-0346

### NOTICE OF DEFICIENCY

Re: Application from the City of Thrall to Amend Certificate of Convenience and Necessity (CCN) No. 13063, in Williamson County; Application No. 36627-C

CN: 600735245; RN: 101387751 (City of Thrall)

Dear Mayor Marx:

On March 12, 2010, you were sent an acceptance letter which instructed you to provide correct notice of the application without delay. The deadline for returning proof of notice was April 9, 2010. To date we have not received the required notice documentation to indicate that notice was provided to these entities.

Please complete and return the requested information by July 26, 2010. Processing of the application cannot proceed until the close of the 30 day public comment period which begins after all of the required notices have been given. If we do not receive the requested information by this date, your applications will be returned for failure to prosecute.

If you any questions please contact me at 512/239-3654, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Sheresia Perryman".

Sheresia Perryman  
Utilities & Districts Section  
Water Supply Division

SP/ln

Enclosure

To: Administrative Reviewer

Date: March 8, 2010

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-016-10/36627-C  
City of Thrall (13063) to amend water CCN in Williamson county

- X 1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
7. Map submitted is digital request digital data.
9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application,  
X they will also need to notify:

TWO MILES:

☒ Noack WSC (12359) ✓

☒ Southwest Milam WSC (10027) ✓

Williamson county

All cities and etjs within 2 miles of the proposed area

- X 11. Notice:
- On the North by approximately 1000ft North of US79
- On the East by approximately 1800ft East of CR424
- On the South by approximately 2500ft South of US79
- On the West by approximately 1500ft West of Neil St.

12. Other comments:



Kent Steelman

HEJL, LEE &  
ASSOCIATES, INC.  
TBPE FIRM NO. F-755

DANIEL P. HEJL, JR.

P.E., R.P.L.S., AICP

CHIEN Y. LEE

P.E., R.P.L.S., AICP

ENGINEERING  
SURVEYING  
PLANNING

321 ED SCHMIDT BLVD., SUITE 100  
HUTTO, TEXAS 78634

PHONE  
512-642-3292  
FAX  
512-642-4230  
E-MAIL  
hlainc@austin.rr.com

February 26, 2010

Ms. Karen Blaschke  
Utilities & Districts Section, Water Supply Division  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

**REF: City of Thrall Application to Amend Certificate of Convenience  
and Necessity (CCN) No. 13063, in Williamson County  
TCEQ CCN Application No. 36627-C  
HLA Project No. 10958**


Dear Ms. Blaschke,

Hejl, Lee & Associates, Inc. (HLA) has prepared this letter in response to your letter dated February 10, 2010 to the City of Thrall regarding the deficiencies to the above-mentioned application. HLA provides four (4) copies of the following for your review:

1. Updated general location map with delineated proposed service areas.
2. PDF map delineating proposed service areas with Texas state plane coordinates of the service area boundaries.
3. ESRI Shapefiles of the proposed service areas. The shapefiles are in state plane coordinates, NAD 83, Texas Central Zone, feet.

HLA trusts that the attached maps and digital data files address the deficiencies described in your letter. HLA appreciates the opportunity to work with TCEQ to amend the City of Thrall's water CCN. If you have any questions or need additional information or clarification please do not hesitate to contact our office.

Yours very truly,  
**HEJL, LEE & ASSOCIATES, INC.**

  
Daniel P. Hejl, Jr., P.E., R.P.L.S., AICP  
Principal

Attachments: Four (4) General Location Maps  
Four (4) Proposed CCN Maps  
Four (4) CD's with Shapefiles and Digital Data

Cc: The Honorable Troy Marx, Mayor, City of Thrall  
Mr. Ted Hejl, City Attorney, City of Thrall

RECEIVED  
TCEQ WATER SUPPLY  
FEB 26 3 AM 9:43

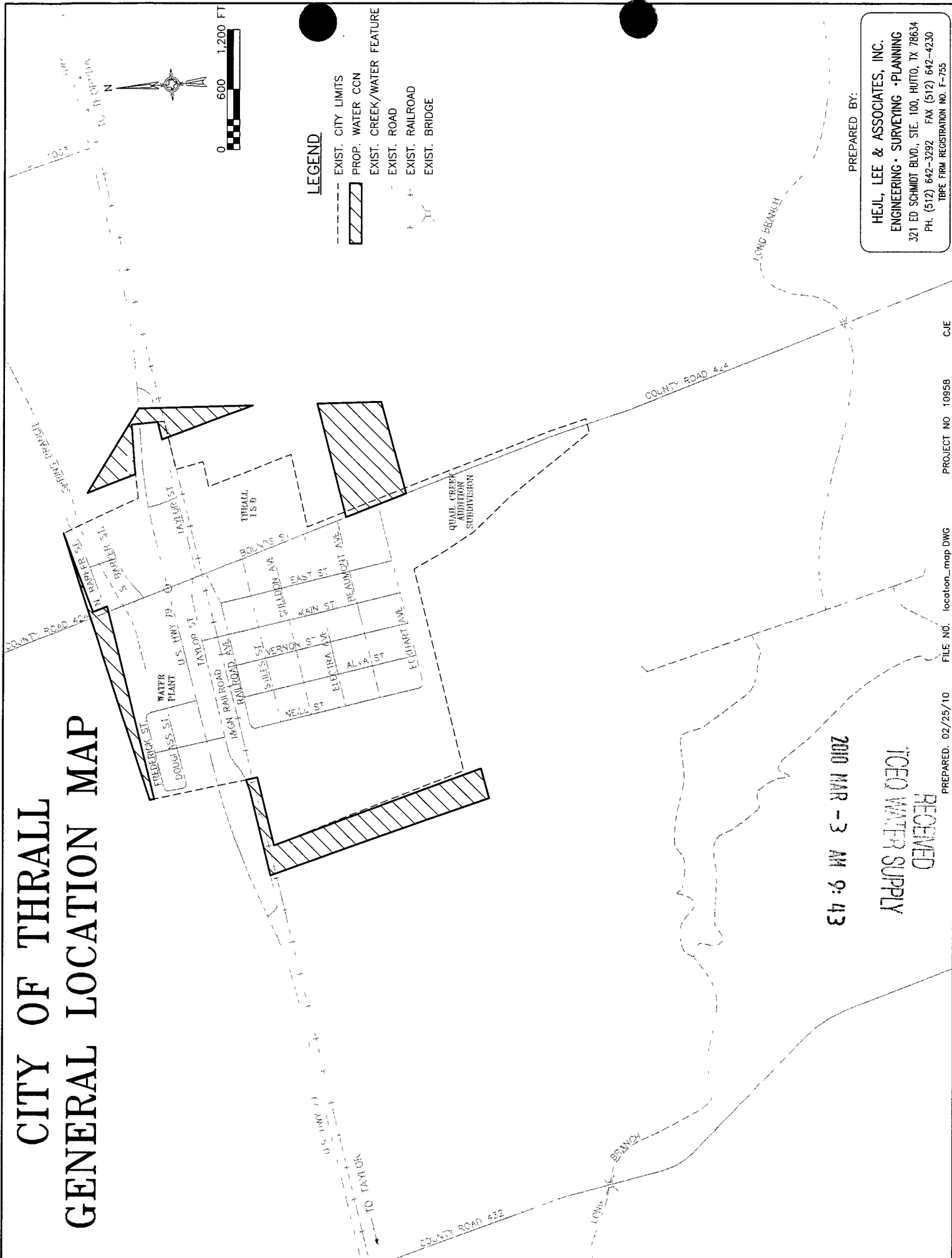
**ATTACHMENT 2**

**GENERAL LOCATION MAP**

RECEIVED  
TCEQ WATER SUPPLY

2010 MAR -3 AM 9:43

# CITY OF THRALL GENERAL LOCATION MAP



RECEIVED  
ICEO WATER SUPPLY  
2010 MAR - 3 AM 9:43

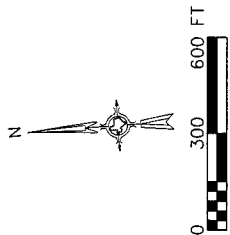
PREPARED BY:  
HEJL, LEE & ASSOCIATES, INC.  
ENGINEERING • SURVEYING • PLANNING  
321 ED SCHMIDT BLVD., STE. 100, HUTTO, TX 78634  
PH. (512) 642-3292 FAX (512) 642-4230  
TYPE FIRM REGISTRATION NO. F-755

**ATTACHMENT 3**

**PROPOSED CITY OF THRALL**  
**CCN MAP**

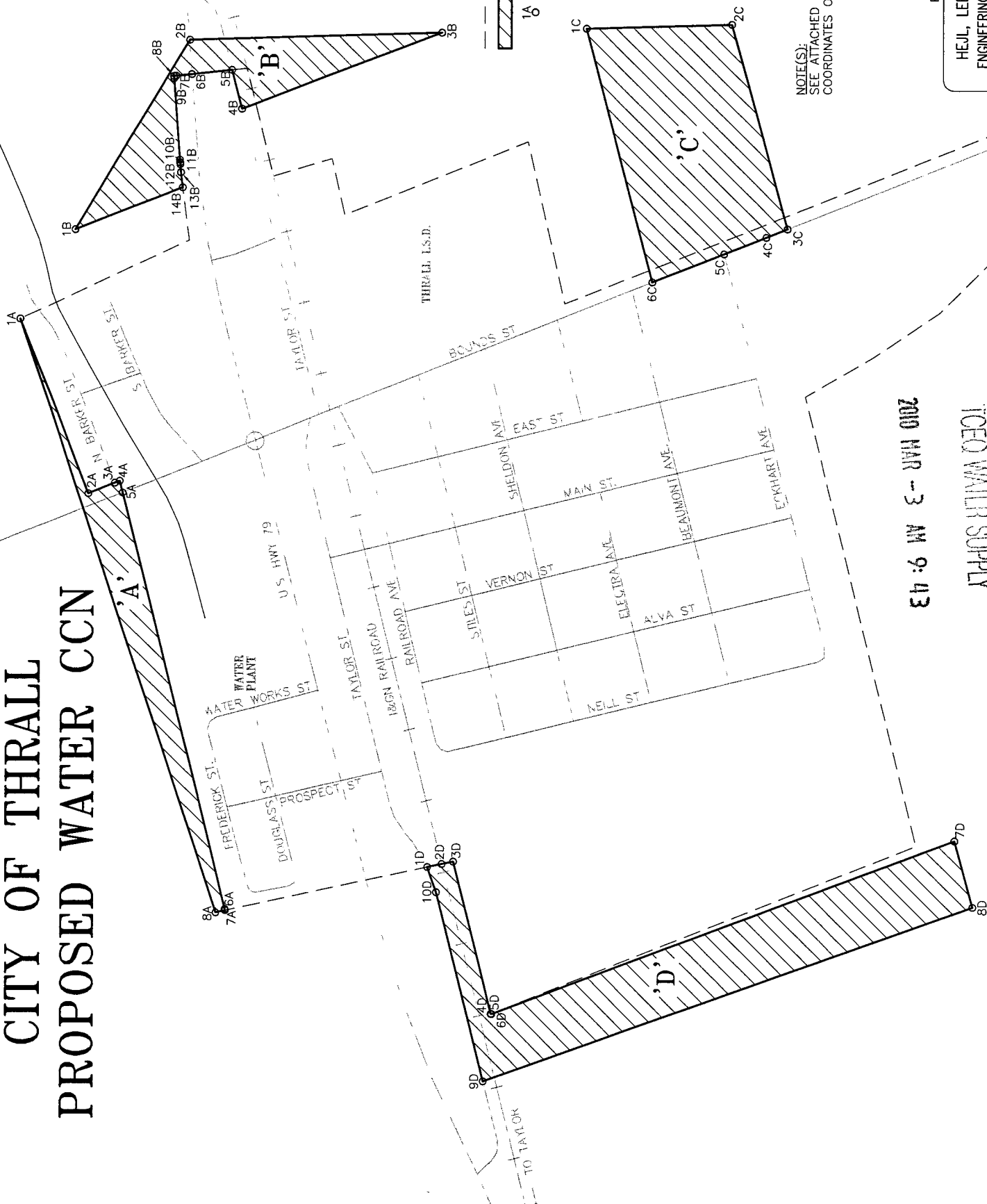
RECEIVED  
TCEQ WATER SUPPLY  
2010 MAR -3 AM 9:43

# CITY OF THRALL PROPOSED WATER CCN



## LEGEND

- EXIST CITY LIMITS
- PROP. WATER CCN
- COORDINATES FOR PROP. WATER CCN AREAS



NOTE(S):  
SEE ATTACHED SPREADSHEET FOR  
COORDINATES OF PROPOSED CCN AREAS

2010 MAR -3 AM 9:43

RECEIVED  
TCEQ WATER SUPPLY

PREPARED BY:  
HEJL, LEE & ASSOCIATES, INC.  
ENGINEERING • SURVEYING • PLANNING  
321 ED SCHMIDT BLVD., STE. 100, HUTTO, TX 78634  
PH. (512) 642-3292 FAX (512) 642-4230  
TYPE FIRM REGISTRATION NO. F-755

**CITY OF THRALL**  
**PROPOSED WATER CCN AREA COORDINATES**  
 HLA PROJECT NO. 10958

POINT NO.	NORTHING	EASTING
1A	10192998.5622	3252326.4800
2A	10192697.2431	3251543.3287
3A	10192577.7332	3251590.9860
4A	10192556.1051	3251599.6151
5A	10192543.1278	3251546.6464
6A	10192085.2926	3249677.1780
7A	10192083.9602	3249671.2754
8A	10192126.9371	3249661.7027
1B	10192757.8123	3252727.7127
2B	10192249.9798	3253573.9818
3B	10191122.6716	3253605.5645
4B	10192017.0579	3253265.1394
5B	10192061.1308	3253438.6197
6B	10192241.7640	3253419.7752
7B	10192310.3491	3253412.6146
8B	10192320.3659	3253411.5639
9B	10192319.6358	3253401.5459
10B	10192293.2618	3253037.5834
11B	10192292.4066	3253025.8925

POINT NO.	NORTHING	EASTING
12B	10192291.7514	3253017.5477
13B	10192288.9435	3252981.7641
14B	10192280.6406	3252914.8151
1C	10190475.7051	3253623.6899
2C	10189830.5496	3253641.7646
3C	10189581.3297	3252727.7489
4C	10189676.6323	3252689.7448
5C	10189862.8479	3252615.4835
6C	10190179.8595	3252489.0637
1D	10191179.0023	3249864.7714
2D	10191114.7535	3249878.5067
3D	10191063.8678	3249889.3848
4D	10190895.9311	3249210.1871
5D	10190893.8339	3249211.0175
6D	10190893.5019	3249209.0466
7D	10188832.8793	3249982.8052
8D	10188751.9929	3249686.1543
9D	10190930.7463	3248909.3506
10D	10191139.1541	3249752.2751

**NOTE(S):**

1. All coordinates are in State Plane, Nad 83, Texas Central Zone, feet.

2010 MAR - 3 AM 9:43

RECEIVED  
 IOCO WATER SUPPLY

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



91 7288 2133 3935 2029 4817

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 10, 2010

**BY FAX TO 512/898-2481 AND**  
**BY CERTIFIED MAIL**

The Honorable Troy Marx  
Mayor of Thrall  
P.O. Box 346  
Thrall, Texas 76578-0346

### **NOTICE OF DEFICIENCY**

Re: Application from the City of Thrall, to Amend Certificate of Convenience and Necessity (CCN) No. 13063, in Williamson County; Application No. 36627-C

CN: 600735245; RN: 101387751

Dear Mayor Marx:

Your CCN application for the City of Thrall, received on January 28, 2010, has been assigned Application No. 36627-C, but has not been accepted for filing. Please refer to the application number in future correspondence.

Processing for the above referenced application cannot proceed and notices cannot be published or mailed until we receive maps meeting the mapping requirements.

It appears no metes and bounds or digital map data were submitted and the location map submitted does not delineate the proposed service area. Please submit four (4) copies of the following map information.

1. General location maps delineating the proposed service area with enough detail to accurately locate the proposed service area within the county.
2. Maps showing **only** the proposed service area by:
  - a. metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor; or
  - b. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled for each utility), or
  - c. following verifiable natural and man-made landmarks; or

\*\* Transmit Conf. Report \*\*

P.1

Feb 10 2010 13:07

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
915128982481	NORMAL	10,13:07	0'00"	0	D.O.7	
↑ Check condition of remote fax.						

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 10, 2010

**BY FAX TO 512/898-2481 AND**  
**BY CERTIFIED MAIL**

The Honorable Troy Marx  
Mayor of Thrall  
P.O. Box 346  
Thrall, Texas 76578-0346

**NOTICE OF DEFICIENCY**

Re: Application from the City of Thrall, to Amend Certificate of Convenience and Necessity (CCN) No. 13063, in Williamson County; Application No. 36627-C

CN: 600735245; RN: 101387751

Dear Mayor Marx:

Your CCN application for the City of Thrall, received on January 28, 2010, has been assigned Application No. 36627-C, but has not been accepted for filing. Please refer to the application number in future correspondence.

Processing for the above referenced application cannot proceed and notices cannot be published or mailed until we receive maps meeting the mapping requirements.

It appears no metes and bounds or digital map data were submitted and the location map submitted does not delineate the proposed service area. Please submit four (4) copies of the following map information.

1. General location maps delineating the proposed service area with enough detail to

To: Administrative Reviewer

Date: February 2, 2010

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-016-10/36627-C  
City of Thrall (13063) to amend water CCN in Williamson county

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
7. Map submitted is digital request digital data.
9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:  
TWO MILES:

X 11. Notice: **DO NOT NOTICE**

X 12. Other comments: **Maps do not meet requirements. Please submit original and copies of the following. (no metes and bounds or digital data, location map has no detail.)**

- 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:
  - (1) Metes and bounds survey certified by a licensed state or register professional land surveyor ; or
  - (2) Projectable digital data with metadata (proposed areas should be in a single record and clearly labeled for each utility) ; or
  - (3) Following verifiable natural and man-made landmarks; or
  - (4) Copy of recorded plat map with metes and bounds
- C. A written description of the proposed service area.



Kent Steelman



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

\*CN# CN600735245 \*RN# RN101388171 \*If known (See Instructions)

RECEIVED  
TCEQ  
WATER SUPPLY DIV.  
2010 JUN 28 AM 8 35

PURPOSE OF THIS APPLICATION

OBTAIN ☐ New Water CCN ☐ New Sewer CCN

AMEND ☒ Water CCN # 13063 Sewer CCN # \_\_\_\_\_

1. APPLICANT INFORMATION

Utility Name: CITY OF THRALL

Utility Address (city/state/zip) P.O. BOX 346, THRALL, TX 76578

Utility Phone Number ( ) (512) 898-5306

Fax ( ) (512) 898-2481

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: TROY MARX

Title: MAYOR

Address: P.O. BOX 346

Telephone ( ) (512) 898-5306

City THRALL

St TX

Zip

76578-0346

Fax ( ) (512) 898-2481

E-mail: tmarx@riverbend.com

County(ies) in which service is proposed WILLIAMSON

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

<input type="checkbox"/>	Investor owned utility
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Home or Property Owners Association
<input type="checkbox"/>	Partnership
<input type="checkbox"/>	For-profit corporation
<input type="checkbox"/>	Non-profit, member-owned, member-controlled cooperative corporation (Water Code Chapter 67, Water Supply or Sewer Service Corporation)
<input checked="" type="checkbox"/>	Municipality
<input type="checkbox"/>	District
<input type="checkbox"/>	Other Please Explain:

- B. If the applicant is a For-Profit business or corporation, please include the following information: N/A
- Provide a copy of the corporation's A 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 tile 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 sewer service corporation: N/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 X

If YES, are any currently receiving utility service?

YES \_\_\_\_\_ NO \_\_\_\_\_ if YES, from Whom? \_\_\_\_\_

Demonstrate the Need for Service by providing the following:

- B. Have you received any requests for service in the requested service area?

YES X NO \_\_\_\_\_ if YES, provide the following:

- 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 See Attachment 1 for a copy of the Thrall I.S.D. service request.
- 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 X

If YES, within the corporate limits of: \_\_\_\_\_

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 X

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

YES \_\_\_\_\_ NO \_\_\_\_\_

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:**

**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. (See Attachment 2 for General Location Map.)
- B. A map showing only the proposed area by: (See Attachment 3 for Prop. Thrall CCN Map.)
  - 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.
- C. A written description of the proposed service area. (See Attachment 4 for written description of proposed service area.)
- D. Provide separate and additional maps of the proposed area(s) to show the following:
  - i. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and (See Attachment 5 for Thrall Water Distribution Map)
  - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s). N/A

**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**

- A. Please provide the following information: N/A
  - i. a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
  - ii. 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;
  - iii. copies of written responses from each system or evidence that they did not reply; and
  - iv. for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
- B. Were your requests for service denied? N/A
  - i. If yes, please provide documentation of the denial of service and go to 4.C.
  - ii. 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: No new facilities are proposed.  

---

---
- D. Date of plat approval, if required: N/A  
Approved by: N/A
- E. Date Plans & Specifications submitted for approval N/A Log No. N/A  
Attach copy of approval letter if available.
- F. Date construction is scheduled to commence N/A
- G. Date service is scheduled to commence N/A

**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):

2	4	6	0	0	1	5														
---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--

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

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

W	Q	0	0	1	3	4	4	8	0	0	1										
---	---	---	---	---	---	---	---	---	---	---	---	--	--	--	--	--	--	--	--	--	--

iii Date of last inspection 05/13/2008

iv Attach a copy of the most recent inspection report letter. (See Attachment 6)

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. (See Attachment 6)

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

Name	Classes	License Number
ROBERT WALLA	CLASS B WW, CLASS C GW	WW0025106 WG0010266
BRIAN JOHLE	CLASS D WW, CLASS D W	WW0036771 WO0023247

- 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 X 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). (See Attachment 7)

D. List 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	323	N/A	Residential		
1" meter or larger	5	1	Commercial		
Non-Metered	N/A	0	Industrial		
Other:	N/A	0	Other:		
Total Water	328	1	Total Sewer		

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

**Sewer service will be provided by the City of Thrall. The City currently provides sewer service to residents within its City limits. The City currently does not hold a sewer CCN as there are no other sewer service providers in the area.**

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

**N/A**

- G Effect of Granting a Certificate Amendment.  
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: (See Attachment 8)

- 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 Water X Yes

Purchased on a X regular \_\_\_\_\_ seasonal \_\_\_\_\_ Emergency basis?

Source	% of total treatment
NOACK WSC	100%

- iii Sewer treatment capacity

- iv Yes N/A

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. (See Attachment 9)

- 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: (See Attachment 10)
- 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. (See Attachment 11)

**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. (See Attachment 12)

**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. **(See Attachment 13)**  
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.**