



Control Number: 42946



Item Number: 5

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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.

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



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
PUBLIC UTILITY COMMISSION
FILING CLERK

Protecting Texas by Reducing and Preventing Pollution

March 2, 2011

Mr. John Rapier, General Counsel
Rapier, Wilson & Wendland, PC
1333 W. McDermott, Ste. 100
Allen, Texas 75013

Re: Application from Mustang Special Utility District (SUD), Certificate of Convenience and Necessity (CCN) No. 11856, to Transfer Facilities and to Transfer and Cancel CCN No. 13020 from Denton County Fresh Water Supply District (FWSD) 9, in Denton County; Application No. 36966-S

Application from Mustang SUD, CCN No. 20930, to Transfer Facilities and to Transfer and Cancel CCN No. 20922 from Denton County FWSD 9, in Denton County; Application No. 36967-S

CN: 601363534; RN: 101222669 (water) 102946019 (sewer) (Mustang SUD)
CN: 600739387; RN: 101410140 (water & sewer) (Denton FWSD 9)

Dear Mr. Rapier:

Your applications for Mustang SUD, to transfer facilities from Denton County FWSD 9 were received on February 16, 2011, and have been accepted for filing. Mr. Brian Dickey has been assigned to perform the technical review. The applications have been assigned Application Nos. 36966-S and 36967-S, respectively. Please refer to these numbers in future correspondence.

It is the responsibility of the applicant to provide correct notice of the applications to any utilities, cities, cities with an extraterritorial jurisdiction within two miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area, customers transferred, or other affected parties in your requested area.

A review of our files and maps indicates that additional utilities should be given notice of your applications. **Therefore, in addition to the neighboring utilities noted on your applications, please provide notice to the following utilities:**

Denton County FWSD 11-A
Denton County FWSD 11-B
Denton County FWSD 11-C
Denton County MUD 4
Denton County MUD 6

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Oak Point WCID 4
The Lakes FWSD of Denton County
Denton County
North Texas Groundwater Conservation District

The notice in your applications is deficient. You must revise it to include the modifications indicated on the enclosed copy and re-notice all affected parties as described in the second paragraph of this letter.

Information related to utilities and districts including addresses can be obtained from the TCEQ web site located at www10.tceq.texas.gov/iwud/.

As proof that notice was given, you are required to return to this office a copy of the actual notice attached to a signed affidavit that the notice was given.

Affidavit forms are enclosed. Please complete the affidavits and submit an original and two copies (attached to the notice) to this office.

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 1, 2011**. Processing of these applications 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 applications will be returned for failure to prosecute.

If you have further questions, please contact Mr. Brian Dickey at (512) 239-0963, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

TB/BD/ln

Enclosures: as stated

cc: Mr. John Mitchell, President, Denton County FWSD 9