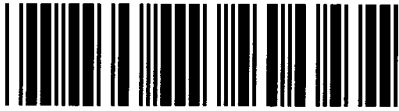




Control Number: 42948

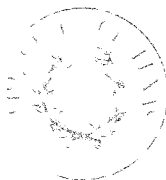


Item Number: 2

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.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

RECEIVED
2014 SEP 15 PM 12:26
PUBLIC UTILITY COMMISSION
FILING CLERK

February 25, 2014

Mr. Jeff Goebel, Business Development
Quadvest, LP
P.O. Box 409
Tomball, Texas 77868

NOTICE OF DEFICIENCY

Re: Application from Quadvest, L.P., Certificate of Convenience and Necessity (CCN) No. 11612, to acquire facilities and to transfer and cancel CCN No. 12281 from Bayer Water Sytem, Inc., in Harris County; Application No. 37530-S

CN: 602944746; RN: 101272250 (Quadvest, L.P.)

CN: 602171670; RN: 101206324 (Bayer Water System, Inc.)

Dear Mr. Goebel:

On September 23, 2013, the Commission issued a letter approving the sale for the above referenced application. In the letter we requested a copy of the signed contract or bill of sale and documents supporting the disposition of customer deposits, be sent to the Utilities and Districts Section within 30 days after completion of the transaction between Quadvest, L.P. and Bayer Water System, Inc. To date, we have not received the required information.

Please provide the above requested documentation for this application by **March 25, 2014**. Failure to provide this information may result in the return of your application for failure to prosecute and the sale may be voided.

If you have any questions, please contact Ms. Sheresia Perryman by phone at 512/239-3654, by fax at 512/239-6972, or by email at sheresia.perryman@tceq.texas.gov. If you contact our office by correspondence, please include MC 153 in the letterhead address.

Sincerely,

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

TB/SP/mmg

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

How is our customer service? tceq.texas.gov/customersurvey

2



91 7199 9991 7031 8272 6514

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 23, 2013

CERTIFIED MAIL

Mr. Jeff Goebel, Business Development
Quadvest, LP
P.O. Box 409
Tomball, Texas 77377

Re: Application No. 37530-S, Application from Quadvest, L.P., Certificate of Convenience and Necessity (CCN) No. 11612, to acquire facilities and to transfer and cancel CCN No. 12281 from Bayer Water System, Inc., in Harris County

CN: 602944746; RN: 101272250 (Quadvest, LP)
CN: 602171670; RN: 101206324 (Bayer Water System, Inc.)

Dear Mr. Goebel:

We have reviewed the criteria in Texas Water Code (TWC), Section 13.301(e) and determined that a public hearing will not be requested. You may complete your proposed transaction as scheduled, or any time after you receive this notification. Please note that the transaction must comply with the requirements of TWC Section 13.301(d) and therefore cannot be completed prior to the issuance of this letter.

The second part of the application, which is transferring the CCN, will occur following receipt of following documents:

- a copy of the signed contract or bill of sale, and
- documents supporting the disposition of customer deposits.

The application cannot be approved nor the CCN transferred and issued until we receive evidence that the transaction was completed. These items must be received by the Utilities & Districts Section, Water Supply Division, within 30 days after the effective date of the transaction.

After the proper documentation is received, staff will prepare a proposed map, certificate, and recommendation for both applicants to review before submitting them to the Executive Director for approval and the issuance of the CCN. A copy of this information will be sent to both the buyer and seller.

Mr. Jeff Goebel, Business Development

Page 2

September 23, 2013

As an alternative to the seller's continued involvement in the process, the closing document(s) and any accompanying correspondence may include a statement that the seller consents with the transfer of the CCN to the buyer with specific references to the statute and rule noted above. The statement will serve to authorize the Executive Director to take action upon receipt of the buyer's signed consent form. In this situation, however, the seller is relying on the buyer to provide the final consent on the CCN transfer.

Finally, please note that from the time the application is filed until the CCN is issued, it is the applicants' (buyer and seller) responsibility to notify and update the Utility & Districts Section, Water Supply Division, of changes in the financial, managerial, or technical information provided in the application.

If you have any questions, please contact Ms. Sheresia Perryman by phone at 512/239-3654, by fax at 512/239-6972, by email at Sheresia.perryman@tceq.texas.gov, or if by correspondence, include MC 153 in the letterhead address below.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tammy Benter", followed by a large, stylized flourish.

Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

TB/SP/mmg

cc: TCEQ, Region 12 Office

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April, 16, 2013

Quadvest L.P
P.O Box 409
Tomball, TX 77377-0409

The enclosed check or remittance item is being returned to you for the reason indicated below:

- ☐ Missing Signature on Check
- ☐ Unable to Identify - Additional Information Required (i.e. Acct. #, Invoice #, Report, Application)
- ☐ Duplicate Payment
- ☒ Payment Not Required
- ☐ Missent /Incorrect Payee
- ☐ Returned at Remitter's Request
- ☐ Numerical & Written Amounts Differ
- ☐ Requested Service or Product NOT Available at TCEQ
- ☐ OTHER:

For additional information concerning this returned item, please contact Lauren Peralez, TCEQ Revenue Processing at (512) 239-5983.

Attachment(s)

lap

DEPOSIT INFORMATION FORM

Today's Date:	4/10/13
Review Number:	A-018-13
Check Date:	3/20/13
Check Number:	22734
Check Amount:	\$ 735. ³⁴
Check Maker:	Quadwest L.P.
Paid For:	Public Health Service & Consolidated

Purpose of Check: Water Quality late fees under Responsible customer name Arthur Edward Bayer.

SER Expedited Release		
	\$100	Filing Fee

MELISSA MORTON MC 153

239-6734

Water Supply Division/Utilities & Districts Section/ Financial Review

Check Attached

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



Shrescric Perryman
3654

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 22, 2013

BY CERTIFIED MAIL

Mr. Jeff Goebel
P.O. Box 409
Tomball, Texas 77377

NOTICE OF DEFICIENCY

Re: Application from Quadvest, L.P., Certificate of Convenience and Necessity (CCN) No. 11612, to Acquire Facilities and to Transfer CCN No. 12281 held by Bayer Water System, Inc., in Harris County; Application No. 37530-S

CN: 602944746; RN: 101272250 (Quadvest)
CN: 602171670; RN: 101206324 (Bayer Water System)

Dear Mr. Goebel:

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In order for your application to be accepted for filing, please provide the following additional items:

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- 2) Complete questions 13A and 23 of the application.
- 3) On November 14, 2012, the Commission implemented a policy change to strictly enforce the requirement that CCN related applications include a complete list of entities providing the same type of retail utility service (i.e., water and/or sewer) as requested in the application, within a specified area. See question 15 in the application. This list should include all retail public utilities, counties, districts and groundwater conservation districts, and city whose corporate limits and/or extra-territorial jurisdiction (ETJ) are within the two mile area of the proposed CCN area. The list of entities to be noticed in your application is incomplete; please submit 4 copies of the complete list. Insufficient lists will result in the return of your application.

Mr. Jeff Goebel
Page 2
February 22, 2013

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

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In addition, the staff of TCEQ has determined that payment of the following fees are required before we can declare the application administratively complete. Bayer Water System, Inc. owes Public Health Service for 2012 in the amount of \$704.34 and Consolidated Water Quality late fees under the responsible customer name of Arthur Edward Bayer in the amount of \$31.00. Payment may be made through the following methods: cash, check, ACH (electronic check), money order, or credit card through TCEQ's electronic payment portal (e-pay). Additional information regarding payment options is available at:

<http://www.tceq.texas.gov/response/drought/waterfees.html#publichealthservicfee>. Upon payment, please send documentation reflecting payment of all delinquent fees and penalties.

Please be advised: Failure to pay fees/penalties within 30 days will result in additional administrative actions affecting your fee accounts and your application with TCEQ.

With respect to fees and/or penalties, these actions may include enforcement and collections efforts to recover the debt owed to the state. Regarding your permit application, additional administrative actions may include return of your application, or a contested case hearing that may result in the denial of your application.

Processing of the above referenced application cannot proceed and notices cannot be published or mailed until we receive the requested items. These items must be completed and returned to our office by **March 22, 2013**. If we do not receive the requested information by this date your application will be returned for failure to prosecute.

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

Sincerely,



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

TB/KN/mmg



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

Central Records Personally Identifiable Information Audit

NOTICE OF REDACTION

Documents containing Personally Identifiable Information* have been redacted from electronic posting, in accordance with Texas privacy statutes.

*"Personally Identifiable Information" (PII) is defined to include information that alone or in conjunction with other information identifies an individual, including an individual's: Social security or employer taxpayer identification number, driver's license number, government-issued identification card number, or passport numbers, checking and savings account numbers, credit card numbers, debit card numbers, unique electronic identification number, address, or routing code, electronic mail names or addresses, internet account numbers, or internet identification names, digital signatures, unique biometric data, and mother's maiden name, marriage and any other numbers or information used to access an individual's financial account.

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



Shresenie Perryman
3654

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 22, 2013

BY CERTIFIED MAIL

Mr. Jeff Goebel
P.O. Box 409
Tomball, Texas 77377

NOTICE OF DEFICIENCY

Re: Application from Quadvest, L.P., Certificate of Convenience and Necessity (CCN) No. 11612, to Acquire Facilities and to Transfer CCN No. 12281 held by Bayer Water System, Inc., in Harris County; Application No. 37530-S

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Dear Mr. Goebel:

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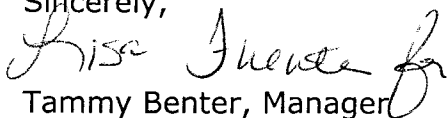
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If you have any questions, please contact Ms. Kristy Nguyen at 512/239-4634, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

TB/KN/mmg

12. Please describe the nature of the proposed transaction:

Sale of assets to Quadvest

13. If the transferee applicant is an Investor Owned Utility (IOU) and will be under the rate jurisdiction of the TCEQ, please provide the following information. Water supply or sewer service corporations and political subdivisions of the state should mark this section N/A:

- A.
- Total Purchase Price: 75,000
 - Total Original Cost (as recorded on books of seller or merging entity): Not Known
 - Accumulated Depreciation as of the proposed effective date of the transaction: Not Known
 - Contributions in Aid of Construction:

- Specific surcharges approved by TCEQ: None known

- Revenues from explicit customer agreements: None known

- Developer Contributions (please explain):

None

- Other Contributions (please explain):

None

Total Contributions in Aid of Construction

None

- Net Book Value: Not Known

If the Original Cost or any of the above items has been established in a rate case proceeding by the PUC, the TWC or the TCEQ, please provide the Application/Docket Number and date:

Application/Docket Number: Not Known

Date:

If the applicant is not under the rate jurisdiction of the TCEQ, only the purchase price and information related to Contributions in Aid of Construction is required.

- B. Please provide any other information concerning the nature of the transaction you believe should be given consideration if not explained elsewhere in the application.
[attach additional sheet(s) if necessary]:

The applicant plans to replace the aged distributions lines, over time, and construct a new water distribution facility.

21. List the number of existing connections to be effected by this transaction.

Water				Sewer	
	-Non Metered	1	-2"meter	-Residential Connection	
338	-5/8" or 3/4" meter		-3" meter	-Commercial Connection	
6	-1" meter		-4" meter	-Industrial Connection	
3	-1 1/2" meter		-Other	-Other	
Total Water Connections:			348	Total Sewer Connections	

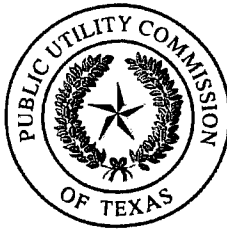
20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? ☐ Yes ☒ No
If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
Quadvest, L.P.		
The operator is yet to be determined		

24. Attach the following maps with each copy of the application:

- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
- b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
 1. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 2. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - iii. following verifiable natural and man-made landmarks, or
 - iv. a copy of recorded plat map with metes and bounds.
 3. A written description of the proposed service area.



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

91 7108 2133 3935 2039 8485

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 22, 2013

BY CERTIFIED MAIL

Mr. Jeff Goebel
P.O. Box 409
Tomball, Texas 77377

NOTICE OF DEFICIENCY

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

TB/KN/mmg

SP

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 22, 2013

BY CERTIFIED MAIL

Mr. Jeff Goebel
P.O. Box 409
Tomball, Texas 77377

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Sincerely,



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

TB/KN/mmg

To: Administrative Reviewer

Date Complete: February 13, 2013

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-018-13/37530-S
Quadvest L.P. (11612) to acquire Bayer Water Systems (12281 in Harris 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:
- X 5. If this is a Sale, Transfer, or Merger, is additional area being requested? NO
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:
- Consumers Water (10347) ✓
- Dove Meadows MUD (10863)
- Inverness Forest Improvement District (10862) ✓
- Southern Montgomery County MUD (11426) ✓
- Spring Creek Trails LLC (11444) ✓
- Texas American Water (13114) ✓
- Timber Lane Utility District
- Harris County MUD 104
- Harris County MUD 82
- Spring Creek Utility District
- Montgomery County MUD 94 ✓
- Spring West MUD
- Northgate Crossing MUD 1
- Harris County WCID 99
- Old Town Spring Improvement District
- Harris County MUD 249 ✓
- Harris County Improvement District 18

Harris County WCID 110

Northgate Crossing MUD 2 ✓

Harris County WCID 92 ✓

Montgomery County MUD 119

Meadowhill Regional MUD

Montgomery County MUD 89

Harris-Galveston Subsidence District ✓

Harris county ✓

All cities and etj's within 2 miles of proposed area

Any other Utility, District or entity that would be required to receive notice

11. Notice: OK

12. Other comments:



Kent Steelman

To: Administrative Reviewer

Date Complete: February 13, 2013

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-018-13/37530-S
Quadvest L.P. (11612) to acquire Bayer Water Systems (12281 in Harris 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:
- X 5. If this is a Sale, Transfer, or Merger, is additional area being requested? NO
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:
- Consumers Water (10347)
- Dove Meadows MUD (10863)
- Inverness Forest Improvement District (10862)
- Southern Montgomery County MUD (11426)
- Spring Creek Trails LLC (11444)
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11. Notice: OK

12. Other comments:



Kent Steelman



