

Control Number: 42954



Item Number: 5

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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.



42954  
RECEIVED WILLATT & FLICKINGER  
2014 SEP 25 PM 1:54 ATTORNEYS AT LAW  
PUBLIC UTILITY COMMISSION  
2001 NORTHERN AVENUE • AUSTIN, TEXAS 78705 • (512) 476-6604 • FAX (512) 469-9148

January 29, 2014

Ms. Tammy Benter, Manager  
Utilities & Districts Section, MC 153  
Water Supply Division  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**Re: Application from the City of Italy to Amend CCN No. 10885 in Ellis County; Application No. 37666-C; Application from the City of Italy to Amend CCN No. 20350 in Ellis County; Application No. 37667-C; CN: 600460026; RN: 10139528 (water and sewer)**

Dear Tammy:

Please find attached the following in connection with the above-captioned cause:

1. The original and three (3) copies of the publisher's affidavit of the newspaper publication with tear sheets of the published notice ✓
2. Four (4) copies of each individual notice and map sent to neighboring utilities
3. One (1) copy of the landowners notice and map sent to each landowner ✓
4. The original and three (3) copies of the signed affidavits that individual notice to neighboring utilities, affected individuals and each landowner has been given.

Thank you for your help in this matter.

Very truly yours,

*Mike Willatt*

Mike Willatt

MW  
Enclosures

cc: Mr. Dean Carrell  
Mr. Scott Hoelzle  
(w/o enclosures)

(Via Electronic Transmission Only)



File

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



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 27, 2013

**BY FAX TO 512/469-9148 AND**  
**BY CERTIFIED MAIL**

Mr. Mike Willatt  
 Willatt & Flickinger  
 2001 North Lamar  
 Austin, Texas 78705

Re: Application from the City of Italy to Amend Certificate of Convenience and Necessity (CCN) No. 10885 and to decertify a portion of CCN No. 11184 held by South Ellis County Water Supply Corporation (WSC) in Ellis County; Application No. 37666-C

Application from the City of Italy to Amend CCN No. 20350 in Ellis County; Application No. 37667-C

CN: 600460026; RN: 101393528 (City of Italy)  
 CN: 603687443; RN: 101421840 (South Ellis County WSC)

Dear Mr. Willatt:

Your applications from the City of Italy, received on July 16, 2013, have been accepted for filing. Please refer to the application numbers in future correspondence. Ms. Mary Damron 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 Ellis County. **It is the responsibility of the applicant to provide correct notice** of the application to any utilities, cities, cities with an extraterritorial jurisdiction 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.

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

Mr. Mike Willatt  
Page 2  
November 27, 2013

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

- 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) one copy of the landowner 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.

There also appears to be an overlap of your proposed service area with the certified service area of South Ellis County Water Supply Corporation (WSC).

Written documentation on how the overlap with South Ellis County WSC will be required. There are several options to resolving this overlap. One is to amend your application by submitting revised maps and changing the requested CCN area so as to not include the area of overlap. The second option is for you to meet with South Ellis County WSC and work out an agreement whereby South Ellis County WSC agrees to decertification of the area of overlap. Written documentation from South Ellis County WSC agreeing to decertification is required. If an agreement is not reached, you will have to provide compelling evidence that South Ellis County WSC cannot provide acceptable service. The notices have been revised to propose decertification of the portions of South Ellis County WSC in the event this is considered. If South Ellis County WSC is providing service to any customers in the overlapping area, notice of the proposed decertification must be provided to each of these customers.

Additional financial or technical information may also be requested through future correspondence.

These items must be completed and returned to our office by **December 27, 2013**. 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. Mary Damron at 512/239-4667, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Tammy Benter". The signature is fluid and cursive, with the first name "Tammy" and last name "Benter" clearly legible.

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

TB/CM/sd

Enclosures: as stated





***Notice for Publication***

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

The City of Italy has filed applications to amend CCNs with the Texas Commission on Environmental Quality to provide water and sewer utility service and to decertify a portion of CCN No. 11184 held by South Ellis County Water Supply Corporation (WSC) in Ellis County.

The proposed service area is located approximately 16 miles south southwest of downtown Waxahachie, Texas, and is generally bounded on the north by the intersection of Kinfolk Road and Mosley Street; on the east by Rollins Road; on the south by White Rock Road; and on the west by Morgan Road.

***See enclosed map of the proposed service area.***

The total area being requested includes approximately 1,240 acres and 900 current customers.

The proposed amendment affects customers and/or areas located in the following zip code: 76651.

A copy of the proposed service area map is available at: City of Italy, Public Works Department, 413 Clark Street, Italy, Texas 76651 Ph: (972) 483-6212.

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 be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All 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  
AND SEWER UTILITY SERVICE IN ELLIS COUNTY, TEXAS**

To: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_, 2013  
(Neighboring System, Landowner or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City                      State                      Zip)

The City of Italy has filed applications to amend CCNs with the Texas Commission on Environmental Quality to provide water and sewer utility service and to decertify a portion of CCN No. 11184 held by South Ellis County Water Supply Corporation (WSC) in Ellis County.

The proposed service area is located approximately 16 miles south southwest of downtown Waxahachie, Texas, and is generally bounded on the north by the intersection of Kinfolk Road and Mosley Street; on the east by Rollins Road; on the south by White Rock Road; and on the west by Morgan Road.

***See enclosed map of the proposed service area.***

The total area being requested includes approximately 1,240 acres and 900 current customers.

The proposed amendment affects customers and/or areas located in the following zip code: 76651.

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 be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All 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



## AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES APPLICATION NO. \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, who being by me  
duly sworn, deposes and that (s)he is the \_\_\_\_\_  
(TITLE)  
of the \_\_\_\_\_  
(NAME OF UTILITY)

that the attached notice was provided to customers and other affected parties by  
\_\_\_\_\_  
(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: \_\_\_\_\_  
(DATE)  
\_\_\_\_\_  
(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012,  
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



AFFIDAVIT OF NOTICE TO LANDOWNERS  
APPLICATION NO. \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual notice to the following landowners:  
(NAME OF UTILITY)

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



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. \_\_\_\_\_

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



PUBLISHER'S AFFIDAVIT  
APPLICATION NO. \_\_\_\_\_

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 \_\_\_\_\_ (TITLE) of the \_\_\_\_\_ (NAME OF NEWSPAPER); that said newspaper is regularly published in \_\_\_\_\_ (COUNTY/COUNTIES) and generally circulated in \_\_\_\_\_, Texas; and (COUNTY/COUNTIES) that the attached notice was published in said newspaper on the following date(s), to wit: \_\_\_\_\_ (DATES)

\_\_\_\_\_  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_, 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 \_\_\_\_\_



Fax: 512-469-9148  
**From:** Ms. Mary Damron  
 Division : Water Supply Division  
 Texas Commission on Environmental Quality  
 Phone: 512-239-4667  
 Fax: 512-239-6972

How is our customer service? [www.tceq.texas.gov/goto/customersurvey](http://www.tceq.texas.gov/goto/customersurvey)

915124699148	NORMAL	26,15:40	1'34"	12	# 0 K	
Fax/Phone Number	Mode	Start	Time	Page	Result	Note

Nov 26 2013 15:40

P.1

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



Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT  
APPLICATION NO. 37666-C & 37667-C

STATE OF TEXAS  
COUNTY OF Ellis

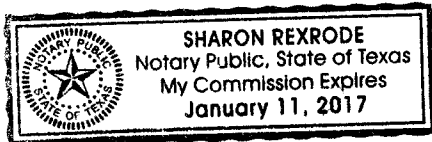
Before me, the undersigned authority, on this day personally appeared Robin Fox, who being by me  
duly sworn, deposes and says that (s)he is the Clerk (TITLE)  
of the Waxahachie Daily Light (NAME OF NEWSPAPER)  
that said newspaper is regularly published in Ellis (COUNTY/COUNTIES)  
and generally circulated in Ellis, Texas; and (COUNTY/COUNTIES)

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

1-9 & 1-16-14  
(DATES)

R Fox  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 17 day of January, 2014,  
to certify which witness my hand and seal of office.



Sharon Rexrode  
Notary Public in and for the State of Texas

Sharon Rexrode  
Print or Type Name of Notary Public  
Commission Expires 1-11-17

2014 JAN 31 PM 2 17

RECEIVED  
JAN 31 2014  
WATER SUPPLY DIV.



**NON – SCANABLE  
PAGE**

**NEWSPAPER IN FILE**

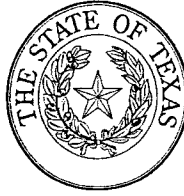
**FOR ANY QUESTIONS**

**PLEASE CALL CENTRAL RECORDS**

**MAIN LINE (512) 936-7180**



Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37666-C & 37667-C

STATE OF TEXAS  
COUNTY OF ELLIS

City of Italy has provided  
individual notice to the following entities:

Please see attached list.

DATE  
January 9, 2014

OATH

I, Mike Willatt, being duly sworn, file this form as  
attorney (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.

Mike Willatt  
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 27th day of January, 20 14,  
to certify which witness my hand and seal of office.



Jeniffer Concienne  
Notary Public in and for the State of Texas  
Print or Type Name of Notary Public  
Commission Expires 9.21.2014





**NEIGHBORING UTILITIES & AFFECTED PARTIES**

Chambers Meadows Estates Water Co.  
4793 FM 639  
Frost, Texas 76641

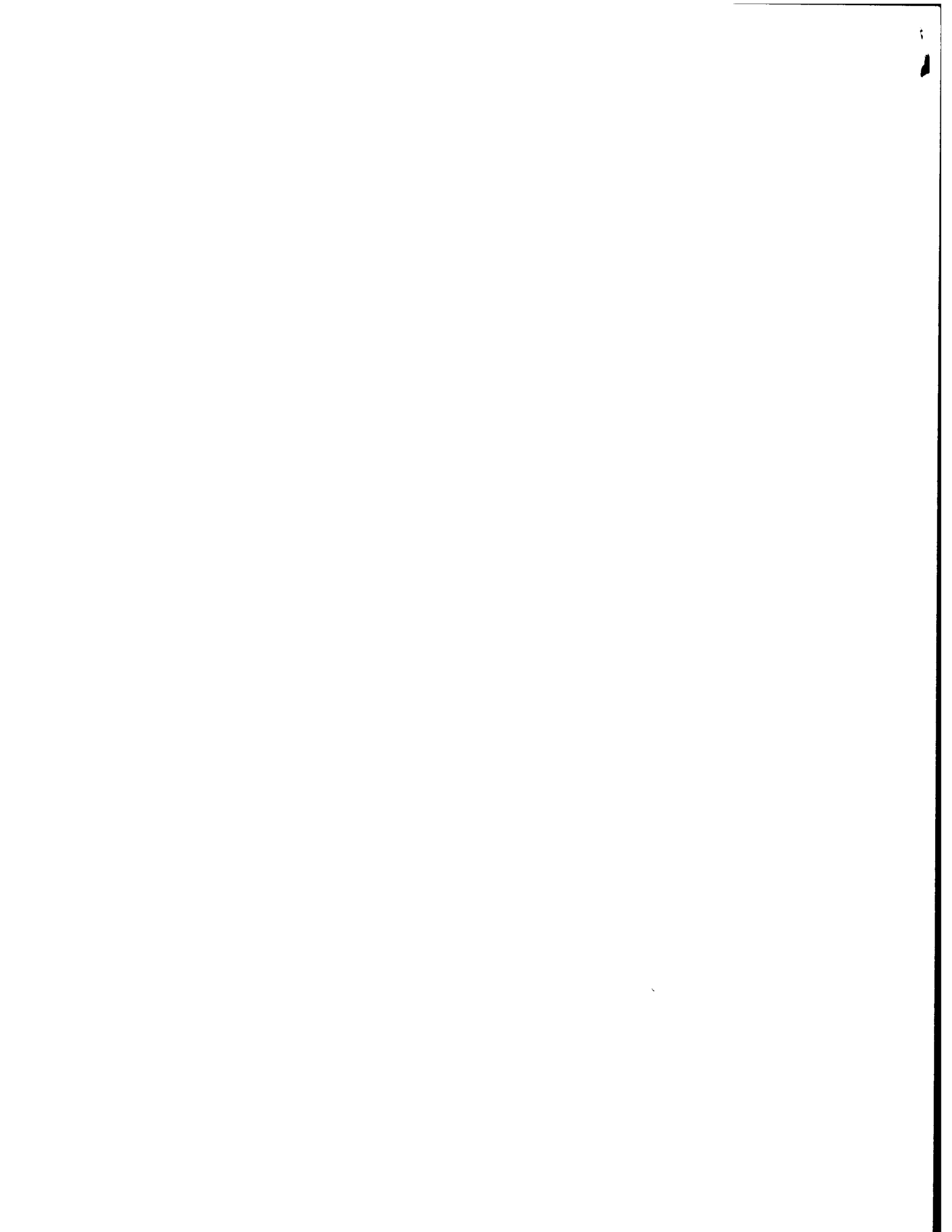
Avalon Water Supply and  
Sewer Service Corporation  
P.O. Box 70  
Avalon, Texas 76623

South Ellis County Water Supply  
P.O. Box 348  
Italy, Texas 76651

Honorable Carol Bush  
Ellis County Judge  
101 W. Main Street  
Waxahachie, Texas 75165

City of Frost  
Attn: City Manager  
100 N. Garrity Street  
Frost, Texas 76641

Prairielands Groundwater  
Conservation District  
P.O. Box 3128  
Cleburne, Texas 76033



***Notice to Neighboring Systems, Landowners and Cities***

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

To: Avalon Water Supply and  
Sewer Service Corporation  
P.O. Box 70  
Avalon, Texas 76623

Date Notice Mailed: January 9, 2014

The City of Italy has filed applications to amend CCNs with the Texas Commission on Environmental Quality to provide water and sewer utility service in Ellis County.

The proposed service area is located approximately 16 miles south southwest of downtown Waxahachie, Texas, and is generally bounded on the north by the intersection of Kinfolk Road and Mosley Street; on the east by Rollins Road; on the south by White Rock Road; and on the west by Morgan Road.

***See enclosed map of the proposed service area.***

The total area being requested includes approximately 1,240 acres and 900 current customers.

The proposed amendment affects customers and/or areas located in the following zip code: 76651.

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 be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All 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.

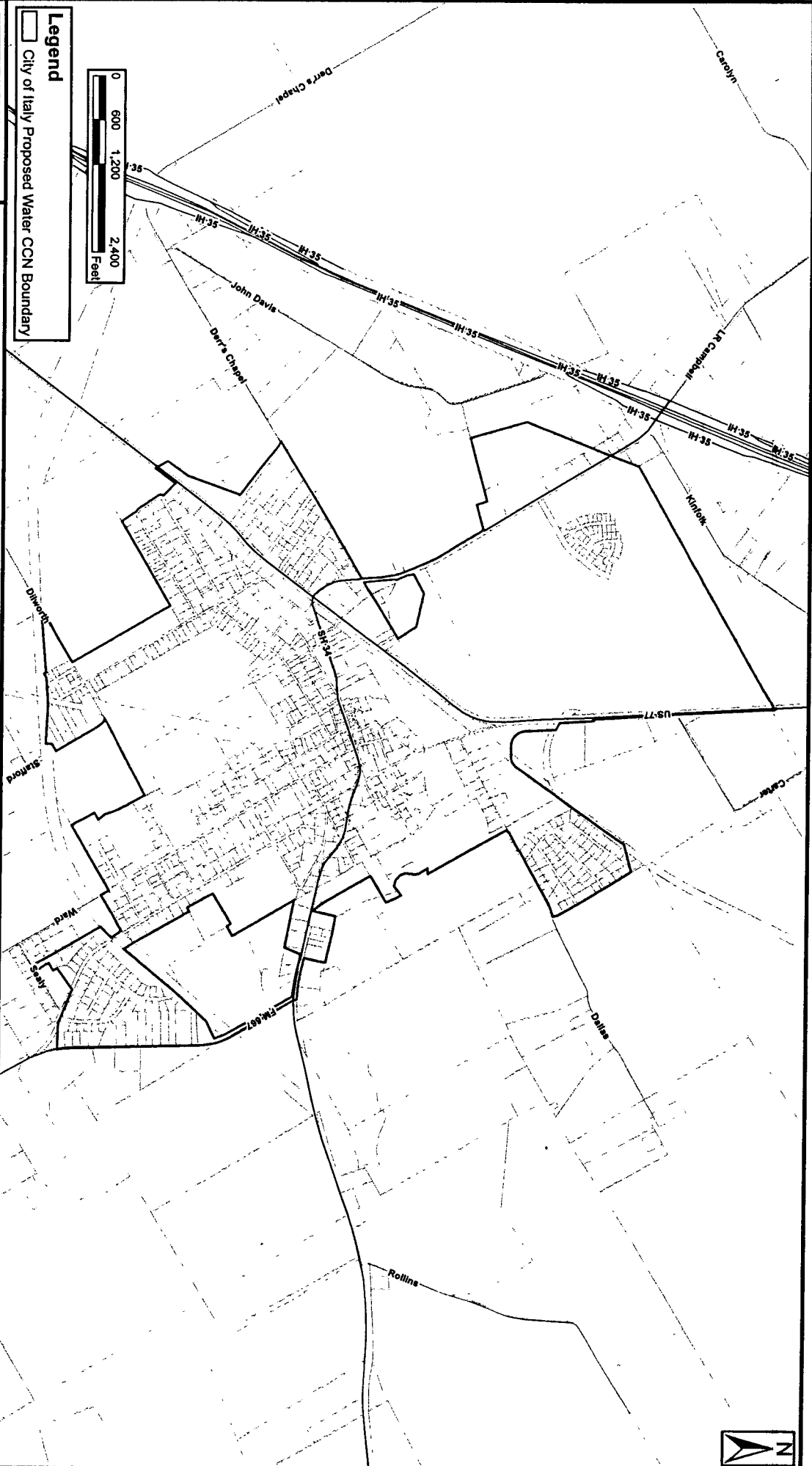
Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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.





### Legend

 City of Italy Proposed Water CCN Boundary

**KSA**  
**ENGINEERS**

3407 Spring Dr. Addicks, Texas 77001  
713.727.0420 / 713.727.0424 FAX  
ksa@ksaengineers.com

**CITY OF ITALY, TX**  
101 West Main Street - Italy, TX 76651  
(972) 483-7329

**PROPOSED  
WATER  
CCN BOUNDARY**









***Notice to Neighboring Systems, Landowners and Cities***

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

To:

Chambers Meadows Estates Water Co.  
4793 FM 639  
Frost, Texas 76641

Date Notice Mailed: January 9, 2014

The City of Italy has filed applications to amend CCNs with the Texas Commission on Environmental Quality to provide water and sewer utility service in Ellis County.

The proposed service area is located approximately 16 miles south southwest of downtown Waxahachie, Texas, and is generally bounded on the north by the intersection of Kinfolk Road and Mosley Street; on the east by Rollins Road; on the south by White Rock Road; and on the west by Morgan Road.

***See enclosed map of the proposed service area.***

The total area being requested includes approximately 1,240 acres and 900 current customers.

The proposed amendment affects customers and/or areas located in the following zip code: 76651.

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 be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All 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.

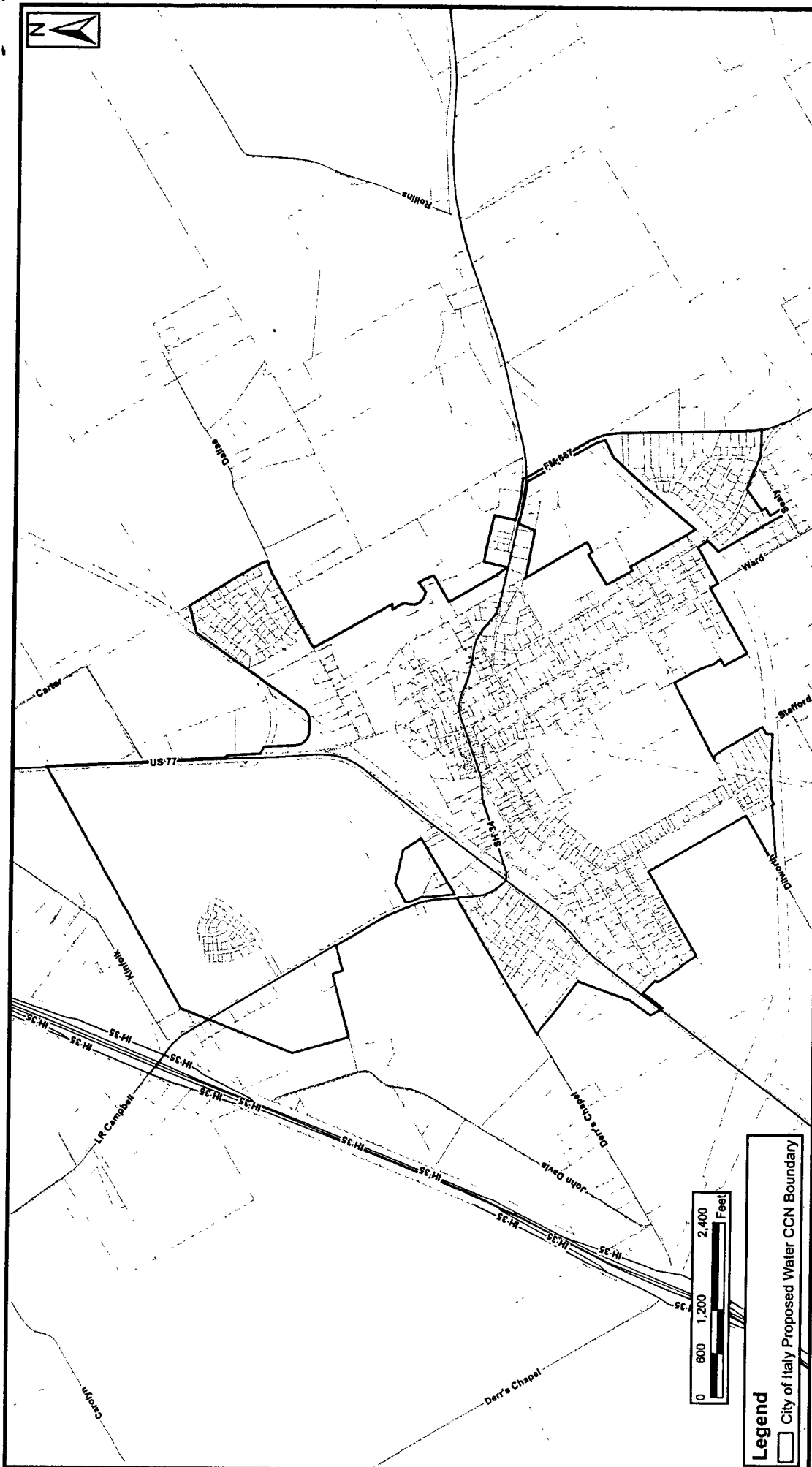
Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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.





**Legend**

-  City of Italy Proposed Water CCN Boundary

**CITY OF ITALY, TX**  
101 West Main Street - Italy, TX 76651  
(972) 483-7329

**KSA**  
**ENGINEERS**

8403 Spring Dr. McKinney, Texas 75069  
7.072-942-5895 / 7.072-942-6756  
www.ksaengineers.com

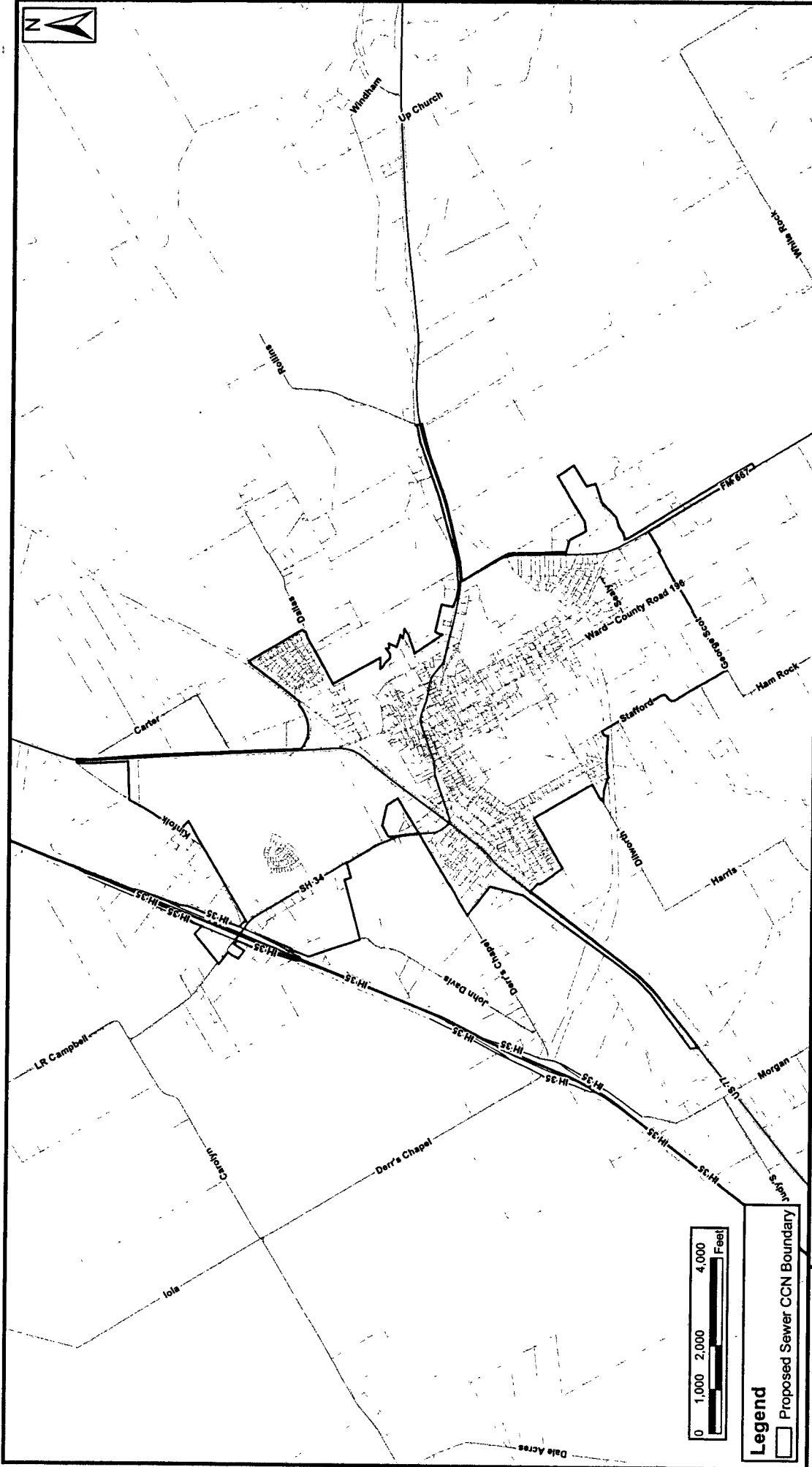
Revised Date: December 11, 2013

**PROPOSED  
WATER  
CCN BOUNDARY**

P:\Projects\11\00000000\CCN\Map







PROPOSED  
SEWER  
CCN BOUNDARY

CITY OF ITALY, TX  
101 West Main Street - Italy, TX 76651  
(972) 483-7329

**KSA**  
ENGINEERS

4475 South Dr. Addicks, Texas 75009  
714.331.1100  
www.ksa-engineers.com

**Legend**  
 Proposed Sewer CCN Boundary



***Notice to Neighboring Systems, Landowners and Cities***

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

To: South Ellis County Water Supply  
P.O. Box 348  
Italy, Texas 76651

Date Notice Mailed: January 9, 2014

The City of Italy has filed applications to amend CCNs with the Texas Commission on Environmental Quality to provide water and sewer utility service in Ellis County.

The proposed service area is located approximately 16 miles south southwest of downtown Waxahachie, Texas, and is generally bounded on the north by the intersection of Kinfolk Road and Mosley Street; on the east by Rollins Road; on the south by White Rock Road; and on the west by Morgan Road.

***See enclosed map of the proposed service area.***

The total area being requested includes approximately 1,240 acres and 900 current customers.

The proposed amendment affects customers and/or areas located in the following zip code: 76651.

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 be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All 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.

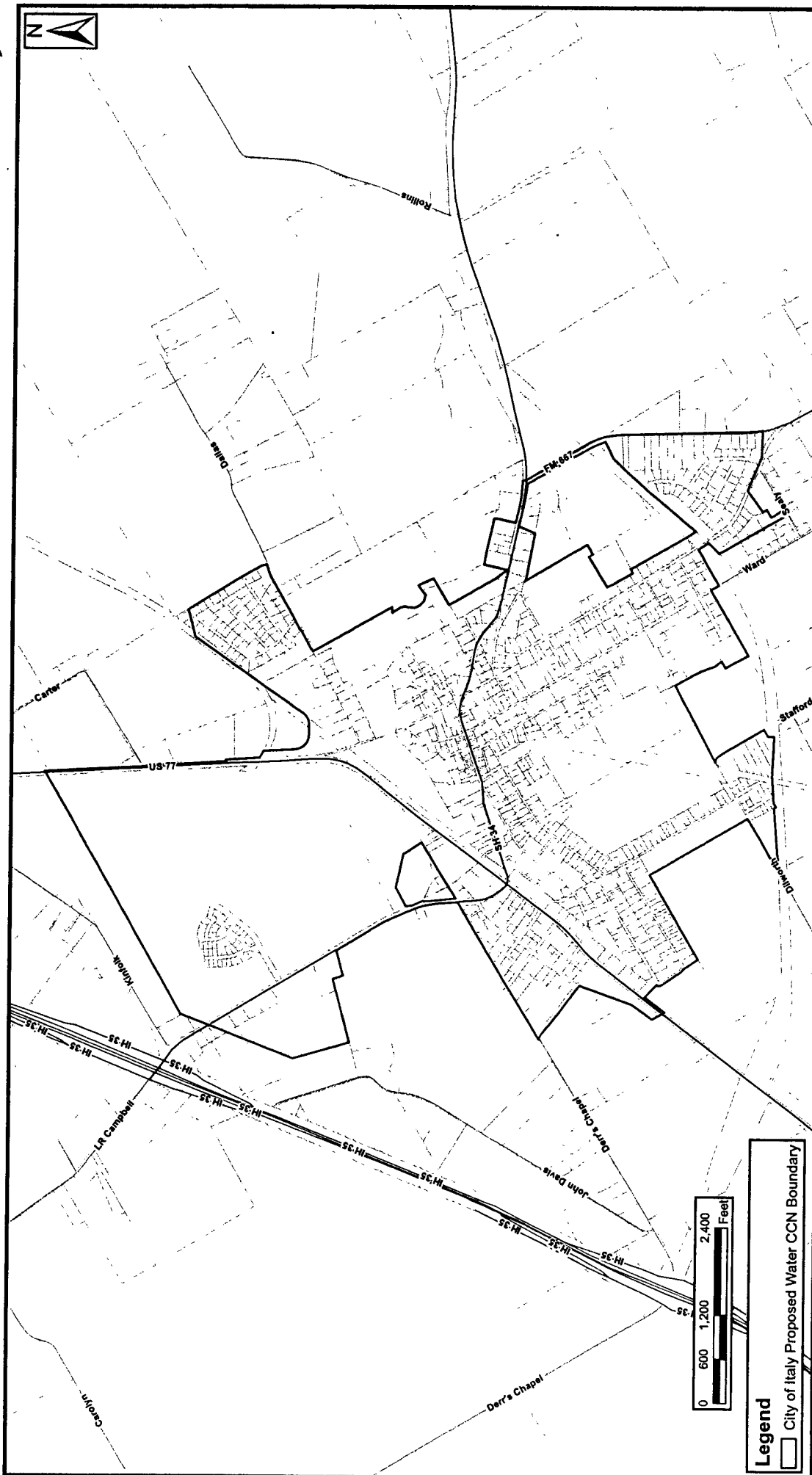
Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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 ITALY, TX**  
**101 West Main Street - Italy, TX 76651**  
**(972) 483-7329**

**PROPOSED  
 WATER  
 CCN BOUNDARY**

**Legend**  
 [Line Style] City of Italy Proposed Water CCN Boundary

**KSA**  
**ENGINEERS**  
 8813 Spring Dr. McKinney, Texas 75069  
 714.241.1111  
 www.ksa-engineers.com







