

Control Number: 42957

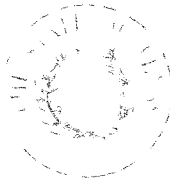


Item Number: 2

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*



91 7199 9991 7031 8277 8483

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 5, 2014

RECEIVED
2014 SEP 11 PM 4:19
PUBLIC UTILITY COMMISSION
FILING CLERK

CERTIFIED MAIL

Mr. Blake Howard, E.I.T.
3465 Curry Lane
Abilene, Texas 79606

Re: Application from Baylor Water Supply Corporation (WSC), to Amend Certificate of Convenience and Necessity (CCN) No. 11605 in Archer, Baylor, Knox and Young Counties; Application No. 37832-C

CN: 600748180; RN: 101440337

Dear Mr. Howard:

We have reviewed the above referenced application.

ENCLOSED ARE:

- < CONSENT FORM
- < The proposed map.

YOU SHOULD DO THE FOLLOWING:

- < Review the map. If the map is accurate you must sign the **CONSENT FORM** and mark the line that says you concur and return the signed form. You should keep a copy of the signed form for your records.
- < Notify us (**in writing**) within **45 days** of the date of this letter, if the map is **inaccurate**. You may do this by marking the line on the **CONSENT FORM** that says you do not concur, signing the form and mailing it to the address on the form.
- < **NOTE:** This letter does not authorize you to provide utility service. You must wait until the Commission has approved your application and issued the CCN.

After you receive the signed order and CCN, you are authorized to provide utility service in the proposed area. Baylor Water Supply Corporation must file a certified copy of the CCN map along with a written description of the CCN service area in the county clerk's office pursuant to Texas Water Code, Chapter 13.257(r) and (s).

Mr. Blake Howard, E.I.T.
Page 2
August 5, 2014

Effective September 1, 2014, responsibility for regulating water and wastewater rates and CCNs will transfer to the Public Utility Commission of Texas (PUC). If responding before September 1, 2014, please submit your information to the TCEQ at the address shown on the letterhead. After September 1, 2014, please submit your written response to the address below:

Public Utility Commission
Water Utilities Division
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326

Thank you for your assistance in this matter. If you have any questions, please contact Ms. Debbie Reyes Tamayo by phone at 512/239-4683, by fax at 512/239-6972, by email at Debbie.Reyes-Tamayo@tceq.texas.gov. If you contact our office by correspondence, please include MC-153 in the letterhead address.

Sincerely,



Cari-Michel La Gaille, Assistant Director
Water Supply Division
Texas Commission on Environmental Quality

CML/DRT/mmg

Enclosures: as stated

CONSENT FORM

Applicant's Name: Baylor WSC
Application No.: 37832-C

- ☐ I concur with the map transmitted by letter dated August 5, 2014.
- ☐ I do not concur with the map transmitted by letter dated August 5, 2014. I understand that I have 45 days from the date of this letter to provide my response.

I am authorized by Baylor WSC to sign this form.

Signature: _____

Printed Name: _____

Relationship to Applicant: _____

Date signed: _____

Mail or fax to:
Debbie Reyes Tamayo
Utilities Financial Review Team
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Fax: (512) 239-6972

CONSENT FORM

Applicant's Name: Baylor WSC

Application No.: 37832-C

- ☒ I concur with the map transmitted by letter dated August 5, 2014.
- ☐ I do not concur with the map transmitted by letter dated August 5, 2014. I understand that I have 45 days from the date of this letter to provide my response.

I am authorized by Baylor WSC to sign this form.

Signature: Blake Howard

Printed Name: Blake Howard

Relationship to Applicant: CONSULTING ENGINEER

Date signed: August 22, 2014

Mail or fax to:
Debbie Reyes Tamayo
Utilities Financial Review Team
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Fax: (512) 239-6972

OVERSIZED MAP(S)

TO VIEW OVERSIZED MAP(S)
PLEASE GO TO
CENTRAL RECORDS

FOR ANY QUESTIONS
PLEASE CALL **CR** MAIN LINE
(512) 936-7180

IMPORTANT: Checklist must be submitted to Work Leader and Team Leader prior to final map or hearing request.

CCN Checklist

Applicant: Baylor WSC
Application No.: 37832-C

§13.241(a)	Does the applicant possess the financial and managerial capability to provide continuous and adequate service?.	Date verified: 05/13/14
Description: This applicant has demonstrated adequate financial and managerial capability to provide service to the requested areas.		Date of FM checklist: 04/07/14
§13.246(c)(6)	Is the applicant Financially stable, including debt-equity ratio?	Date verified: 05/13/14
Description: Yes: Baylor WSC's debt to net asset position ratio at 09/30/12 was \$1.9 million to \$2.4 million, or 0.79 to 1.00. A ratio of less than 1 to 1 is preferred for analysis of financial/managerial capabilities. Increases in unrestricted assets were (\$142) thousand and depreciation was \$231 thousand. Future cash flows from principle and interest payments on long term debt for FY12 were \$34 thousand. Therefore the debt service coverage ratio calculates to be \$89 thousand to \$34 thousand or 2.62 to 1.00. A ratio of at least 1.25:1 is preferred when reviewing financial capability to ensure that reserve funds for debt payment and repairs and maintenance are built up and maintained.		
§13.246(d)	Is bond or other financial assurance required? No.	Date verified: 05/13/14
Description: NA.		
§13.136	Have all tariff issues including rates, tap fees and service rules/extension policy language been resolved? NA	Date verified: 05/13/14
Description: The applicant is a WSC.		Date tariff was stamped approved: NA
If entity is a WSC, is most recent version of tariff on file? Yes.		Date WSC tariff was received: 05/12/14
§13.132	If the applicant is an IOU , do they have a current Annual Report on file? Applicant is a city.	Date verified: 05/13/14
Description: NA		Date annual report was received: NA
§288.20	Have all drought contingency plan (DCP) issues been resolved? NA	Date verified: 05/13/14
Description: NA. A copy is placed in tariff file.		Date DCP approval memo was received: NA
§13.244(b)	Has the applicant provided all required maps. Yes.	Date verified: 05/13/14
Date of most recent Overlap Check: 02/26/14		
§13.244(d)	Were any overlaps identified? No.	Date verified: 05/13/14
Name(s) of Entity(ies) being overlapped: NA		
Were overlaps mentioned in the Overlap Check and the BTR letter: No.		
Description and Date of how overlap was resolved: NA.		
Date of Agreement to Decertification (if applicable): NA		
§13.246(h)	Were opt-out requests received during the comment period? No.	Date verified: 05/13/14
	Were opt-out requests granted? NA	Date verified: 05/13/14
Date revised maps were received : NA		Date of subsequent Overlap Check: NA

§291.102(d) §13.246(c)1(2)	Was applicant able to demonstrate a need for service in the entire proposed area? Yes.	Date verified: 05/13/14
# of acres in proposed area: 28,848 acres and 66 current customers located in four counties.		
Date of letter from developer requesting service from the applicant: See Attachment 2-B: The proposed service area consists of mainly farm and rangeland and is very sparsely populated. The proposed service area of those not already served by Baylor WSC currently has no domestic water service. Landowners depend on private water wells or in some cases are forced to haul water to provide domestic water for their residences. They also have meters to provide stock water for cattle. As drought conditions persist in the region residents and landowners are seeking additional dependable water sources for domestic and agricultural use. Baylor WSC is on the process of construction a new water line to connect their existing distribution system with the North Central Texas Municipal Water Authority water treatment plant. The new 10 inch transmission line will run from the NCTMWA WTP at Millers Creek Reservoir approximately 40,000 linear feet north to Baylor's distribution system. The line will be located in the proposed area of the CCN expansion shown in detail F on the maps. Requests from Mr. Mike Donnell, Bob Young also submitted requesting service.		
Copies of letters from landowners requesting service: See Attachment 2-B		Date received from the applicant: 05/13/14
Copies of applications for service received by the applicant: None		Date received from the applicant: NA
Maps showing existing facilities in the proposed area: Yes, See Exhibit C Detail B.		Date received from the applicant: 01/16/14
Maps showing existing customers in the proposed area: Yes, See Distribution Maps.		Date received from the applicant: 01/16/14
Maps showing locations of requests for service from landowners in the proposed area: The entire proposed area requested water service from the City of Austin. See Attachment A		Date received from the applicant: 01/16/14
§13.244(c)	Has the applicant received the required consent, franchise, or permit of the proper municipality or other public authority. If a WSC is decertifying a portion of their CCN area, consent from USDA is required. This is a WSC but is not decertifying any portion.	Date verified: 05/13/14
Description: NA, This is a WSC but is not decertifying any portion.		
§13.246(a)	Notice of the application has been provided to all affected parties. Yes.	Date verified: 05/13/14
Comment period end date: May 3, 2014		
Date(s) of Individual and Landowner Notices: 03/31/14		
Name of Newspaper: Olney Enterprise Baylor County Banner, and Archer County News		
Date(s) of Publication: 3/27/14 & 04/03/14		County (ies) Published: Young, Seymour, Baylor, Knox, Archer and surround counties.
Date Notice Information (affidavits, copies of individual notices) was received. 04/17/14		
Were notices revised by the applicant? No. If yes, please explain: NA		
If applicable, have protestants' concerns been addressed by letter from the staff or utility? No protests were received.		Date verified: 05/13/14
Names of protestants: None.		

Description of protests: NA		
Protestants included on mailing list?: NA		
§13.246(c)(1)	What is the adequacy of service currently being provided to the requested area?	Date verified: 05/13/14
Description: The applicants' CCN area will be amended to include the propose area. No service currently being provided in the proposed area.		
§13.246(c)(3)	What is the effect of granting of a CCN to the recipient and on any other retail public utility of the same kind already serving the proximate area?	Date verified: 05/13/14
Description: The applicant has filed an application to amend CCN No. 11605. No other utilities will be affected.		
§13.246(c)(4)	Will the applicant be able to provide adequate service to the proposed area? Yes.	Date verified: 05/13/14
Description: See compliance summary below.		
§13.246(c)(5)	Is it feasible to obtain service from an adjacent retail public utility?	Date verified: 05/13/14
Description: The applicant will expand its current services to this area.		
§13.246(c)(7)	Is there an effect on the environmental integrity of the proposed area?	Date verified: 05/13/14
Description: No negative effect on the environment.		
§13.246(c)(8)	Is there probable improvement of service or lowering of cost to consumers in the proposed area?	Date verified: 05/13/14
Description: This is an application to amend an existing CCN.		
§13.246(c)(9)	What is the effect on the land in the proposed area?	Date verified: 05/13/14
Description: Facilities will be put in place to serve this property from existing facilities near the area. Baylor WSC is on the process of construction a new water line to connect their existing distribution system with the North Central Teas Municipal Water Authority water treatment plant. The new 10 inch transmission line will run from the NCTMWA WTP at Millers Creek Reservoir approximately 40,000 linear feet north to Baylor's distribution system. The line will be located in the proposed area of the CCN expansion shown in detail F on the maps.		
§13.246(e)	If applicable, has the applicant made efforts to extend service to any economically distressed areas? No.	Date verified: 05/13/14
Description: The applicant is not currently or proposing to provide service in an economically distressed area.		
§13.241(b)(1)	Is the applicant capable of providing drinking water that meets the requirements of Chapter 341, Health & Safety Code. Yes.	Date verified: 05/13/14
Description: See compliance summary below.		
§13.241(b)(2)	Does the applicant have access to an adequate supply of water. Yes.	Date verified: 05/13/14
Description: This request should have a minimal impact on the applicant's water supply.		
§13.241(c)	Is the applicant capable of meeting commission's design criteria for sewer treatment plants. NA	Date verified: 05/13/14
Description: This is a water CCN amendment.		

§13.241(d)	If the applicant has proposed to construct a physically separate water or sewer system, the applicant has demonstrated that regionalization with another retail public utility is not economically feasible.	Date verified: 05/13/14
Description. This is not a request for a new system.		

	<p>If applicable, the staff person must send an email to Central Registry requesting them to link the appropriate CCN, CN and RN numbers.</p> <p>The email should be addressed to: WWW-Registry with WUD Priority in the subject line.</p> <p>If these numbers are not linked appropriately, the Chief Clerk's Office will not be able to accept the application for posting and the file will be returned to our program area. This will cause a delay in the getting the final order and CCN(s) signed.</p>	Date verified: 05/13/14
Description: Please add the following counties to the CCN: Archer, Baylor, Knox and Young counties.		

COMPLIANCE SUMMARY:

General: Water System Name: BAYLOR WSC Public Water System
Plans & Specs Approval Letter Date *(if applicable)*: NA
Log # *(if applicable)*: NA
Public Water System No.: 0120004
Inspection Date: 02/10/12
Deficiencies: No violations are being alleged as a result of the investigation.

Signed: _____ Date: _____

Feasibility Checklist

Applicant: City of Austin
Application No.: 37713-C

§291.102(3)	Applicant has provided a list of all public drinking water supply systems within a 2 mile radius. Yes.	Date verified: 05/13/14
Description: City of Olney, County of Young, County of Knox, County of Archer, Red River Authority, Rolling Plains Groundwater Conservation District and North Central Texas Municipal Water Authority were listed in the application.		
§291.102(3)	Applicant has provided copies of written requests seeking to obtain service from each system within a 2 mile radius.	Date verified: 05/13/14
Description: N/A. Applicant is a WSC and this is an application to amend an existing CCN..		
§291.102(a)(3)	Applicant has demonstrated that it is not economically feasible to obtain service from a neighboring system	Date verified: 05/13/14
Description: NA. See above		
§291.102(a)(3)	Applicant has provided copies of written responses or evidence that the neighboring system has failed to respond.	Date verified: 05/13/14
Description: NA. See above.		
Date of letters sent to neighboring systems: NA see above.		
§291.102(a)(3)	Applicant has provided a description of the type of service that the neighboring system is willing to provide and has compared it with the service the applicant is proposing and the applicant's service is clearly better.	Date verified: 05/13/14
Description: NA. See above.		
§291.102(a)(3)	Applicant has provided an analysis of all necessary costs for constructing, operating, and maintaining the new system for at least the first five years.	Date verified: 05/13/14
Description NA. See above.		
§291.102(a)(3)	Applicant has provided an analysis of all necessary costs for acquiring and continuing to receive service from the neighboring system for at least the first five years.	Date verified: 05/13/14
Description: NA. See above.		
§291.102(a)(3)	How do the costs for providing service as a stand-alone system compare with the costs of obtaining service from a neighboring system?	Date verified: 05/13/14
Description: NA. See above		

Signed: _____ Date: _____

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Checklist for Obtaining or Amending a CCN

Name of Application Baylor WSC
Administrative Review #A - 007 - 14
Application Number (s) 37832-C,
Date TCEQ Received Application 1/16/14
Date Assigned to program area 1/22/14
County(s) Baylor

Purpose of Application:

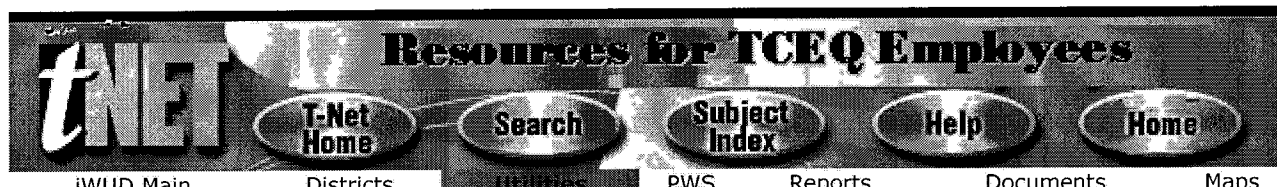
- | | |
|---|---|
| <input type="checkbox"/> Obtain New Water CCN
Temporary CCN# A _____ | <input type="checkbox"/> Obtain New Sewer CCN
Temporary CCN# A _____ |
| <input checked="" type="checkbox"/> Amend Water CCN # <u>11605</u> | <input type="checkbox"/> Amend Sewer CCN # _____ |
| <input checked="" type="checkbox"/> Account Fees due | <input checked="" type="checkbox"/> Regulatory Assessment Fees due |
| <input checked="" type="checkbox"/> Attach a copy of CN and RN from WUD | |
| <input checked="" type="checkbox"/> Not on file with Central Registry. Core Data Form Needed. | |
| <input checked="" type="checkbox"/> Original and three copies of application received | |

J:\UDS\Utilities Forms and Checklists Admin Review\CCN.doc



100





? Utility details for BAYLOR WSC (11605)

Affiliations Documents Site Visits Schedules

Responsible Party

Organization: BAYLOR WSC

Address: PO BOX 426

SEYMOUR , TX 76380

Customers

Reference Number
CN600748180

Name
BAYLOR WSC

Role
RESPONSIBLE PARTY

Official Address / Phone

Address: PO BOX 426

SEYMOUR , TEXAS 76380-0000

Telephone: (940) 888-3800

Properties

CR Regulated Entity Number: RN101440337

CCEDS Status: NO ACTIVE NOE EXISTS

Utility Type: WATER UTILITY

Ownership Type: WATER SUPPLY CORPORATION

Primary County: BAYLOR

County Code: 12

PWS for this Utility

PWS Name	PWS ID	Status	District(Number)
<u>BAYLOR WSC</u>	0120004	A	

Water System occurrences retrieved.

Counties

Code	County Name	Primary
5	ARCHER	N
	BAYLOR	Y
	KNOX	N

2014

224
252

THROCKMORTON
YOUNG

N
N

Activity

Activity Status: **ACTIVE**

Start Date: **03/01/1986**

End Date: **12/31/9999**

Activity Date: **11/02/2000**

[Run Utility Cases Report](#)
[Run Utility Summary Report](#)
[Show Map](#)

Utility successfully retrieved.

For questions or comments regarding information on this page, contact the
[TCEQ iWUD Web Manager](#)

Version V2.7.0