



Control Number: 42962



Item Number: 10

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

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TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Interoffice Memorandum

FILING CLERK

To: Dan Smith Date: May 2, 2002

From: Brian Dickey

Subject: Application from City of Lyford to Obtain a Water Certificate of Convenience and Necessity (CCN) in Willacy County; Application No. 33790-C

Application from City of Lyford to Obtain a Sewer Certificate of Convenience and Necessity (CCN) in Willacy County; Application No. 33791-C

Attached is the file for the above referenced application. Please review their FMT information at your earliest convenience. There is an overlap with North Alamo WSC, and Sunny DEW WSC. North Alamo WSC has protested the application.

10

City of Lyford

P.O. Box 310 • 196 West Main
Lyford, Texas 78569
Phone: (956) 347-3512 • Fax: (956) 347-5434

May 20, 2002

Mr. John Day
Texas Natural Resource
Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

Re: The City of Lyford Application No. 33790-C In Willacy County

The City of Lyford Application No. 33791-C In Willacy County

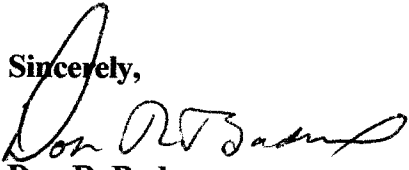
Dear Mr. Day:

In response to your letter of February 28, 2002 enclosed are the documents requested and listed as follows:

- 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 other affected parties; and
- c) an original and three copies of the signed affidavits that individual notice to neighboring utilities and affected individuals has been given.

If any other information is needed Please feel free to contact me at (956)233-9740.

Sincerely,


Don R. Badeaux
City of Lyford

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

City of Lyford has filed an application for a water and sewer CCN and for dual certification of a portion of North Alamo Water Supply Corporation, water CCN No. 10553, and Sunny Dew Water Supply Corporation, water CCN No. 11041, with the Texas Natural Resource Conservation Commission to provide water and sewer utility service in Willacy County.

The proposed utility service area is located approximately 1 mile north, south, east and west of downtown Lyford, Texas and is generally bounded on the north by a line 8/10 of a mile south of FM 490; on the east by County Road 315; on the south by FM 491; and on the west by FM 1834. The total area being requested includes approximately 129,600 acres and 778 current customers.

A copy of the proposed service area map is available at 196 W. Main Lyford, Texas 78569.

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 Natural Resource Conservation Commission
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087
Austin, Texas 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 Hearing (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.

3/27/02

12-2TC

Affidavit of Publication

STATE OF TEXAS)
COUNTY OF WILLACY)

Before me, the undersigned authority, on this day personally appeared Paul E. Whitworth, known to me, who, being by me duly sworn, on his oath, deposes and says that he is the Publisher of THE RAYMONDVILLE CHRONICLE/NEWS, a newspaper published in the city of Raymondville, in the county of Willacy; that a copy of the within foregoing notice was published in the English/Spanish language, on

3/20/02

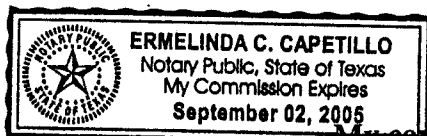
3/27/02

I hereby certify that the rate charged for this legal notice is less than the lowest published rate for classified advertising in our newspaper.

Paul E. Whitworth

Publisher

Subscribed to, and sworn to, before me this 5th day of April, 2002.



Ermelinda C. Capetillo
Notary Public, Willacy County

My commission expires September 2, 2005.

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STATE OF TEXAS)
COUNTY OF WILLACY)

undersigned authority, on this day personally appeared Paul E. Whitte, Editor of THE RAYMONDVILLE CHRONICLE/NEWS, a newspaper published in the City of Raymondville, in the county of Willacy; that a copy of the within foregoing notice was published in the English/Spanish language, on

_____ 3/20/02 _____

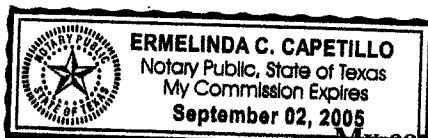
_____ 3/27/02 _____

I hereby certify that the rate charged for this legal notice is less than the lowest published rate for classified advertising in our newspaper.

Paul E. Whitte

Publisher

Subscribed to, and sworn to, before me this 5th day of April, 2002.



Ermelinda C. Capetillo
Notary Public, Willacy County

My commission expires September 2, 2005.