

Control Number: 42962



Item Number: 4

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

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Kathleen Hartnett White, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



RECEIVED

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TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 28, 2002

Mr. Don R. Badeaux
City of Lyford
702 South Arroyo
Los Fresnos, Texas 78566

Re: 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

Dear Mr. Badeaux:

Your applications have been accepted for filing, and Mr. John Day has been assigned to perform the technical review. The applications have been assigned Application Nos. 33790-C and 33791-C. Please refer to these numbers in future correspondence.

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 Willacy County. It is the responsibility of the applicant to provide correct notice of the application to any utilities within five (5) 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. Check the notices carefully before mailing or publishing.

A review of our files and maps indicates that, in addition to the neighboring utilities noted on your application, you must provide notice to the following utilities:

City of Raymondville, CCN Nos. 10542 and 20215
Sebastian Municipal Utility District, CCN Nos. 11462 and 20790

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 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. (Copies of the Affidavit forms are enclosed with this letter.)

Mr. Don R. Badeaux
Page 2
February 28, 2002

Include the enclosed location map delineating the proposed service area with your individual notices to neighboring utilities and other affected parties.

There also appears to be an overlap of your proposed water service area with the certified service area of North Alamo Water Supply Corporation and Sunny Dew Water Supply Corporation. Enclosed is a map showing the overlap of your proposed water CCN area with the water CCN areas of North Alamo Water Supply Corporation and Sunny Dew Water Supply Corporation.

Please provide written documentation on how the overlaps will be handled. There are several options to resolving this overlap. One is to amend your application by submitting revised maps and change the requested CCN area so as to not include the areas of overlap. The second option is for you to meet with North Alamo Water Supply Corporation and Sunny Dew Water Supply Corporation and work out an agreement whereby North Alamo Water Supply Corporation and Sunny Dew Water Supply Corporation agrees to dual certification of the areas of overlap. Written documentation from North Alamo Water Supply Corporation and Sunny Dew Water Supply Corporation agreeing to dual certification is required. If an agreement is not reached, you would have to provide compelling evidence that North Alamo Water Supply Corporation and Sunny Dew Water Supply Corporation could not provide acceptable service. The notices have been revised to propose dual certification of the portions of North Alamo Water Supply Corporation and Sunny Dew Water Supply Corporation in the event this is considered.

In addition, the small scale location map shows greater area than the detailed map submitted with the application. Please clarify the south boundary of the proposed area or submit a new detailed map showing the proposed boundaries. If the proposed boundaries are greater than the revised notice boundaries the notices should include the new proposed boundaries.

Also, the proposed area appears to include area outside the current corporate limits. Please provide a copy of a map submitted with your application showing the location of all the current and proposed connections outside the corporate limits of the City of Lyford.

These items must be completed and returned by **March 29, 2002**. 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 may be returned for failure to prosecute.

If you have any questions, please contact Mr. John Day at 512/239-1833, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Victoria R. Harkins, Ph.D., P.E.
Utilities & Districts Section
Water Supply Division

VRH/KLB/ac

Enclosures

cc: TNRCC, Region 15 Office

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, 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.

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

To: _____ Date Notice Mailed: _____, 2002
(Neighboring System or City)

(Address)

(City State Zip)

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.

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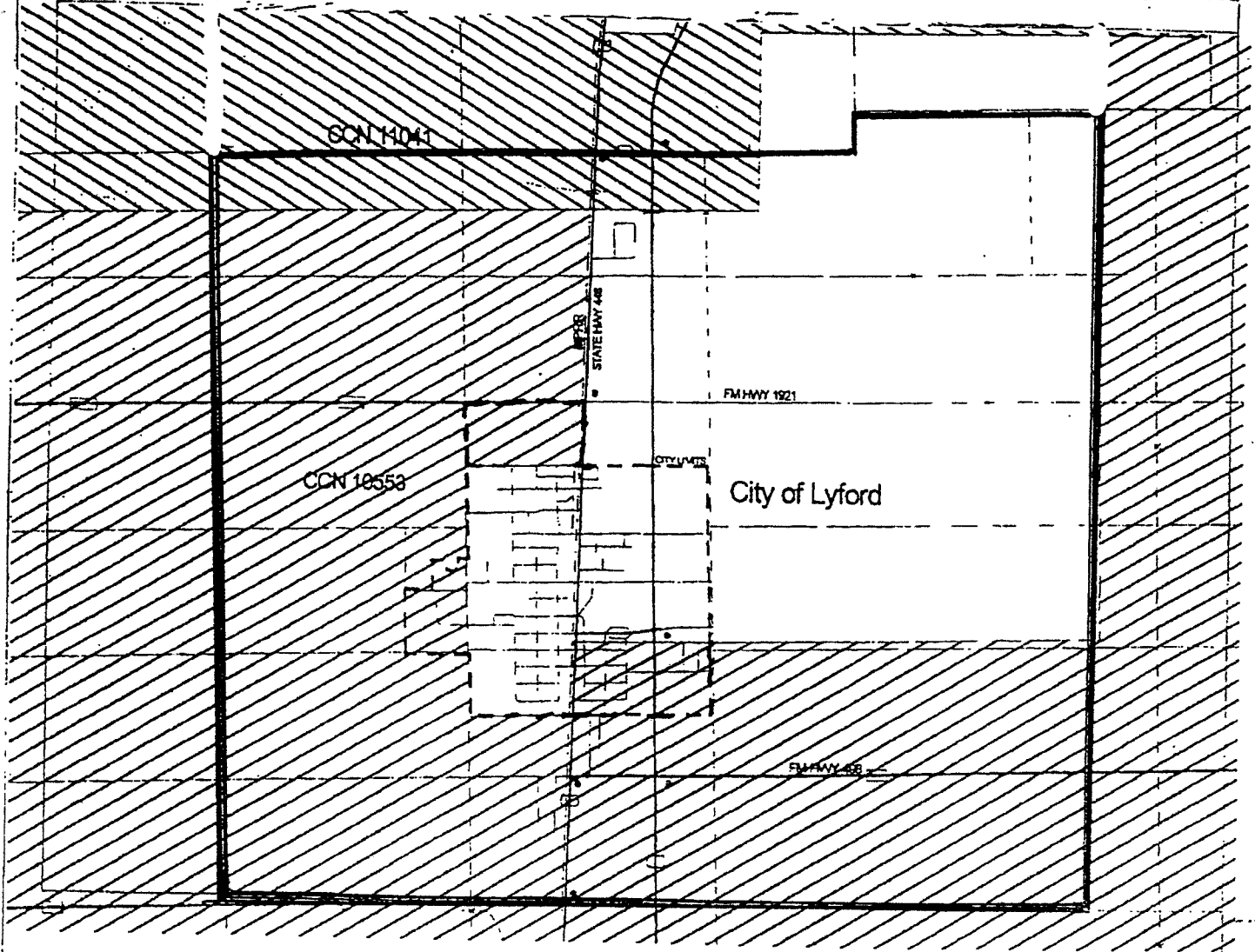
10/30/00

13:09

5122396145

TNRCC

002/002



PORTION OF WILLACY COUNTY

CCN SERVICE AREAS



NORTH ALAMO WSC

SUNNY DEW WSC

1 0 1 Miles



TNRCC

Map created by Suzanne Jaster
Project path: c:\gis\ccn\projects\lyford.apr
Data path: s:\willacy\willacy\working\ccn.apr





Texas Natural Resource

Conservation Commission

APPLICATION NO. _____

PUBLISHER'S AFFIDAVIT

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

_____ of the

TITLE

_____ ; that said

NAME OF NEWSPAPER

newspaper is regularly published in _____

County(ies) and generally circulated in _____

County (Counties), Texas; and that the attached notice was published in said newspaper on the

following date(s), to wit: _____

Newspaper Representative's Signature

Subscribed and sworn to before me this _____ day of _____, 2002, 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 Natural Resource Conservation Commission

APPLICATION NO. _____

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

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 forth therein are true and correct.

Applicant's Authorized Representative

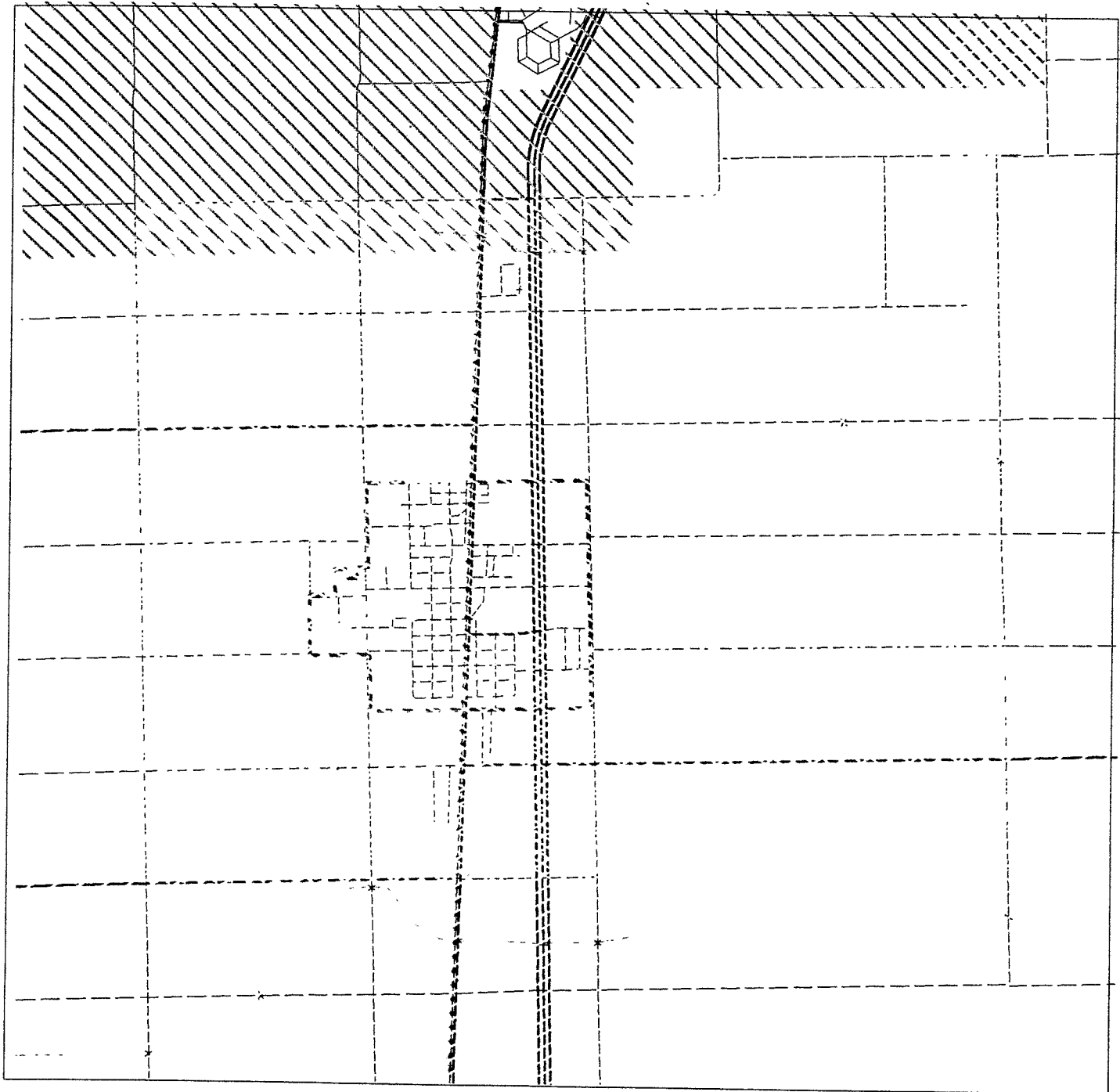
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 2002, 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 _____

OVERLAPS CITY OF LYFORD PROPOSED A-239-1



TNRCC

CITY OF LYFORD PROPOSED

NORTH ALAMO WSC

SUNNY DEW WSC



FROM: TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Name Cindy Cavazos

Division/Region Water Quality Applications Team

Telephone Number 512-239-4561

FAX Number 512-239-0884

E-mail address ccavazos@tnrcc.state.tx.us

NOTES:

RE: Application of the City of Lyford to obtain Water and Sewer CCNs

T.1.1	Check condition of remote fax.	919562339740
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Feb 19 2002 12:00

P.1
Line Number:1

** Transmit Conf. Report **

FROM: TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Name

Cindy Cavazos

Division/Region

Water Quality Applications Team

Telephone Number

512-239-4561

FAX Number

512-239-0884

E-mail address

ccavazos@tnrcc.state.tx.us

NOTES:

RE: Application of the City of Lyford to obtain Water and Sewer CCNs

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Telephone Number	Mode	Start	Time	Pages	Result	Note

P.1
Line Number: 1

Feb 19 2002 12:04

** Transmit Conf. Report **



DATE: February 19, 2002 NUMBER OF PAGES (including this cover sheet):

TO:	Name	Mr. Don R. Badeaux
	Organization	City of Lyford
	FAX Number	956-233-9740

FROM:	TEXAS NATURAL RESOURCE CONSERVATION COMMISSION	
Name	<u>Cindy Cavazos</u>	
Division/Region	<u>Water Quality Applications Team</u>	
Telephone Number	<u>512-239-4561</u>	
FAX Number	<u>512-239-0884</u>	
E-mail address	<u>ccavazos@tnrcc.state.tx.us</u>	

RE: Application of the City of Lyford to obtain Water and Sewer CCNs

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Kathleen Hartnett White, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 19, 2002

VIA FAX NO. 956-233-9740

Mr. Don R. Badeaux
City of Lyford
702 South Arroyo
Los Fresnos, Texas 78566

Re: Application: City of Lyford
Registration Numbers: A1326 and A1237
Administrative Review Number: A-239-1

Dear Mr. Badeaux:

I received the application documents to obtain water and sewer CCNs for the City of Lyford. In your cover letter, you asked about the financial statements. Please send the latest balance sheet and income statement information that you have available.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Cavazos".

Cindy Cavazos
Water Quality Applications Team (MC 156)
Permits Administrative Review Section
Registration, Review & Reporting Division

**TEXAS NATURAL
RESOURCE CONSERVATION COMMISSION**

INTEROFFICE MEMORANDUM

TO: LaDonna Castanuela, Chief Clerk **DATE:** April 8, 2002

THRU: Dale Beebe Farrow, Director
Water Supply Division

Doug Holcomb, P.E., Manager
Utilities & Districts Section

FROM: ^{4/8/02} Victoria R. Harkins, Ph.D., P.E., Team Leader
Utility Certification & Rate Analysis Team

SUBJECT: Docket No. 2002-0431-UCR; Application from City of Lyford to Obtain a Water Certificate of Convenience and Necessity (CCN) in Willacy County; Application No. 33790-C.

We hereby transfer the official file for the above application to the Chief Clerk's Office. Please refer this application to the State Office of Administrative Hearings and request that a hearing be scheduled.

This utility's application is being protested by North Alamo Water Supply Corporation.


Staff estimates 5 people will attend this hearing. Attached is a mailing list which includes all the protestants.

The staff assigned to this case are:

Technical - Brian Dickey

Legal -

If we may be of further service regarding this matter, please call.


Victoria Harkins, Ph.D., P.E.

VH/lc/ac

cc: TNRCC Public Interest Counsel, Vic McWherter
TNRCC Agency Communications; ATTN: Andy Saenz, Manager
TNRCC Chief Clerk's Office; ATTN: Melanie Mohair
TNRCC, Legal Division: ATTN: Scott Humphrey

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
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This matter has been referred to the State Office of Administrative Hearings to schedule a hearing. When a hearing has been scheduled, you will receive a notice of hearing which explains when and where the hearing will be held.

In order to review this application, the staff of the TNRCC may need additional information regarding the utility's service. You may be receiving Staff Requests for Information (RFI's) within a few weeks. We would appreciate your cooperation in providing the information requested.

If you have questions about this process or what material you should bring with you to the hearing, please contact Brian Dickey at (512) 239-0963.

Sincerely,

A handwritten signature in cursive script that reads "Victoria Harkins".

Victoria Harkins, Ph.D., P.E.
Utilities & Districts Section
Water Supply Division, MC 153

DH/VRH/lc/ac

cc: TNRCC Region No. 10 Office

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RESOURCE CONSERVATION COMMISSION**

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Water Supply Division

Doug Holcomb, P.E., Manager
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VH/lc/ac

cc: TNRCC Public Interest Counsel, Vic McWherter
TNRCC Agency Communications; ATTN: Andy Saenz, Manager
TNRCC Chief Clerk's Office; ATTN: Melanie Mohair
TNRCC, Legal Division: ATTN: Scott Humphrey

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Victoria Harkins, Ph.D., P.E.
Utilities & Districts Section
Water Supply Division, MC 153

DH/VRH/lc/ac

cc: TNRCC Region No. 10 Office

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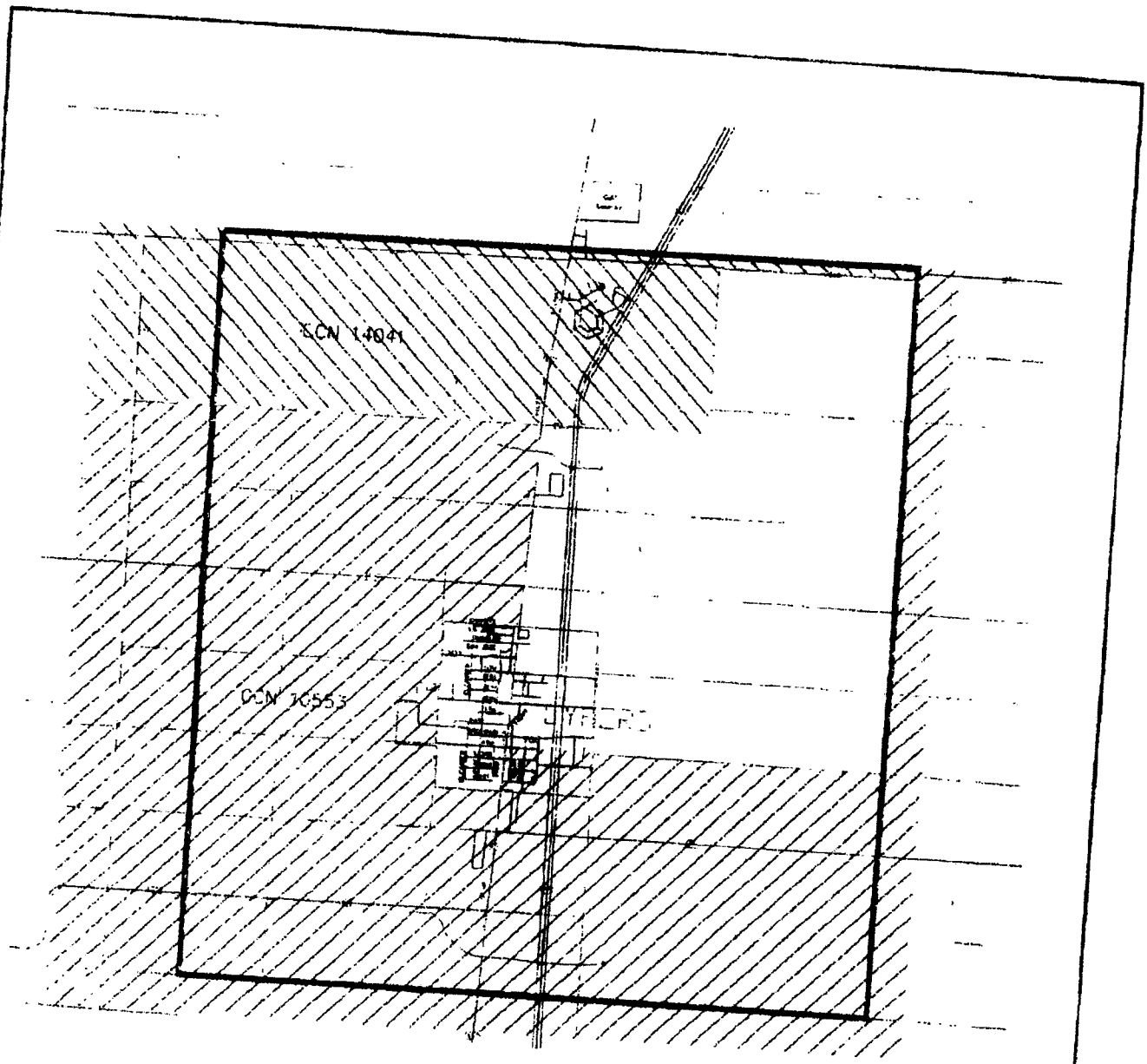
Legal - *Todd Valiga*

If we may be of further service regarding this matter, please call.

Victoria Harkins
Victoria Harkins, Ph.D., P.E.

VH/lc/ac

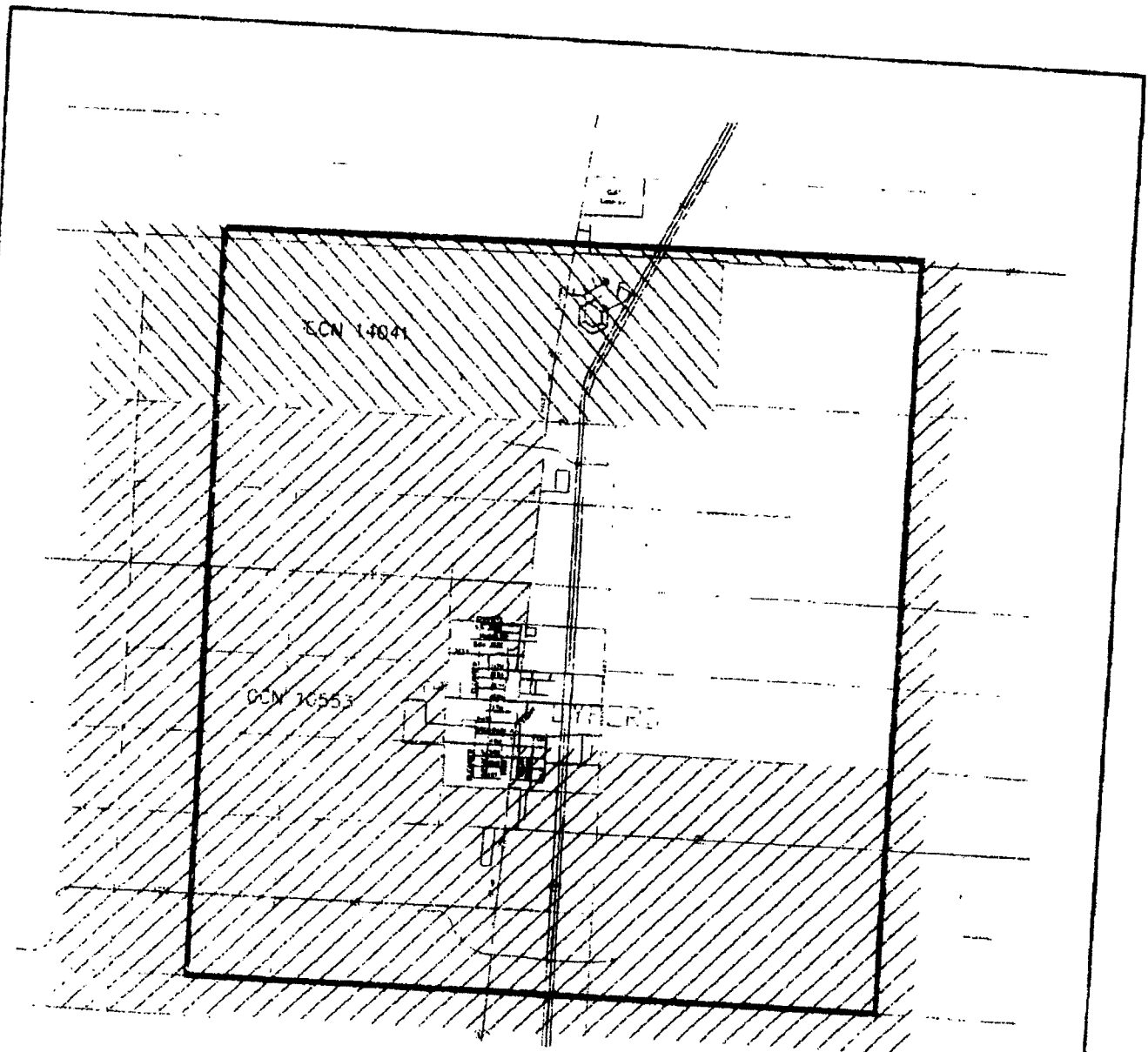
cc: TNRCC Public Interest Counsel, Vic McWherter
TNRCC Agency Communications; ATTN: Andy Saenz, Manager
TNRCC Chief Clerk's Office; ATTN: Melanie Mohair
TNRCC, Legal Division: ATTN: Scott Humphrey



CCN SERVICE AREAS
 NORTH ALAMO W.S.C
 SUNNY DEW W.S.C

GM THE ZMAN & MUNOZ
 ENGINEERS, ARCHITECTS, PLANNERS

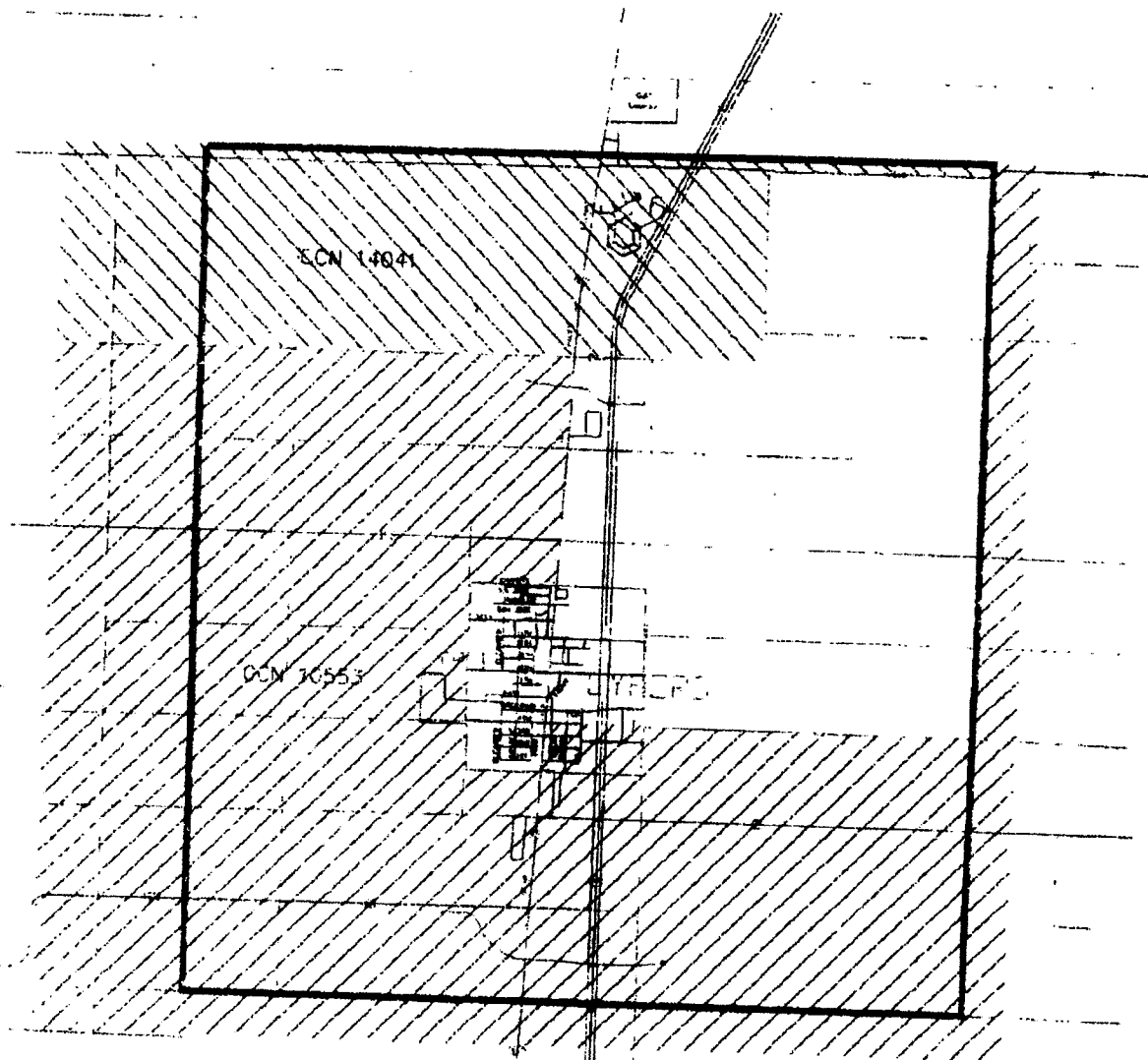
P.O. Box 7191
 913 E. Patton
 Houston, Texas 77055
 (954) 425-3814



CCN SERVICE AREAS
NORTH ALAMO W.S.C.
SUNNY DEW W.S.C.

GM GEORGE M. MURPHY & SONS

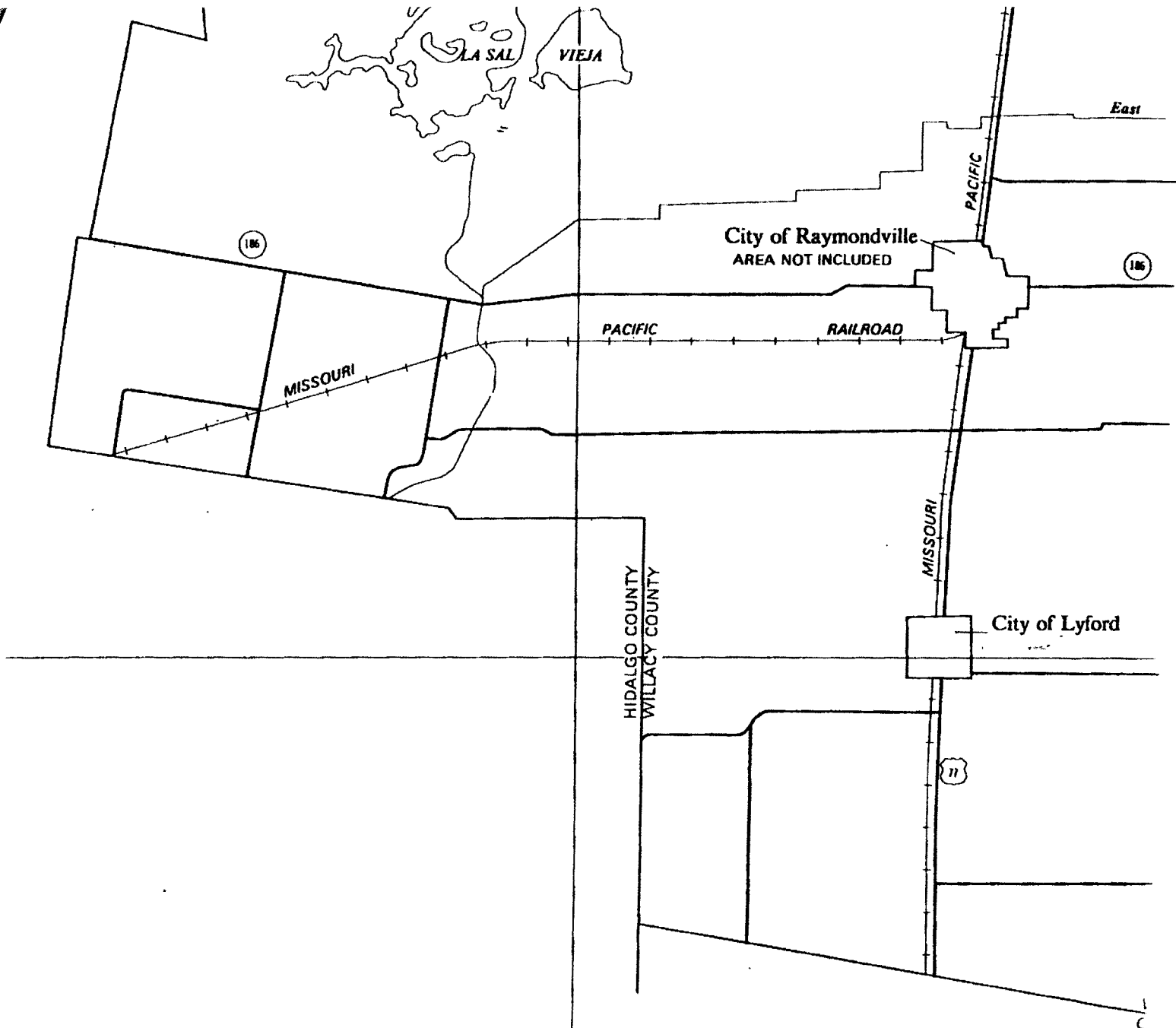
P.O. Box 7199
913 E. Patton
Huntington Texas 75650
(956) 425-3816



CCN SERVICE AREAS
 NORTH ALAMO W.S.C.
 SUNNY DEW W.S.C.

GM GEZMAN & MUNOZ
 CIVIL ENGINEERS

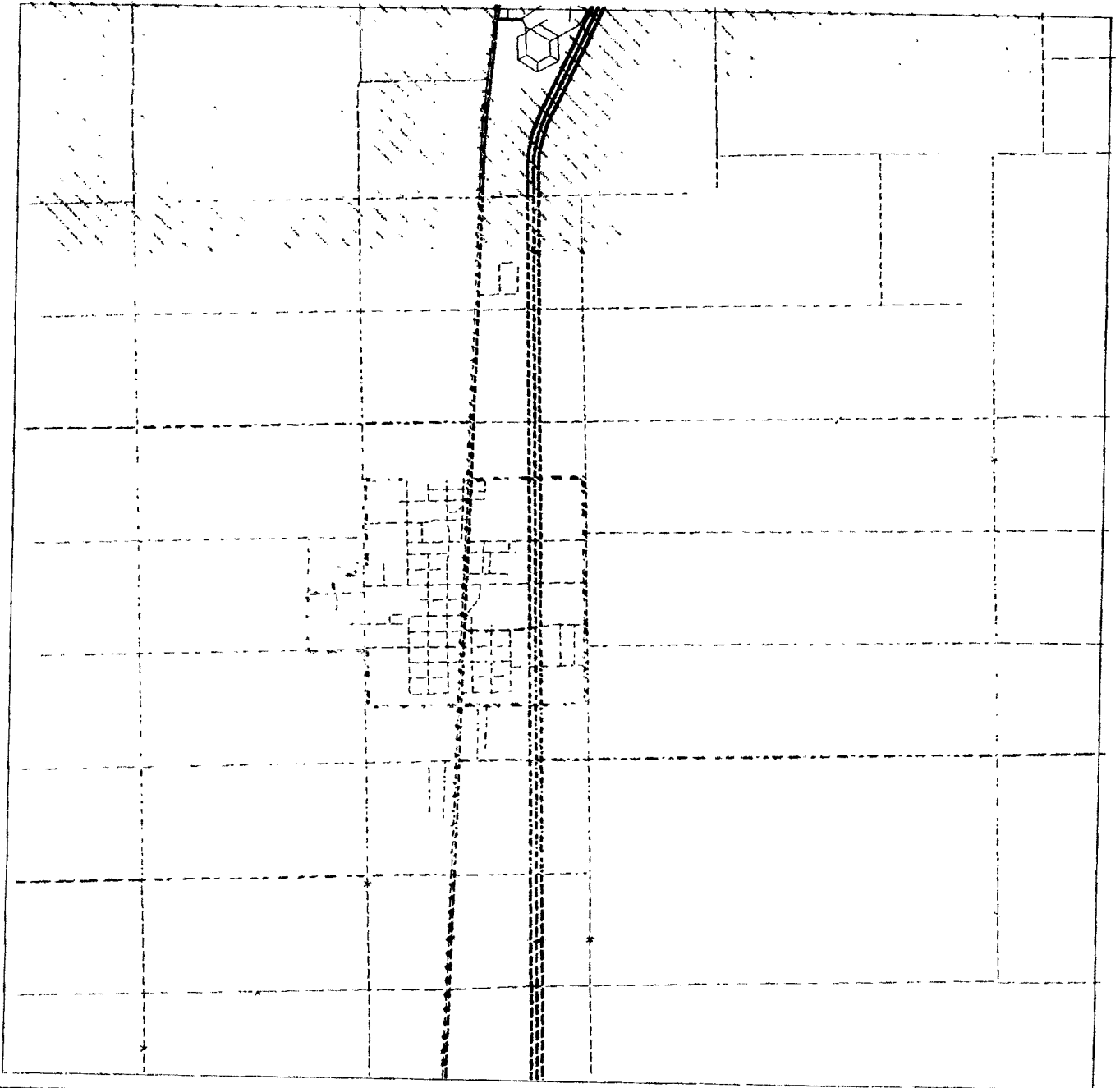
P.O. Box 2191
 913 E. Pecos
 Hesperia, Texas 79550
 (955) 425-4814



480664 0250 B*

*PANEL NOT PRINTED: AREA IN ZONE C

OVERLAPS CITY OF LYFORD PROPOSED A-239-1



TNRCC

CITY OF LYFORD PROPOSED

NORTH ALAMO WSC
SUNNY DEW WSC

0.4 0 0.4 0.8 1.2 Miles



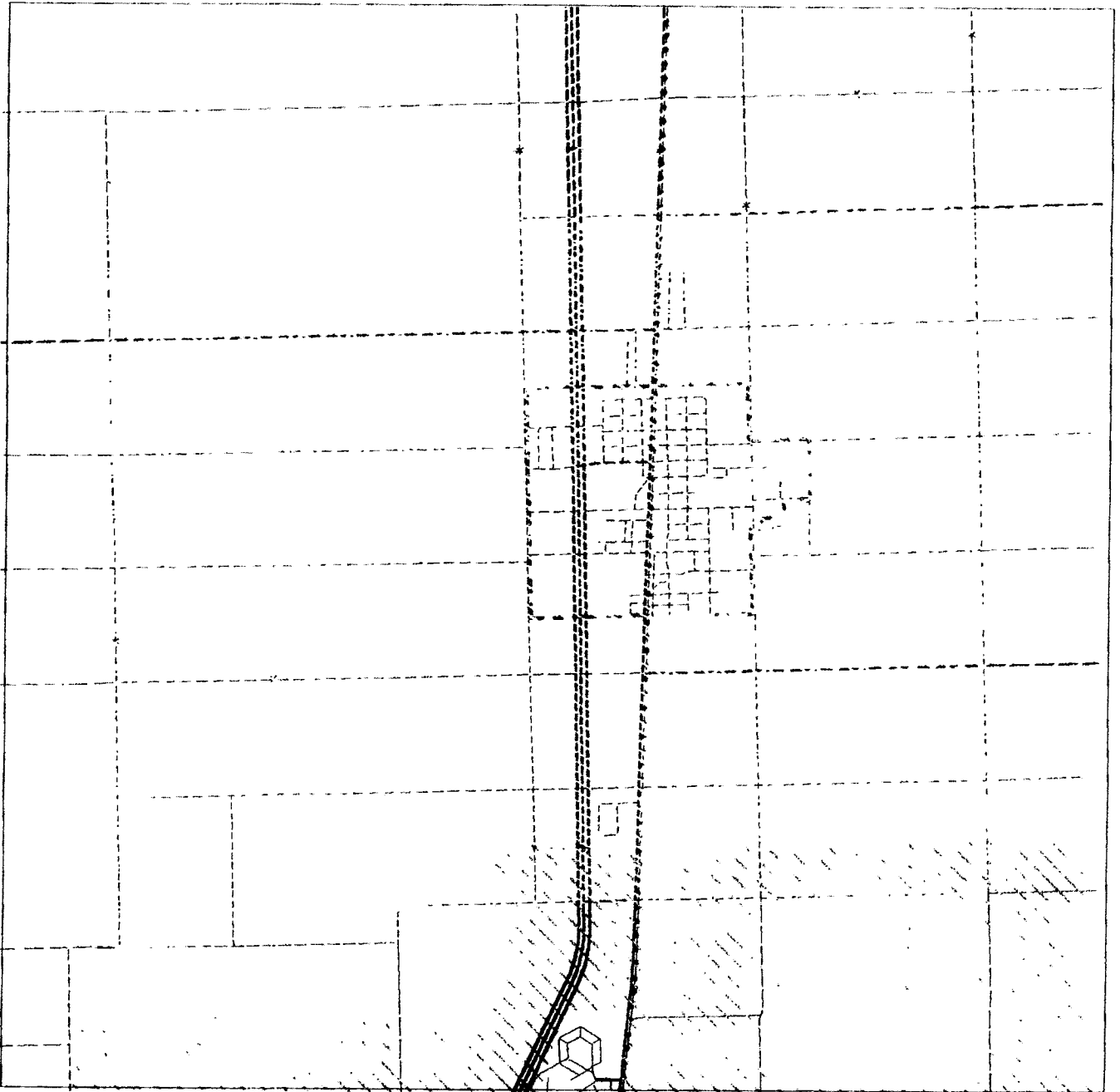
CITY OF LYFORD PROPOSED

NORTH ALAMO WSC
SUNNY DEW WSC

TNRCC



0.4 0 0.4 0.8 1.2 Miles



OVERLAPS
CITY OF LYFORD
PROPOSED A-239-1

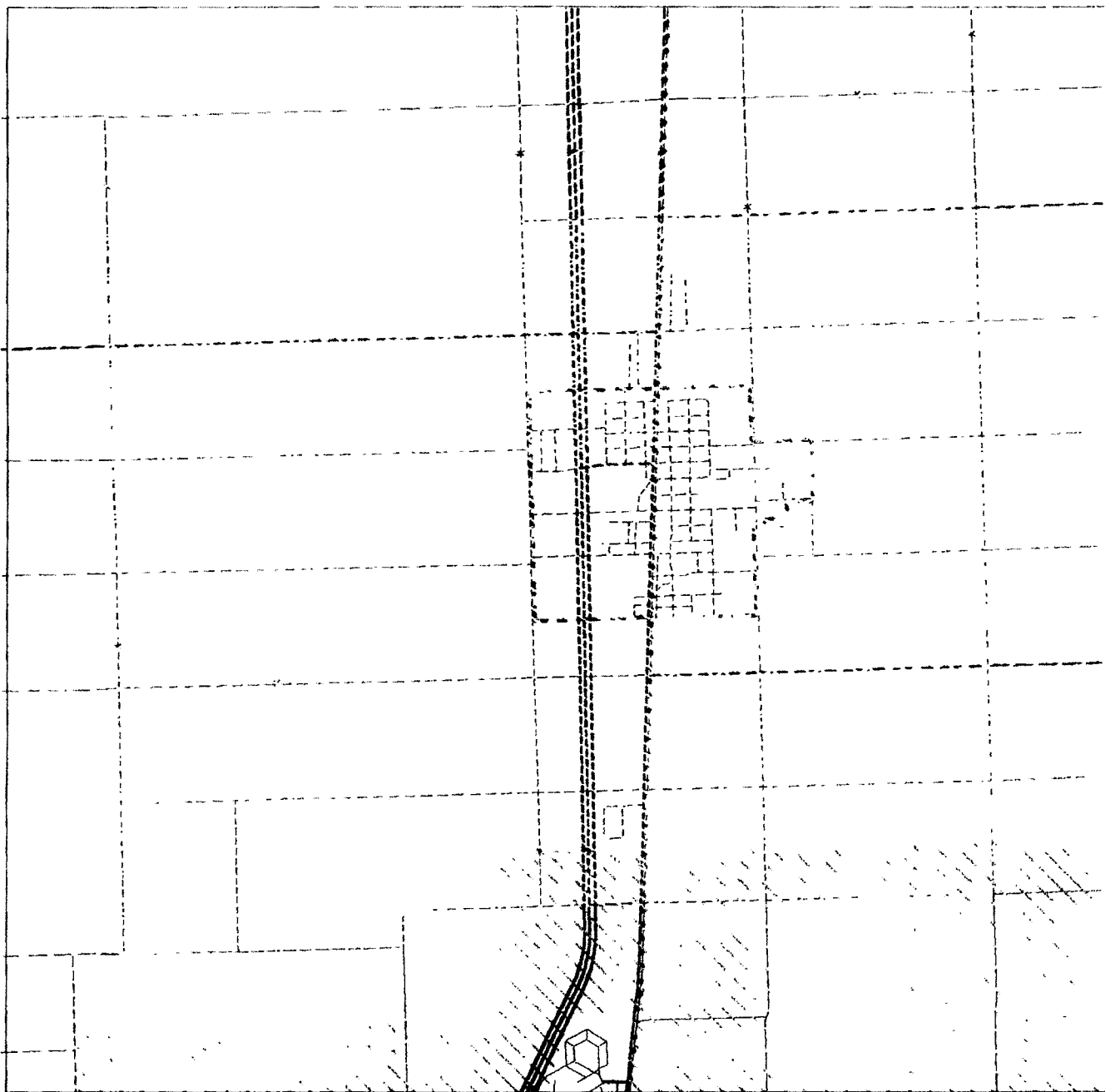
TNRCC



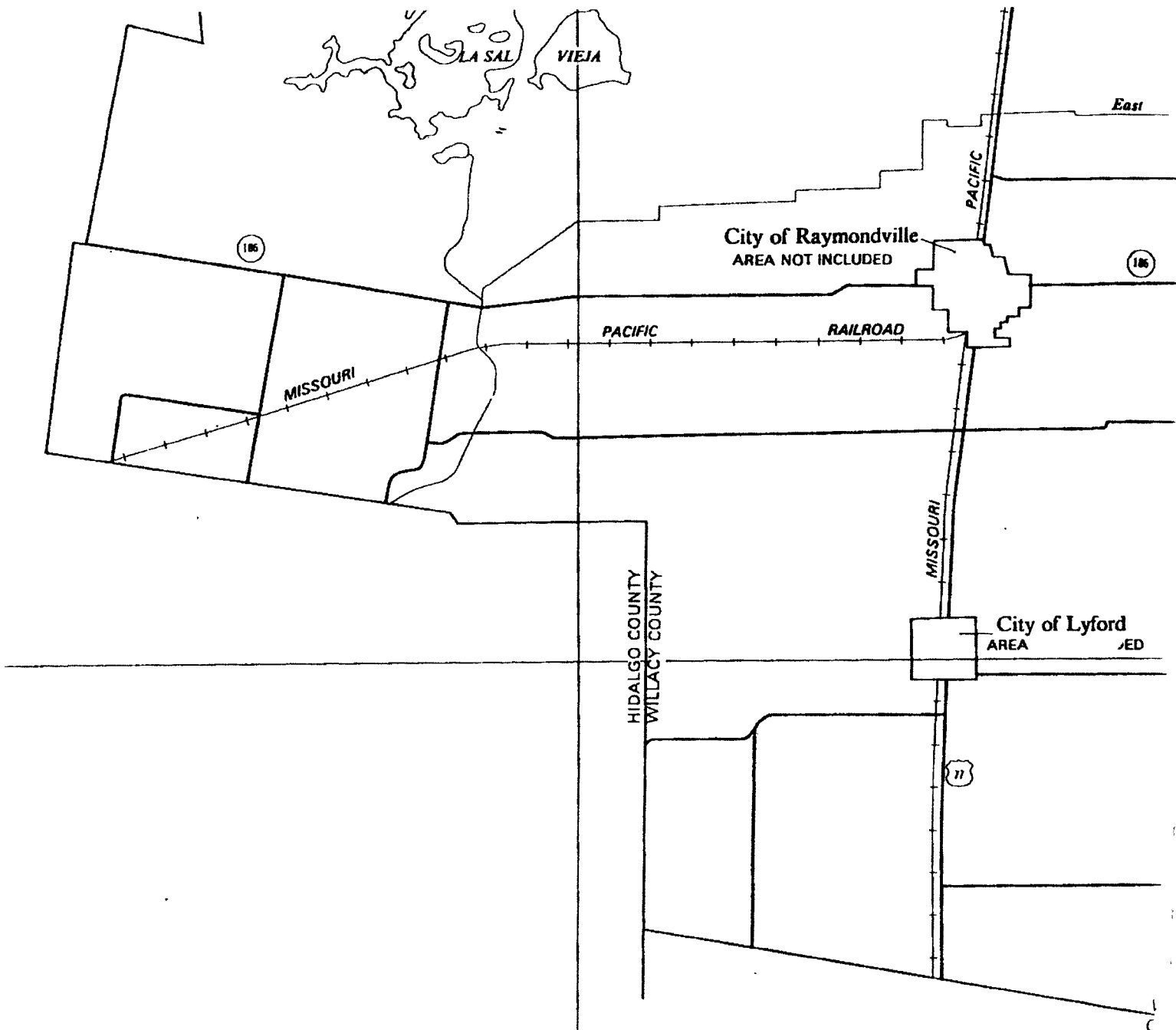
NORTH ALAMO WSC
SUNNY DEW WSC

CITY OF LYFORD PROPOSED

0.4 0 0.4 0.8 1.2 Miles

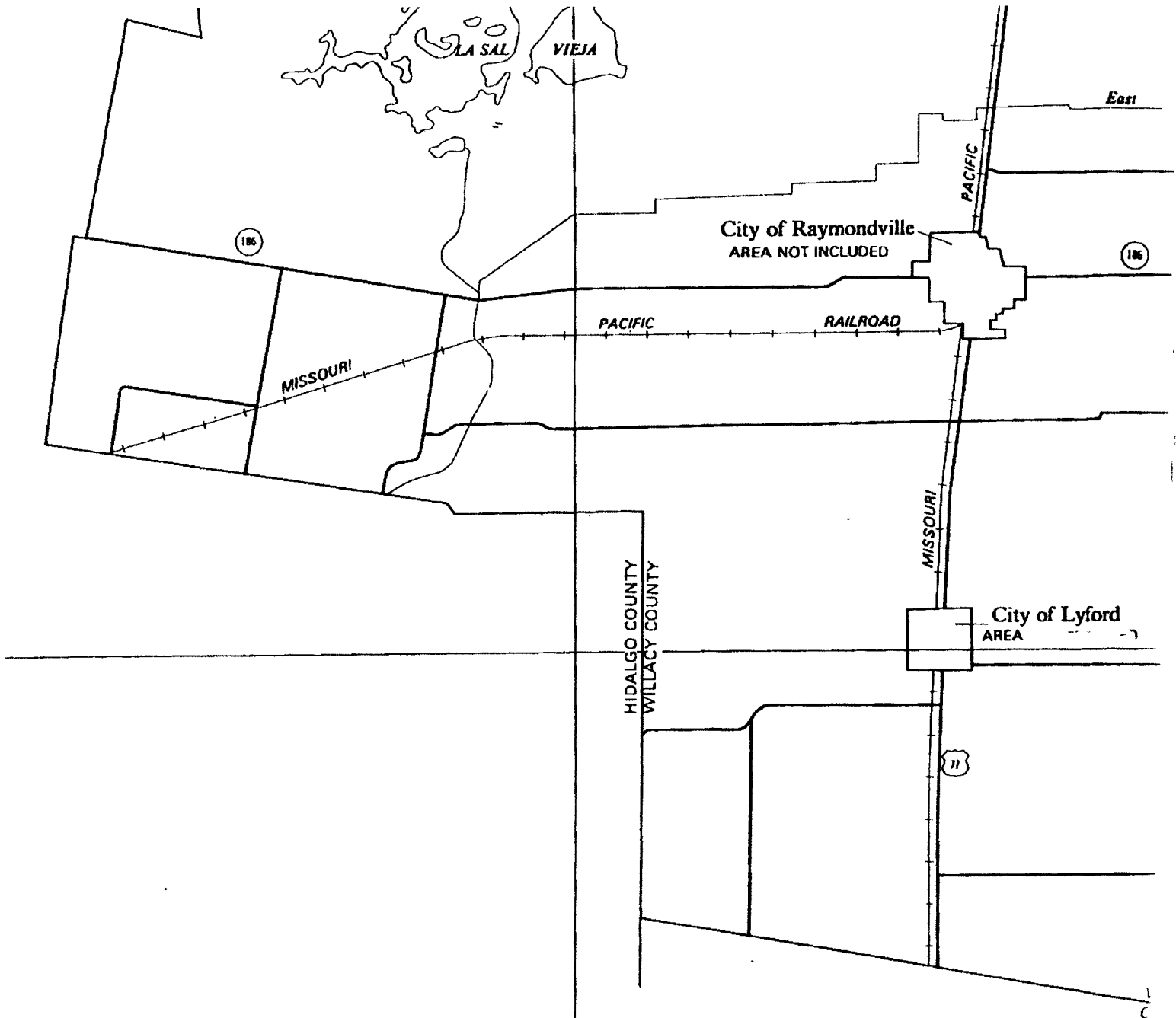


OVERLAPS
CITY OF LYFORD
PROPOSED A-239-1



480664 0250 B*

*PANEL NOT PRINTED: AREA IN ZONE C



OVERSIZED Maps

To View OVERSIZED Document(s) Or

For any questions;

you can call CENTRAL RECORDS

main Line

(512) 936.7180

CCN Checklist and Recommendation Information

received 03/25/02

Utility: **City of Lyford**

Application # **33790-C Application to obtain a water CCN**
33791-C Application to obtain a sewer CCN

CCN #: To Obtain Water
To Obtain Sewer

County/Counties: **Willacy County**

Contact: **Mr. Don R. Badeaux**
City of Lyford
702 South Arroyo
Los Fresnos, Texas 78566

PWS #: 2450003

Region: **15**

Administrative Review No.: **A-239-1**

Surrounding Utilities: City of Raymondville, CCN Nos 10542 and 20215
Sebastian Municipal Utility District, CCN Nos 11462 and 20790

File Still Needs: Revised notices
Additional Utilities (see above)
Small scale map
Map showing proposed
Overlap with North Alamo WSC & Sunny Dew WSC documentation

Return by: **March 29, 2002**

PWS Account Status -
Certificate of Acct Status -

Request for Service - *People live in proposed area?* Yes, receiving service

Requests? Yes, we need proof

Notes: Going for dual certification. Protested.

Texas Natural Resource Conservation Commission

APPLICATION NO. 33791-c/ 33790-c

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF Willacy

CITY OF LYFORD has provided individual notice to the following entities:

Sunny Dew Water Supply Corp.

DATE
3/15/02

North Alamo Water Supply Corp.

3/15/02

City of Raymondville

3/15/02

Sebastian Municipal Utilities District

3/15/02

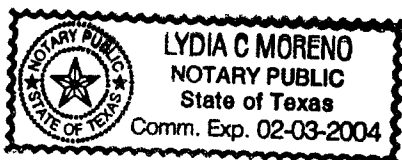
OATH

I, Lisandro Ramon, being duly sworn, file this form as
Mayor of Lyford (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 forth therein are true and
correct.

Leonardo Ramirez
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 18th day of March, 2002, to certify which witness my hand and seal of office.



Ruthia C. Morem
Notary Public in and for the
State of Texas

Lydia C. Moreno
Print or Type Name of Notary Public
Commission Expires 2/3/04



Texas Natural Resource Conservation Commission

APPLICATION NO. 33791-c/ 33790-c

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF Willacy

CITY OF LYFORD has provided individual notice to the following entities:

	DATE
<u>Sunny Dew Water Supply Corp.</u>	<u>3/15/02</u>
<u>North Alamo Water Supply Corp.</u>	<u>3/15/02</u>
<u>City of Raymondville</u>	<u>3/15/02</u>
<u>Sebastian Municipal Utilities District</u>	<u>3/15/02</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

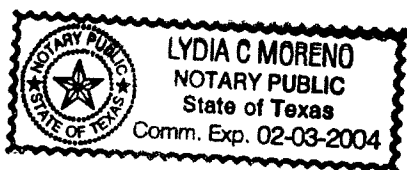
OATH

I, Lisandro Ramon, being duly sworn, file this form as Mayor of Lyford (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.

Lisandro Ramon
Applicant's Authorized Representative

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Subscribed and sworn to before me this 18th day of March, 2002, to certify which witness my hand and seal of office.



Lydia C. Moreno
Notary Public in and for the
State of Texas

Lydia C. Moreno
Print or Type Name of Notary Public
Commission Expires 2/3/04

Affidavit of Publication

STATE OF TEXAS)
COUNTY OF WILLACY)

undersigned authority, on this day personally appeared Paul E. [redacted]
[redacted] being duly sworn, on his oath, deposes and says that
OF THE RAYMONDVILLE CIRCUIT
R. V.
1191

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.

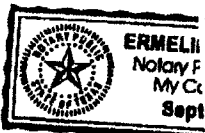
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Persons who wish to intervene or comment should write the:

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.



3/20/02

12-27C

Affidavit of Publication

STATE OF TEXAS)
COUNTY OF WILLACY)

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[redacted] being duly sworn, on his oath, deposes and says that
[redacted] THE RAYMONDVILLE CHRONICLE
[redacted]
[redacted]

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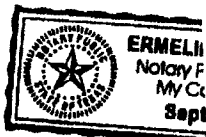
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3/20/02

12-2TC

Affidavit of Publication

STATE OF TEXAS)
COUNTY OF WILLACY)

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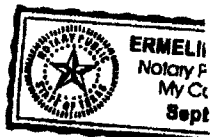
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12-27C

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STATE OF TEXAS
COUNTY OF WILLACY

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3/27/02

NON-SCANABLE pages

NEWSPAPER CLIPINGS

For Any Questions
Please Call Central Records
Main Line (512) 936-7180

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

To: CITY OF RAYMONDVILLE
(Neighboring System or City)
142 South 7th Street
(Address)
Raymondville, TX 78580-2591
(City State Zip)

Date Notice Mailed: 3/15, 2002

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.

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Water Supply Division
Utilities and Districts Section, MC-153
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TO PROVIDE WATER AND SEWER UTILITY SERVICE IN WILLACY COUNTY

To: North Alamo Water Supply Corp. Date Notice Mailed: 3/15, 2002
(Neighboring System or City)
420 South Doolittle Rd.
(Address)
Edinburg, TX 78539
(City State Zip)

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

To: Sunny Dew Water Supply Corp. Date Notice Mailed: 3/15, 2002
(Neighboring System or City)
RR 2 Box 147
(Address)
Raymondville, TX 78580
(City State Zip)

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(City State Zip)

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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 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, 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.

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

To: Sebastian Municipal Utilities Dist. Date Notice Mailed: 3/15, 2002
(Neighboring System or City)
2nd Alamo St. P.O. Box B
(Address)
Sebastian, TX 78594
(City State Zip)

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Utility Information Sheet
(For Data Entry Purposes Only)

Administrative Reviewer: _____

Review Number: A - -

Date Application Received: _____

Date Application declared Admin. Complete: _____

Date Application sent to Program Area: _____

Obtain or Amend CCN

CCN Number(s): Water _____ Sewer _____

Registration Number(s): Water A Sewer A

Utility Name: _____

Checklist For Obtaining or Amending CCN

Purpose of Application:

Administrative Review # A- -

- ☒ Obtain New Water CCN
Registration # A
- ☐ Obtain New Sewer CCN
Registration # A
- ☐ Amend Water CCN # _____
- ☐ Amend Sewer CCN # _____
- ☒ Utility Name (Item 1 on page 5 of the application)
- ☒ Utility Address (Item 1 on page 5 of the application)
- ☒ Original and three copies of application received (Item 2 on page 2 of Instructions & Checklist)

If the applicant is a For-Profit Corporation:

- ☐ copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts (1.C.i.)
- ☐ corporation's charter number as recorded with the Office of the Texas Secretary of State (1.C.ii.)

If the applicant is a Water Code Chapter 67 water supply or sewer service corporation or other non-profit corporation:

- ☐ copy of the Articles of Incorporation and By-Laws (1.D.i)
- ☐ corporation's charter number as recorded with the Office of the Texas Secretary of State (1.D.ii)
- ☒ **Governmental Agencies:** Federal, city, or local government-type entities. Examples: I.S.D.; County; State Agencies; Federal Agencies; Water Authority.
- ☐ County(ies) _____ Field Office _____
- ☒ Filing Fee \$100 (Page 4 of Instructions and Check List)
- ☒ If within city limits, need franchise, permit, or consent granted by the city (2.C.)
- ☒ subdivision plat or engineering plans or other large scale map (2.E.i.)
- ☒ small scale location map delineating the proposed service area OR a copy of the TNRCC official CCN map (2.E.ii)
- ☒ oath
- ☒ notice to neighboring systems and cities (7.G)
- ☒ notice for publication (7.F.)
- ☒ notice to customers of IOUs in Proposed Area (7.H)
- ☒ have you received any request for service in the requested service area (2.B)
- ☒ decertification agreement, if applicable (2.D)
- ☒ certified copy of most current water and/or sewer agreement (5.G.iv)

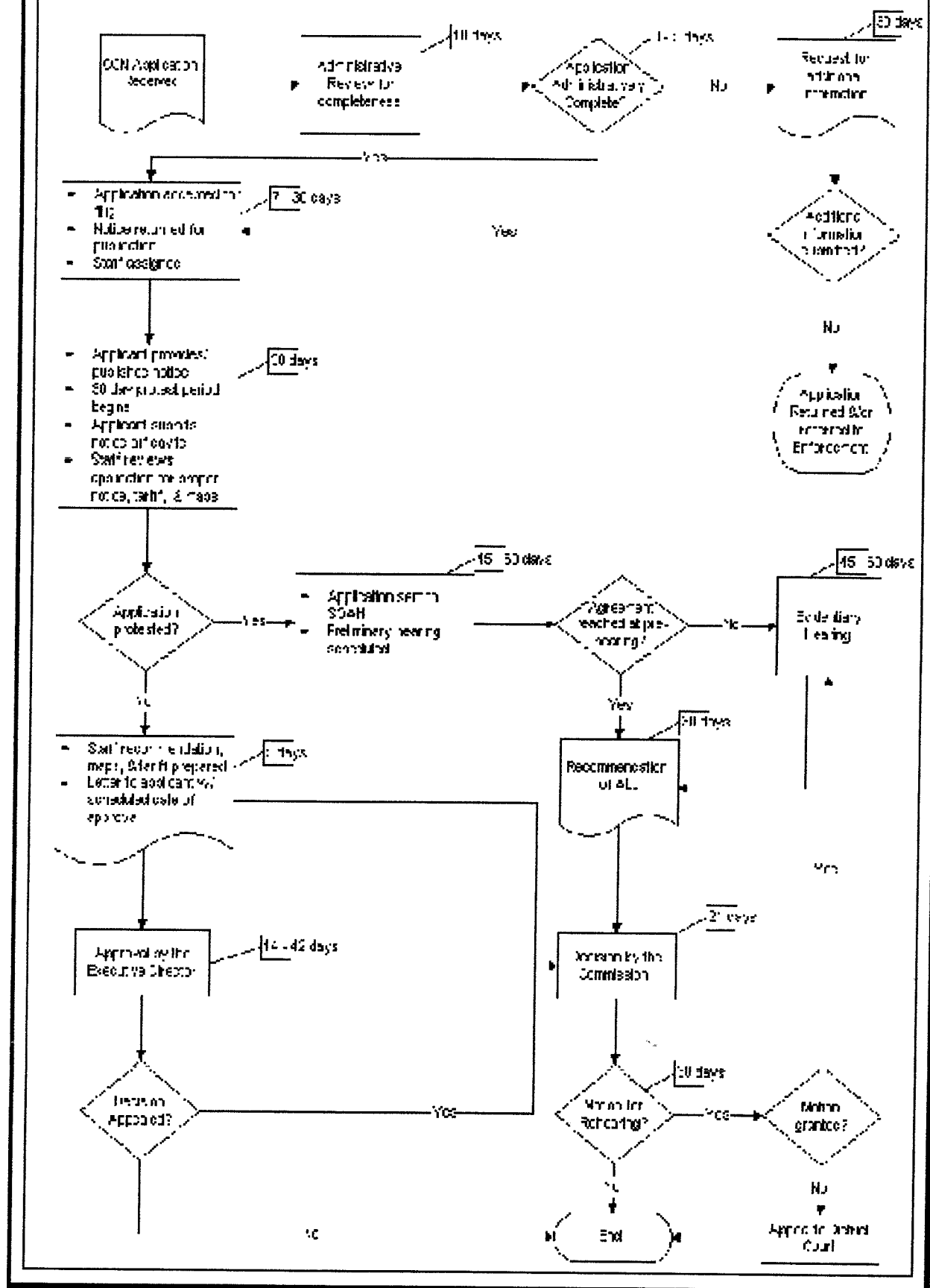
New System Information or Utilities Requesting a CCN for the First Time:

- ☒ list of all public drinking water supply systems or sewer systems within a 2 mile radius (4.A.i)
- ☒ copies of written request seeking to obtain service (4.A.ii)
- ☒ copies of written responses from each system or evidence that they did not reply (4.A.iii)
- ☒ if constructing a new system - need approved plans and specifications **or** engineering report
 - ☐ plans and specifications Log Number: _____
- ☐ if operating without a CCN - "as built" plans and specs or plan approval letter
- ☐ analysis of all necessary costs for constructing, operating, and maintaining the system for first five years (6.A.i)
- ☐ projected profit and loss statements for first five years (6.A.ii)
- ☐ proposed rate schedule or tariff (6.A.iii)
- ☐ number of existing and/or proposed connections _____

Existing System Information:

- ☒ PWS ID numbers for water system(s) (5.A.i)
- ☒ discharge permit number for sewer system(s) (5.A.ii)
- ☒ copy of the most recent inspection report letter and response of utility (5.A.iv and 5.A.v)
- ☒ number of existing and/or proposed connections 778, 706
- ☒ profit and loss statement and current balance sheet (6.B.i)
- ☒ proposed rate schedule or tariff (6.B.ii)
- ☒ identify any funds you are required to accumulate and restrict by lenders or capital providers

CCN Application Process - Flowchart



I replaced this page in the enclosure