

Control Number: 42963



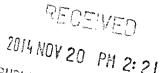
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House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup> Legislature, Regular Session, transferred the functions relating to the economic regulation of water and sewer utilities from the TCEQ to the PUC effective September 1, 2014.

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





# TEXAS NATURAL RESOURCE CONSERVATION COMMISSIONY COMMISSION COMMISS

Protecting Texas by Reducing and Preventing Pollution

April 29, 2002

MAY 5 0 2002

#### **Corrected Copy**

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

#### **NOTICE OF DEFICIENCY**

Application from City of Lyford to Obtain a Water Certificate of Convenience and Necessity Re: (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:

An acceptance letter for filing of your CCN application was sent on February 28, 2002. A deadline of March 29, 2002 was provided to complete the notice requirements for further processing of your application. As of this time, proper notice verification has not been received.

In order to process this application, 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 notice of the application to any utilities within two (2) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area, customers, or other affected parties in your requested area.

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:

an original and three copies of a publisher's affidavit of the newspaper publication with tear a) sheets of the published notice attached;

Internet address: www.tnrcc.state.tx.us

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 •

- b) four copies of each individual notice to neighboring utilities and other affected parties;
- 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 attached to this letter.)

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 <u>May 30, 2002</u>. Failure to provide notice will result in your application being returned for failure to proceed.

If you have any questions, please contact me at 512/239-0963, or if by correspondence, include MC 153 in the letterhead address.

Sincerely,

Brian D. Dickey

Utilities & Districts Section

Water Supply Division



### 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
ОАТН	
I, Lisandro Ramon, Mayor of Luford (in member of partnership, title of officer of corporation, or in such capacity, I am qualified and authorized to file and notices given with this application, and have complied wapplication acceptance letter; and that all such statement correct.	other authorized representative of applicant); that verify such form, am personally familiar with the with all notice requirements in the application and
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/8 +k which witness my hand and seal of office.	day of <u>March</u> , 2002, to certify
LYDIA C MORENO NOTARY PUBLIC State of Texas Comm. Exp. 02-03-2004	Notary Public in and for the State of Texas