



LOWER COLORADO RIVER AUTHORITY'S NOTICE OF INTENT TO SELL FACILITIES TO CORIX UTILITIES, TEXAS AND FOR CORIX TO OBTAIN OR AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN (COUNTY NAME) COUNTY, TEXAS.

To: (Neighboring System)

(System Address)
(City), Texas (Zip)

Date Notice Mailed: ______, 2013

Lower Colorado River Authority, P.O. Box 220, Austin, Texas 78767-0220 has submitted an application with the Texas Commission on Environmental Quality to sell (System Type) Facilities in (County Name) County to:

Corix Utilities (Texas) Inc., 6836 Bee Caves Road, Suite 209, Texas 78746

The transferee has also requested to obtain/amend a CCN in this application. The sale is scheduled to take place as approved by the Executive Director (V.T.C.A, Water Code §13.301). The transaction and the proposed service area include the following subdivision(s) and zip codes:

(Subdivision list) (Zipcode list)

The area subject to this transaction is located approximately (<u>Distance</u>) miles (<u>Direction</u>) of downtown (<u>CityName</u>), Texas, and is generally bounded on the north by; on the east by; and on the west by
The total area being requested includes approximately (Service Area) acres and serves (Customer Number) current customers.
This transaction will have the following effect on the current customer's rates and services

Affected persons may file written protests and/or request a public hearing within 30 days of this notice.

To request a hearing, you must:

- 1. state your name, mailing address, and daytime telephone number;
- 2. state the applicant's name, application number, or other recognizable reference to this application;
- 3. include the statement "I/we request a public hearing";
- 4. write a brief description of how you, the persons you represent, or the public interest would be adversely affected by the proposed transaction and transfer of the CCN; and
- 5. state your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Only those persons who submit a written request to be notified of a hearing will receive notice if a hearing is scheduled. The Executive Director will issue the CCN requested in the referenced application unless a hearing is scheduled to consider the transaction. If no protests or requests for hearing are filed during the comment period, the Executive Director may issue the CCN 30 days after the publication of this notice.

Persons who wish to protest or request a hearing on this application should write the:



Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087, Austin, Texas 78711-3087

Se desea informacion on Espanol, puede llamar al 512-239-0200

<u>Darrin Barker, Operations Manager</u> Utility Representative

Corix Utilities (Texas) Inc. Utility Name



EXHIBIT N: OATH OF SELLER

Please refer to the following page for Exhibit N.

EXHIBIT N OATH FOR SELLER OR FORMER SERVICE PROVIDER

STATE OF TEXAS

COUNTY OF TRAVIS

I, Rebecca S. Motal, being duly sworn, file this application for sale, lease, rental or merger or consolidation as General Manager (indicate relationship to applicant) that is, owner, member of partnership, title as officer of corporation, or other authorized representative of applicant; that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further state that I have provided to the purchaser or transferee a written disclosure statement about any contributed property as required under Section 13.301(j) and copies of any outstanding Orders of the Commission or Attorney General and have also complied with the notice requirements in Section 13.301(k) of the Water Code.



If the Affiant 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 BEFORE ME, a Notary Public in and for the State and County above-named, this 5th day of March, 2013.



Carol Lewis
Print Name of Notary
My Commission Expires: 1/13/17

One copy of this page must be submitted for each utility involved in this transaction.



EXHIBIT O: OATH OF PURCHASER

Please refer to the following page for Exhibit O, including Certificate of Incumbency.

Exhibit O - Oath of Purchaser OATH FOR PURCHASER OR ACQUIRING ENTITY

STATE OF	Texas		1	
COUNTY OF	Travis	38	HI SECTION ASSESSMENT	

EDWARD VANOSHITA ,being duly sworn, file this application for

sale, lease, rental or merger or consolidation as GEJERAL WANAGER (indicate relationship to applicant) that is, owner, member of partnership, title as officer of corporation. or other authorized representative of applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I am also authorized and do agree to be bound by and comply with any outstanding orders of the Commission or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.

> AFFIANT (Utility's Authorized Representative)

If the Affiant 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.

Applicant represents that all other parties to this transaction have been furnished copies of this completed application.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, of MOV ,

SEAL

JESSICA MARIE DENNY My Commission Expires February 3, 2014

BLIC IN AND FOR THE

TA**T**E OF TEXAS

MY COMMISSION EXPIRES

CORIX UTILITIES (TEXAS) INC. INCUMBENCY CERTIFICATE

·

I, HAMISH CUMMING, HEREBY CERTIFY THAT:

- 1. I am the duly appointed Corporate Secretary of Corix Utilities (Texas) Inc. (the "Corporation"), a corporation organized under the laws of Delaware, and as such have access to its corporate records and am familiar with the matters herein certified.
- 2. Edward Yanoshita, General Manager of the Corporation, has authority to file the application on behalf of the Corporation with the Texas Commission on Environmental Quality and in connection therewith to swear the Oath of Purchaser for the Corporation.

IN WITNESS WHEREOF I have set my hand in the name and on behalf of the Corporation effective this 1st day of November, 2012.

Corporate Secretary

OVERSIZED DOCUMENT(S)

TO VIEW

OVERSIZED DOCUMENT(S)

PLEASE GO TO

CENTRAL RECORDS

(512) 936-7180