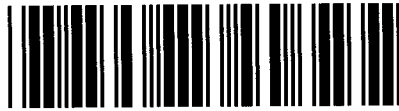




Control Number: 42969



Item Number: 7

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., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



42869

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 20, 2013

RECEIVED
2014 SEP 16 AM 10:04
PUBLIC UTILITY COMMISSION
FILING CLERK

Mr. Ed Yanoshita, General Manager
Corix Utilities (Texas) Inc.
6836 Bee Caves Road, Ste, 209
Austin, Texas 78746

Re: Application from Corix Utilities (Texas) Inc., A2061, to Purchase Facilities and Transfer a Portion of Certificate of Convenience and Necessity (CCN) No. 20769 held by the Lower Colorado River Authority (LCRA) (Camp Swift and McKinney Roughs) and to Obtain a Sewer CCN in Bastrop County; Application No. 37595-S

CN: 604102301; RN: Pending (Corix)
CN: 600253637; RN: 102687159 (LCRA)

Dear Mr. Yanoshita:

Enclosed is a letter from Joseph M. Steffanic, a customer of LCRA. He is requesting a public hearing to discuss a concern he has regarding the proposed transfer of facilities from LCRA to Corix. This copy is being sent to you so that Corix may contact him and attempt to resolve the issues or concerns brought forward in his letter. Please respond to him and forward a copy of your response to this office.

Thank you for your attention to this matter. If you have any questions, or will not be able to forward the requested information to this office by **September 20, 2013**, please call Ms. Sheresia Perryman at (512)239-3654.

Sincerely,

Tammy Benter, Manager
Utilities & Districts Section, MC 153
Water Supply Division

TB/SP/sd

Enclosure: protest letter

Application No 37595-S

Notice to Current Customers, Neighboring Systems and Cities

NOTICE OF INTENT FOR LOWER COLORADO RIVER AUTHORITY (LCRA) TO SELL SEWER FACILITIES AND TRANSFER A PORTION OF CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 20769 TO CORIX UTILITIES (TEXAS) INC., AND FOR CORIX UTILITIES (TEXAS) INC. TO OBTAIN SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN BASTROP COUNTY, TEXAS

To: JOSEPH M STEFFANIC Date Notice Mailed: July 26, 2013
 (Name of Customer, Neighboring System or City)
211 KANAPALI LANE
 (Address)
BASTROP
 (City) State TX Zip) 78602

Corix Utilities, Texas, Inc. 6836 Bee Cave Road, Ste. 209 Austin, TX 78746
 (Purchaser's or Transferee's Name) (Address) (City) (State) (Zip Code)

has submitted an application with the Texas Commission on Environmental Quality to obtain a sewer CCN, and to acquire facilities in Bastrop County held by:

LCRA PO Box 220 Austin TX 78767
 (Seller's or Transferor's Name) (Address) (City) (State) (Zip Code)

The sale is scheduled to take place as approved by the Executive Director (V.T.C.A., Water Code §13.301).

The area is subject to this transaction is located approximately 11 1/2 miles north northwest of downtown Bastrop, Texas and is generally bounded on the north by Scott Falls Road; on the east by Cattlesman Drive; on the south by approximately 1/2 mile south of State Highway 71; and on the west by Colorado Drive. The total existing certificated area proposed for purchase includes approximately 36,858 acres. The **McKinney Roughs** wastewater facility currently serves 2 customers and the **Camp Swift** wastewater facility currently serves 258 customers.. The overall certificated area proposed for purchase includes zip codes **78602, 78612, and 78921.**

Questions concerning the proposed service area can be directed to Corix Utilities (Texas) Inc. at: 6836 Bee Cave Road, Ste. 209, Austin TX 78747, phone number: 512/306-4000.

This transaction will have the following effect on the current customers' rates and services: Corix proposes to adopt the existing rates currently charged by LCRA and maintain those rates for a 12 month period following our acquisition of the utilities. During this 12 month period Corix will undertake detailed cost of service studies. After the 12 month period and based on the results of the cost of service studies, Corix will be better able to determine any required rate adjustments.

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 another recognizable reference to this application;
- (3) 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

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 UTILITIES & DISTRICTS
 SECTION

- (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 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, TX 78711-3087

Se desea informacion en Espanol, puede llamar al 1-512-239-0200.

Darrin Barker, Operations Manager

Utility Representative

Corix Utilities, Texas, Inc.

Utility Name

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

Applicant: Joseph M. Steffanic
211 Kaanapali Lane
Bastrop, Texas 78602 daytime telephone number 512-985-5791

"I Request a Public Hearing."

I have a damage claim against the sewer provider for the property in Camp Swift district
252 Zimmerman Ave. Bastrop, Texas. I request this public hearing to determine the party
to resolve this claim LCRA or Corix. On October 3, 2012 raw sewerage back flowed onto
my property at the address stated. The claim amount is \$ 566.66. Documents are attached.

I will withdraw my request for a hearing if the claim is resolved.

Signed

Joseph M. Steffanic July 31, 2013

October 9, 2012

To: CORIX UTILITIES (Claims Department)

6836 Dee Caves Road

Austin, Texas 78746

From: Joseph M. Steffanic (Land owner)

211 Kaanapali Lane

Bastrop, Texas 78602

Subj: Damage Claim from sewer blockage at 252 B Zimmerman Ave, Bastrop Texas

On October 3, 2012 at about 6:00 PM I received a phone call from the tenant at 252 B Zimmerman Ave. telling me the sewer was backing up and spilling toilet paper and raw sewerage. I drove to the residence and found a five foot pool of raw sewerage next to the entry door coming out of the cleanout hole. I tried to use a hand snake and liquid plumber with no success. I asked the residents to try and stop using the sewer and I would call a professional plumber.

The next morning, Parobek Plumbing (Lic. #M17953) ran a power snake 100 feet from residence well out into the street and determined that the blockage was past my responsibility. I notified LCRA immediately.

The LCRA system back flowed at an increasing rate onto my property flooding an area about 50 feet by 12 feet of raw sewerage. I dug ditches trying to lead the flow away from the building and sprayed bleach as much as possible.

At 940 AM on October 5, 2012 Camp Swift Operations personnel were able to clear the dirt, silt, sand, and muck from the system and the sewer levels instantly returned to normal levels.

Here are my claims: (addition pictures or documentation is available)

Mileage from my residence to Zimmerman 22 miles round trip, 7 trips	\$ 61.60
Liquid Plumber and Bleach	\$ 15.70
Parobek Plumbing	\$239.36
My time and labor hand snake digging ditches, spraying bleach, driving, phone calls etc.	\$250.00
Total	\$566.66

Date: November 17, 2012

To: James Rader
Corix Utilities, Legal Department
6836 Dee Caves Road
Austin, Texas 78746

PC-BOX 220
AUSTIN TX 78767

From: Joseph M. Steffanic
221 Kanapali Lane
Bastrop, Texas 78602

Subj: Damage Claim from sewer blockage about October 3, 2012 at Zimmerman Ave.
and Pershing Blvd., Bastrop Texas

Dear Sir,

Thank you for calling my voice mail November 16, 2012 and leaving the message. I realize my claim is not your highest priority but I am pleased you are working on it and that you will let me know the outcome.

I did include dates and times in my claim about the incident and I have experience with underground construction. Obviously the Gas pipe installers hit the sewer line before October 3, 2012. I notified LCRA October 4, 2012 around 1000 AM. And later that day I saw the 13 foot approx. deep hole dug by the Gas crew. At the bottom of the hole I saw the gas pipe passing straight through the sewer pipe at a perfect ninety degree angle both pipes were about the same diameter and at the same level.

It was getting dark so I left the site but the repairs must have been tricky because the backed up sewage in the system would have flooded the hole making it impossible to repair. So I suspect they blocked the sewer pipe upstream probably with sand. I think it is right to say that all the men working on this incident did a great job in a bad situation. Early morning October 5, the hole was filled back in but the sewer was still blocked. Camp Swift Operations personnel were on the site and got the sewer line cleared very quickly.

I am sure there is finger pointing that you are managing. The LCRA plans, the Underground Locators reports, the operation procedures of the Gas crew etc. If I had to face those folks I would say that you guys hit me, our pipe was not moving. And that the LCRA plans are not for underground construction but for maintenance locations. I would also find out how much safety clearance the underground installers give to the location of other utilities when boring in pipe.

So as a customer of CORIX I say good luck. However someday CORIX might hit the gas line then you will feel very bad with much work.