



Control Number: 42969



Item Number: 9

Addendum StartPage: 0

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.



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 12, 2013

### **CERTIFIED MAIL**

Mr. Ed Yanoshita, General Manager  
Corix Utilities (Texas) Inc.  
1812 Centre Creek Drive, Suite 207  
Austin, Texas 78754

Re: Application No. 37595-S, Application from Corix Utilities (Texas) Inc., A2061, to purchase facilities and to transfer a portion of Certificate of Convenience and Necessity (CCN) No. 20769 held by the Lower Colorado River Authority (LCRA) (Camp Swift, McKinney Roughs and Windmill Ranch) and to obtain a Sewer CCN in Bastrop County

CN: 600253637; RN: 102687159 (LCRA)  
CN: 604102301; RN: 106448079

Dear Mr. Yanoshita:

We have reviewed the criteria in Texas Water Code (TWC), Section 13.301(e) and determined that a public hearing will not be requested. You may complete your proposed transaction as scheduled, or any time after you receive this notification. Please note that the transaction must comply with the requirements of TWC Section 13.301(d) and therefore cannot be completed prior to the issuance of this letter.

The second part of the application, which is transferring the CCN, will occur following receipt of the following documents:

- a copy of the signed contract or bill of sale, and
- documents supporting the disposition of customer deposits.

The application cannot be approved nor the CCN transferred and issued until we receive evidence that the transaction was completed. These items must be received by the Utilities & Districts Section, Water Supply Division, within 30 days after the effective date of the transaction.

After the proper documentation is received, staff will prepare a proposed map, certificate, and recommendation for both applicants to review before submitting them to the Executive Director for approval and the issuance of the CCN. A copy of this information will be sent to both the buyer and seller.

# 42969

SP

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

9

Mr. Ed Yanoshita, General Manager

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December 12, 2013

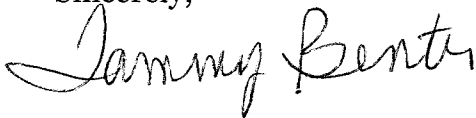
If you concur with the recommendation, the consent forms must be signed and returned by both applicants before the recommendation to transfer the CCN can be approved by the Executive Director. If both consents are not received, the CCN will remain in the name of the seller and the seller remains responsible for the system(s) for purposes of TWC Section 13 regulations. (See TWC, Section 5.122 and 30 Texas Administrative Code Section 50.33).

As an alternative to the seller's continued involvement in the process, the closing document(s) and any accompanying correspondence may include a statement that the seller consents with the transfer of the CCN to the buyer with specific references to the statute and rule noted above. The statement will serve to authorize the Executive Director to take action upon receipt of the buyer's signed consent form. In this situation, however, the seller is relying on the buyer to provide the final consent on the CCN transfer.

Finally, please note that from the time the application is filed until the CCN is issued, it is the applicants' (buyer and seller) responsibility to notify and update the Utility & Districts Section, Water Supply Division, of changes in the financial, managerial, or technical information provided in the application.

If you have any questions, please contact Ms. Sheresia Perryman by phone at 12/239-3654, by fax at 512/239-6972, by email at [sheresia.perryman@tceq.texas.gov](mailto:sheresia.perryman@tceq.texas.gov), or if by correspondence, include MC 153 in the letterhead address below.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Benter".

Tammy Benter, Manger  
Utilities & Districts Section  
Water Supply Division  
Texas Commission on Environmental Quality

TB/SP/mmg

cc: TCEQ, Region 11 Office

**IMPORTANT: Checklist must be submitted to Work Leader and Team Leader prior to final map or hearing request.**

## STM Checklist and to Obtain or Amend a CCN

Applicant: Corix Utilities (Texas) Inc. (Camp Swift, McKinney Roughs & Windmill Ranch)

Application No.: 37595-S

§13.301(a)	Was written application filed on or before the 120 <sup>th</sup> day before the effective date of a sale?	Date verified: 12/6/2013
Description: The application was filed on April 29, 2013 and was accepted for filing on July 23, 2013. The applicant subsequently submitted an amendment to include the Windmill Ranch Wastewater System with this application. The amended application was accepted for filing on 10/10/2013.		
§13.241(a) & §13.301(b)	Does the applicant/purchaser possess FMT to provide continuous and adequate service to the requested area AND any areas currently certificated to that person? Yes.	Date verified: 12/6/2013
Description: See FM memo.		Date of FM checklist: 10/23/2013
	Description of qualifications: Corix Utilities (Texas) Inc. is a newly formed, wholly-owned subsidiary of Corix Infrastructure (US) Inc. The Company was established to acquire the assets and operations of 18 small utility systems from LCRA and to undertake additional utility operations and activities in the State of Texas. On July 1, 2012, Corix Utilities (Texas) Inc. assumed day-to-day operations, maintenance and asset management responsibility for 18 utility systems subject to this transaction under contract with LCRA. Corix has hired many of the utility operating staff from LCRA to maintain these systems knowledge. Corix Utilities (Texas) Inc. is a part of the Corix Group which provides utility services across North America.	Date verified: 12/6/2013
	Description of any plans for improvements: According to the application, no improvements are required to meet TCEQ standards. However, any planned or required improvements will be made from a combination of intercompany debt, equity funding from Corix Infrastructure (US) Inc., and internal cash flow from operations.	Date verified: 12/6/2013
§13.246(c)(6)	Is the applicant Financially stable, including debt-equity ratio? No.	Date verified: 12/6/2013
Description: The parent company's debt to equity ratio as of 6/30/2012 was \$105 million to \$215 million, or 0.49 to 1.00, which exceeds the TCEQ minimum coverage preferred.		

§13.246(d) & §13.301(c)	Is bond or other financial assurance required to ensure continuous and adequate service? No.	Date verified: 12/6/2013
Description: See FM memo dated 10/23/2013.		
§13.136	Have all tariff issues including rates, tap fees and service rules/extension policy language been resolved? Technical staff has questions if some the charges Corix Utilities (Texas) Inc. is proposing in its tariff are allowable under TWC Ch. 13 and 30 TAC 291. Please note that the TCEQ did not have original jurisdiction over the rates and service policies charged by the Lower Colorado River Authority (LCRA). Corix is proposing to charge the same rates as were being charged by the LCRA. A legal assignment was made on 10/18/13 to assist technical staff with reviewing the proposed Corix tariff.	Date verified: Pending
Description:		Date tariff was stamped approved: Pending
If entity is a WSC, is most recent version of tariff on file? N/A		Date WSC tariff was received: N/A
§13.132	If the applicant is an <b>IOU</b> , do they have a current Annual Report on file? No.	Date verified: 12/6/2013
Description: Corix will be a regulated IOU and has never filed an annual report, but will be required to in the future. Districts/Authorities such as LCRA are not required to submit an annual report.		Date annual report was received: N/A
§288.20	Have all drought contingency plan (DCP) issues been resolved? Yes.	Date verified: 12/6/2013
Description: N/A		Date DCP approval memo was received: 10/30/2013
§13.244(b)	Has the applicant provided all required maps? Yes.	Date verified: 12/6/2013
Date of most recent Overlap Check: 8/30/2013		
§13.244(d)	Were any overlaps identified? None identified.	Date verified: 12/6/2013
Name(s) of Entity(ies) being overlapped: None.		
Were overlaps mentioned in the Overlap Check and the BTR letter: No.		
Description and Date of how overlap was resolved: N/A		
Date of Agreement to Decertification (if applicable): N/A		
§13.246(h)	Were opt-out requests received during the comment period? No opt-out requests received.	Date verified: 12/6/2013
	Were opt-out requests granted? N/A	Date verified: 12/6/2013

Date revised maps were received: N/A		Date of subsequent Overlap Check: N/A
§291.102 (d) §13.246(c) 1(2)	Was applicant able to demonstrate a need for service in the entire proposed area? The applicant, Corix Utilities (Texas) Inc., filed an STM application to purchase a portion of the LCRA's CCN, Camp Swift, McKinney Roughs and Windmill Ranch Wastewater Systems, in Bastrop County. In addition, Corix is proposing to obtain a Sewer CCN.	Date verified:  12/6/2013
# of acres in proposed area: Approximately 36,858		Date of letter from developer requesting service from the applicant: N/A
Copies of letters from landowners requesting service: N/A. This is an application to transfer a portion of existing Sewer CCN area from LCRA to Corix and for Corix to obtain a Sewer CCN.		Date received from the applicant: N/A
Copies of applications for service received by the applicant: N/A. This is an application to transfer a portion of existing Sewer CCN area from LCRA to Corix and for Corix to obtain a Sewer CCN.		Date received from the applicant: N/A
Maps showing existing facilities in the proposed area: Yes.		Date received from the applicant: 4/29/2013
Maps showing existing customers in the proposed area:		Date received from the applicant: 4/29/2013
Maps showing locations of requests for service from landowners in the proposed area: N/A		Date received from the applicant: N/A
§13.244(c)	Has the applicant received the required consent, franchise, or permit of the proper municipality or other public authority. If a WSC is decertifying a portion of their CCN area, consent from USDA is required. N/A	Date verified:  12/6/2013
Description: N/A		
§13.246(a) & §13.301(a)	Notice of the application has been provided to all affected parties. Yes.	Date verified:  12/9/2013
Comment period end date: 11/16/2013		
Date(s) of Individual and Landowner Notices: Original notice was provided 7/26/2013 to customers and neighboring utilities. Additional notice was provided on 8/12/2013 to utilities that were not provided notice. The applicant subsequently amended the application to include the Windmill Ranch WWTP; therefore, they were required to re-notice. The amended notices were provided to the customers and neighboring utilities on 10/16/2013.		
Name of Newspaper: N/A		
Waivers?: None		

Additional notice required for amendment?: No.		
Date(s) of Publication: N/A		County(ies) Published: N/A
Date Notice Information (affidavits, copies of individual notices) was received. 7/30/2013, 8/13/2013 and 12/5/2013		
Were notices revised by the applicant? Yes, based on the accepted for filing letter and revised notices from TCEQ.		
If yes, please explain:		
If applicable, have protestants' concerns been addressed by letter from the staff or utility? Two protests were received.		Date verified: 12/6/2013
Names of protestants: XS Ranch Fund VI, L.P. and Mr. Joseph Steffanic		
Description of protests: N/A		
Protestants included on mailing list?: Yes.		
§13.246(c) (1)	What is the adequacy of service currently being provided to the requested area?	Date verified: 12/6/2013
Description: There are 261 current customers (Camp Swift – 258; McKinney Roughs – 2; Windmill Ranch – 1) and LCRA is currently providing service. The application is for Corix Utilities (Texas) Inc. to purchase facilities and transfer a portion of LCRA's CCN and for Corix to obtain a CCN.		
§13.246(c) (3)	What is the effect of granting of a CCN to the recipient and on any other retail public utility of the same kind already serving the proximate area? None.	Date verified: 12/6/2013
Description: The area is already being served by LCRA and this application is to transfer area to Corix and for Corix to obtain a Sewer CCN.		
§13.246(c) (4)	Will the applicant be able to provide adequate service to the proposed area? Yes.	Date verified: 12/6/2013
Description: LCRA is currently providing adequate service. However, in November 2010 LCRA announced its intention to divest itself of the retail and wholesale water and wastewater utility systems that it owned. Corix was selected to acquire substantially all of the utility systems that LCRA was seeking to divest.		
§13.246(c) (5)	Is it feasible to obtain service from an adjacent retail public utility? No.	Date verified: 12/6/2013
Description: This is not a new system. It is an application for Corix to acquire a portion of wastewater area from LCRA and for Corix to obtain a Sewer CCN.		
§13.246(c) (7)	Is there an effect on the environmental integrity of the proposed area? N/A	Date verified: 12/6/2013
Description: N/A. LCRA is already serving the areas that are being transferred in this application.		
§13.246(c) (8)	Is there probable improvement of service or lowering of cost to consumers in the proposed area? Unknown.	Date verified: 12/6/2013
Description: Corix proposes to adopt the existing rates currently charged by LCRA and maintain those rates following the acquisition of the utilities until Corix has better information about the costs of services.		

§13.246(c) (9)	What is the effect on the land in the proposed area? None.	Date verified: 12/6/2013
Description: Service will be provided to the customers from existing facilities.		
§13.246(e)	If applicable, has the applicant made efforts to extend service to any economically distressed areas? N/A	Date verified: 12/6/2013
Description: N/A. The proposed area is not an economically distressed area.		
§13.241(b) (1)	Is the applicant capable of providing drinking water that meets the requirements of Chapter 341, Health & Safety Code? Yes.	Date verified: 12/6/2013
Description: See compliance summary.		
§13.241(b) (2)	Does the applicant have access to an adequate supply of water? Yes.	Date verified: 12/6/2013
Description: However, this application is for wastewater only.		
§13.241(c)	Is the applicant capable of meeting commission's design criteria for sewer treatment plants? N/A	Date verified: 12/6/2013
Description: N/A		
§13.241(d)	If the applicant has proposed to construct a physically separate water or sewer system, the applicant has demonstrated that regionalization with another retail public utility is not economically feasible.	Date verified: 12/6/2013
Description. See attached Feasibility Checklist.		
	<p>If applicable, the staff person must send an email to Central Registry requesting them to link the appropriate CCN, CN and RN numbers.</p> <p><b>The email should be addressed to: WWW-Registry with WUD Priority in the subject line.</b></p> <p>If these numbers are not linked appropriately, the Chief Clerk's Office will not be able to accept the application for posting and the file will be returned to our program area. This will cause a delay in the getting the final order and CCN(s) signed.</p>	Date verified: 12/6/2013
Description: RN & CN #s have been assigned for Corix.		
	If a WSC is decertifying a portion of their CCN area, consent from USDA is required. N/A	Date verified: 12/6/2013
Description: N/A		



## COMPLIANCE SUMMARY:

General: Wastewater System: Camp Swift Regional WWTP  
Permit No.: WQ-0013548-001  
Issued/Renewal Date: N/A  
Inspection Date: 1/22/2010  
Deficiencies: 1. Failure to prevent unauthorized discharge of wastewater into or adjacent to waters of the state. 2. Failure to comply with the permitted effluent limitations. Based on a letter from TCEQ dated 2/24/2010, adequate compliance documentation was received to resolve the alleged violation documented during the investigation.

Wastewater System: McKinney Roughs WWTP  
Permit No.: WQ-0013977-001  
Issued/Renewal Date: N/A  
Inspection Date: 7/5/2012  
Deficiencies: 1. Failure to maintain compliance with permitted daily average limits for ammonia-nitrogen in its wastewater treatment plant effluent. Based on a letter from TCEQ dated 8/30/2012, adequate documentation was received to resolve the alleged violation.

Wastewater System: Windmill Ranch WWTP  
Permit No.: WQ-0014303-001  
Issued/Renewal Date: N/A  
Inspection Date: 8/21/2012  
Deficiencies: 1. Failure to continuously monitor and display the ultraviolet light disinfection system. 2. Failure to verify the accuracy of the thermometer used for e coli analysis procedure. 3. Failure to run a duplicate e coli analysis each day a sample is analyzed. Based on a letter from TCEQ dated 10/1/2012, adequate compliance documentation was received to resolve the alleged violations.

Signed: \_\_\_\_\_ Date: December 9, 2013

# Feasibility Checklist

Applicant: Corix Utilities (Texas) Inc. (Camp Swift, McKinney Roughs and Windmill Ranch)

Application No.: 37595-S

§291.102(3) )	Applicant has provided a list of all public drinking water supply systems within a 2 mile radius. Yes.	Date verified: 12/6/2013
Description: A list of utilities was provided with the application and identified with the overlap check.		
§291.102(3) )	Applicant has provided copies of written requests seeking to obtain service from each system within a 2 mile radius. N/A	Date verified: 12/6/2013
Description: This application is for a transfer of area held by the LCRA and to obtain and amend the CCN boundary to reflect the actual coverage area of the utility system.		
§291.102(a) (3)	Applicant has demonstrated that it is not economically feasible to obtain service from a neighboring system.	Date verified: 12/6/2013
Description: N/A. See above.		
§291.102(a) (3)	Applicant has provided copies of written responses or evidence that the neighboring system has failed to respond.	Date verified: 12/6/2013
Description: N/A. See above.		
Date of letters sent to neighboring systems: N/A		
§291.102(a) (3)	Applicant has provided a description of the type of service that the neighboring system is willing to provide and has compared it with the service the applicant is proposing and the applicant's service is clearly better.	Date verified:  12/6/2013
Description: N/A. See above.		
§291.102(a) (3)	Applicant has provided an analysis of all necessary costs for constructing, operating, and maintaining the new system for at least the first five years.	Date verified: 12/6/2013
Description: N/A. See above.		
§291.102(a) (3)	Applicant has provided an analysis of all necessary costs for acquiring and continuing to receive service from the neighboring system for at least the first five years.	Date verified: 12/6/2013
Description: N/A. See above.		
§291.102(a) (3)	How do the costs for providing service as a stand-alone system compare with the costs of obtaining service from a neighboring system?	Date verified: 12/6/2013
Description: N/A. See above.		

§13.301(d)	Will the transaction serve the public interest? Yes, the LCRA has chosen to divest of its water and wastewater operations in the Central Texas region. Yes. Corix is capable of rendering adequate and continuous service to every consumer within the certificated area, has extensive experience as a utility service provider and has a history of complying with regulatory requirements. Corix also has the ability to provide the necessary capital investment to ensure the provision of continuous and adequate service to the customers of the public utilities. Corix plans to maintain or increase system performance and ensure the provision of reliable, cost effective and complaint services over the term of the contract.	Date verified: 12/6/2013
	Is the applicant willing to make improvements?: Yes, However, according to the application, no improvements are required to meet TCEQ standards. However, any planned or required improvements will be made from a combination of intercompany debt, equity funding from Corix Infrastructure (US) Inc., and internal cash flow from operations.	
§13.301(e)	Does the purchaser or any affiliate of the purchaser have a history of noncompliance with the requirements of the commission within the past 5 years? No.	Date verified: 12/6/2013
Description: This is a newly formed IOU. Checked CCEDS and there are no enforcement cases pending regarding the seller.		
Any active enforcement actions?: No.		
Enforcement Coordinator: N/A		
Date of previous enforcement orders: N/A		
Penalties: N/A		
In compliance with previous orders?: N/A		
§13.301(e)	Does the purchaser or any affiliate of the purchaser have a history of continuing mismanagement or misuse of revenues as a utility service provider? No.	Date verified: 12/6/2013
Description: Verified in CCEDS and Corix Utilities Inc., RN: 106448079 does not have any enforcement actions.		
§13.301(j)	If applicable, has the seller made a written disclosure to the purchaser related to customer contributions in aid of construction derived from specific surcharges?	Date verified: 12/6/2013
Description: Yes. See Exhibit G – Price & Utility Cost Data for the system(s) being sold from the LCRA. Camp Swift's CIAC is listed as (\$757,925); McKinney Roughs' CIAC is listed as (\$577,959) and Windmill Ranch's CIAC is listed as (\$0) in this exhibit.		

Have any customer deposits been accounted for? The applicant provided a list of Customer Deposits with the application. Additional information regarding the disposition of the deposits will be requested with the Sale ok letter. Exhibit H – Other Transactions states the "Customer deposits will be purchases from LCRA and held on account. Amounts will be reviewed and adjusted as per the TCEQ rules and refunds will be provided to customers as required."	Date verified: 12/6/2013
Do any of the systems being transferred have violations that need to be corrected? See Compliance Summary.	Date verified: 12/6/2013
If the purchaser is a corporation, is it in good standing with the State Comptroller? Yes, reference Exhibit C.	Date verified: 12/6/2013
Have all TCEQ Fees and penalties and any laboratory fees owed by either the seller or purchaser been paid? Yes.	Date verified: 12/6/2013
What are the terms of the sale? Corix Utilities (Texas) Inc. is a newly formed, wholly-owned subsidiary of Corix Infrastructure (US) Inc. The Company was established to acquire the assets and operations of 18 small utility systems from LCRA and to undertake additional utility operations and activities in the State of Texas. On July 1, 2012, Corix Utilities (Texas) Inc. assumed day-to-day operations, maintenance and asset management responsibility for 18 utility systems subject to this transaction under contract with LCRA. Corix has hired many of the utility operating staff from LCRA to maintain these systems knowledge. Corix Utilities (Texas) Inc. is a part of the Corix Group which provides utility services across North America.	Date verified: 12/6/2013
Sales price: Camp Swift Wastewater - \$4,790,000; McKinney Rough Wastewater - \$150,000; Windmill Ranch Wastewater - \$1,450,000 excluding Closing Adjustments.	
# of customers affected: 261 current customers - McKinney Roughts - 2; Camp Swift - 258; Windmill Ranch - 1	
Original cost of plant being transferred: Camp Swift Wastewater - \$7,561,189; McKinney Rough Wastewater - \$822,482; Windmill Ranch Wastewater - \$2,995,417.	
Accumulated depreciation: Camp Swift - \$2,189,249; McKinney Rough - \$301,148; Windmill Ranch - \$711,780.	
Date of closing: Pending	
If facility being transferred is a wastewater treatment system, has the applicant requested a transfer of the wastewater discharge permit? Yes. The applicant submitted documentation regarding the transfer.	Date verified: 12/9/2013
Miscellaneous information: N/A	Date verified: 12/6/2013
Is the system under the jurisdiction of a city (if yes, name the city)? No.	
Is the seller's CCN being canceled?: No, Corix Utilities (Texas) Inc. will be obtaining a Sewer CCN No.	

Signed: \_\_\_\_\_

Date: December 9, 2013

# Transmittal Letter

December 9, 2013

## Corix Utilities (Texas) INC.

6836 Bee Caves Road  
Suite 209  
Austin, Texas 78749  
P:512.306.4000 F:512.306.4009

### To:

**Texas Commission on Environmental Quality**

PO BOX 13087

Mail Code 153

Austin, Texas 78711-3087

Attention:

**Tammy Benter**

Re:

**Application Number: REVISED  
37595-S**

**Camp Swift/ McKinney  
Roughs/Windmill Ranch**

### We are sending you

<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> Under Separate Cover via: [Type text here] the following:		
<input type="checkbox"/> Shop Drawings	<input type="checkbox"/> Prints	<input type="checkbox"/> Plans	<input checked="" type="checkbox"/> Other: Affidavits RE: Notice
<input type="checkbox"/> Copy of Letter	<input type="checkbox"/> Change Order	<input type="checkbox"/> Samples	
<input type="checkbox"/> Total Quantity	<input type="checkbox"/> Reproducible	<input type="checkbox"/> Specification	

Submittal	Quantity	Date	DWG. #	Description
Affidavit	1 Original 2 Copies	10/16/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	1 Copies	11/01/12		Incumbency Certificate

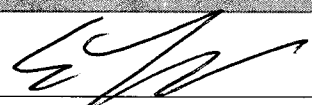
### These are transmitted as checked below

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> For Approval            | <input type="checkbox"/> Approved as Submitted    | <input type="checkbox"/> Resubmit copies for approval       |
| <input type="checkbox"/> For Your Use            | <input type="checkbox"/> Approved as Noted        | <input type="checkbox"/> Submit [#] copies for distribution |
| <input checked="" type="checkbox"/> As Requested | <input type="checkbox"/> Returned for Corrections | <input type="checkbox"/> Return [#] corrected prints        |

### Comments:

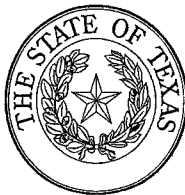
Revised affidavit to reflect clerical error regarding listing The Colony MUD 1E – Ambrust & Brown twice in error. The attached reflects the correction The Colony MUD 1G – Ambrust & Brown.

### Copy to:

	 Signature
--	---

**RECEIVED**  
DEC 09 2013

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-S

STATE OF TEXAS

COUNTY OF Travis

Corix utilities (Texas) Inc. has provided individual notice to the following entities:

	DATE
<u>The Colony MUD 1D - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1C - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1G - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>West Bastrop Village MUD</u>	<u>10/16/13</u>
<u>West Bastrop Village - Amburst &amp; Brown</u>	<u>10/16/13</u>

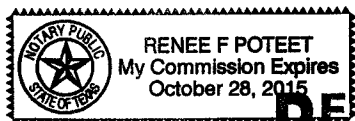
OATH

I, Edward Yavoslita, being duly sworn, file this form as General Manager (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.

[Signature]  
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 9th day of December, 2013, to certify which witness my hand and seal of office.



**RECEIVED**  
DEC 09 2013

Renee F. Poteet

Notary Public in and for the State of Texas

Renee F. Poteet

Print or Type Name of Notary Public  
Commission Expires 10-28-2015

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-S

STATE OF TEXAS

COUNTY OF Travis

Corix utilities (Texas) Inc. has provided individual notice to the following entities:

	DATE
<u>The Colony MUD 1D - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1C - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1G - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>West Bastrop Village MUD</u>	<u>10/16/13</u>
<u>West Bastrop Village - Amburst &amp; Brown</u>	<u>10/16/13</u>

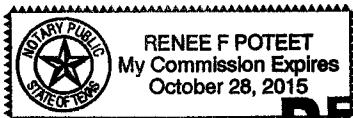
OATH

I, Edward Yanostita, being duly sworn, file this form as General Manager (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.

[Signature]  
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 9th day of December, 2013, to certify which witness my hand and seal of office.



**RECEIVED**  
DEC 09 2013

Renee F. Poteet

Notary Public in and for the State of Texas

Renee F. Poteet

Print or Type Name of Notary Public  
Commission Expires 10-28-2015

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-S

STATE OF TEXAS

COUNTY OF Travis

Corix utilities (Texas) Inc. has provided individual notice to the following entities:

	DATE
<u>The Colony MUD 1D - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1C - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1G - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>West Bastrop Village MUD</u>	<u>10/16/13</u>
<u>West Bastrop Village - Amburst &amp; Brown</u>	<u>10/16/13</u>

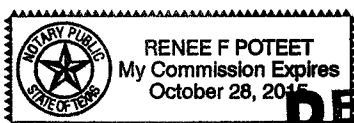
OATH

I, Edward Yavoslita, being duly sworn, file this form as General Manager (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.

[Signature]  
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 9th day of December, 2013, to certify which witness my hand and seal of office.



**RECEIVED**  
DEC 09 2013

Renee F. Poteet

Notary Public in and for the State of Texas

Renee F. Poteet

Print or Type Name of Notary Public  
Commission Expires 10-28-2015



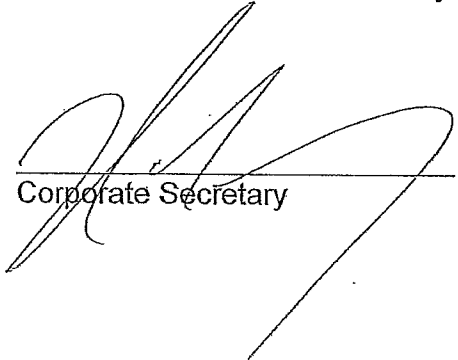
CORIX UTILITIES (TEXAS) INC.

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 1<sup>st</sup> day of November, 2012.



Corporate Secretary

**RECEIVED**  
DEC 09 2013

# Transmittal Letter

December 5, 2013

## Corix Utilities (Texas) INC.

6836 Bee Caves Road  
Suite 209  
Austin, Texas 78749  
P:512.306.4000 F:512.306.4009

### To:

**Texas Commission on Environmental Quality**

PO BOX 13087

Mail Code 153

Austin, Texas 78711-3087

Attention:

**Tammy Benter**

Re:

**Application Number: 37595-S**

**Camp Swift/ McKinney  
Roughs/Windmill Ranch**

### We are sending you

<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> Under Separate Cover via: [Type text here] the following:		
<input type="checkbox"/> Shop Drawings	<input type="checkbox"/> Prints	<input type="checkbox"/> Plans	<input checked="" type="checkbox"/> Other: Affidavits RE: Notice
<input type="checkbox"/> Copy of Letter	<input type="checkbox"/> Change Order	<input type="checkbox"/> Samples	
<input type="checkbox"/> Total Quantity	<input type="checkbox"/> Reproducible	<input type="checkbox"/> Specification	

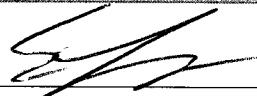
Submittal	Quantity	Date	DWG. #	Description
Affidavit	1 Original 2 Copies	10/16/13		Affidavit of Notice to Customers
Affidavit	1 Original 2 Copies	10/16/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	1 Original 2 Copies	10/16/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	1 Original 2 Copies	07/26/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	5 Copies	11/01/12		Incumbency Certificate
Email	1	10/16/13		Email receipt of mail out

### These are transmitted as checked below

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> For Approval            | <input type="checkbox"/> Approved as Submitted    | <input type="checkbox"/> Resubmit copies for approval       |
| <input type="checkbox"/> For Your Use            | <input type="checkbox"/> Approved as Noted        | <input type="checkbox"/> Submit [#] copies for distribution |
| <input checked="" type="checkbox"/> As Requested | <input type="checkbox"/> Returned for Corrections | <input type="checkbox"/> Return [#] corrected prints        |

### Comments:

### Copy to:

  
Signature

## Lance Beaver

---

**From:** OfficeMax ImPress 0377 [cmx0377@officemax.com]  
**Sent:** October-16-13 10:17 AM  
**To:** Lance Beaver; Humphries, Barbra  
**Cc:** Ed Yanoshita; Darrin Barker  
**Subject:** RE: Windmill Ranch Customer Notice

Hi Lance,

We received your order and it is in production.

Thanks,  
Michelle

**OfficeMax**  
**imPRESS PRINT CENTER**

TEL: 512.476.1303 | FAX: 512.476.9355 | 907 W 5th Street, Austin, TX 78703

submit print orders conveniently:

**Online** <http://www.officemax.com/printonline>

**Mobile Print Center App:** [iPhone App Store](#) | [Android Market](#)

**Email** [impress0377@officemax.com](mailto:impress0377@officemax.com)

CONFIDENTIALITY NOTICE: The information contained in this e-mail and attached document(s) may contain confidential information that is intended only for the addressee(s). If you are not the intended recipient, you are hereby advised that any disclosure, copying, distribution or the taking of any action in reliance upon the information is prohibited. If you have received this e-mail in error, please immediately notify the sender and delete it from your system.

**From:** Lance Beaver [mailto:Lance.Beaver@corix.com]  
**Sent:** Wednesday, October 16, 2013 10:13 AM  
**To:** Humphries, Barbra; OfficeMax ImPress 0377  
**Cc:** Ed Yanoshita; Darrin Barker  
**Subject:** FW: Windmill Ranch Customer Notice

Barbra/Michelle,

Please see attached customer notice for mail out. This can be printed on regular white paper and mailed out in Corix envelopes. Also, attached is the customer mailing list. Please confirm receipt of this email and let me know if you have any questions.

Thank you,

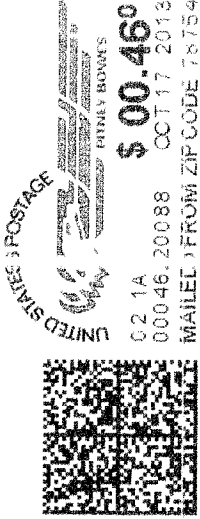
Lance Beaver, Customer Care Supervisor  
Phone (512) 306-4000 | Fax (512) 306-3009 | [www.corix.com](http://www.corix.com)

**From:** Lance Beaver  
**Sent:** October-16-13 8:47 AM  
**To:** Humphries, Barbra; 'impress0377@officemax.com'  
**Subject:** Windmill Ranch Customer Notice

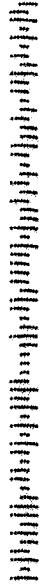
# CORIX<sup>®</sup> Utilities

Corix Utilities (Texas) Inc.  
6836 Bee Cave Road, Ste. 209  
Austin, Texas 78746

CORIX UTILITES  
6836 BEE CAVE RD  
STE 209  
AUSTIN TX 78746-5059



7874655059 0029





Corix Utilities (Texas) Inc.  
6836 Bee Cave Road, Ste. 209  
Austin, Texas 78746

Application No. **37595-S**  
J 512 306 4000  
F 512 306 4000  
www.corix.com

## ***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: \_\_\_\_\_ Date Notice \_\_\_\_\_ Mailed: October 16, 2013  
(Name of Customer, Neighboring System or City)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City State Zip)

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, the **Camp Swift** wastewater facility currently serves 258 customers and  
the Windmill Ranch wastewater facility currently serves 1 customer. The overall  
certificated area proposed for purchase includes zip codes **78602, 78612, and  
78621.**

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
- (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

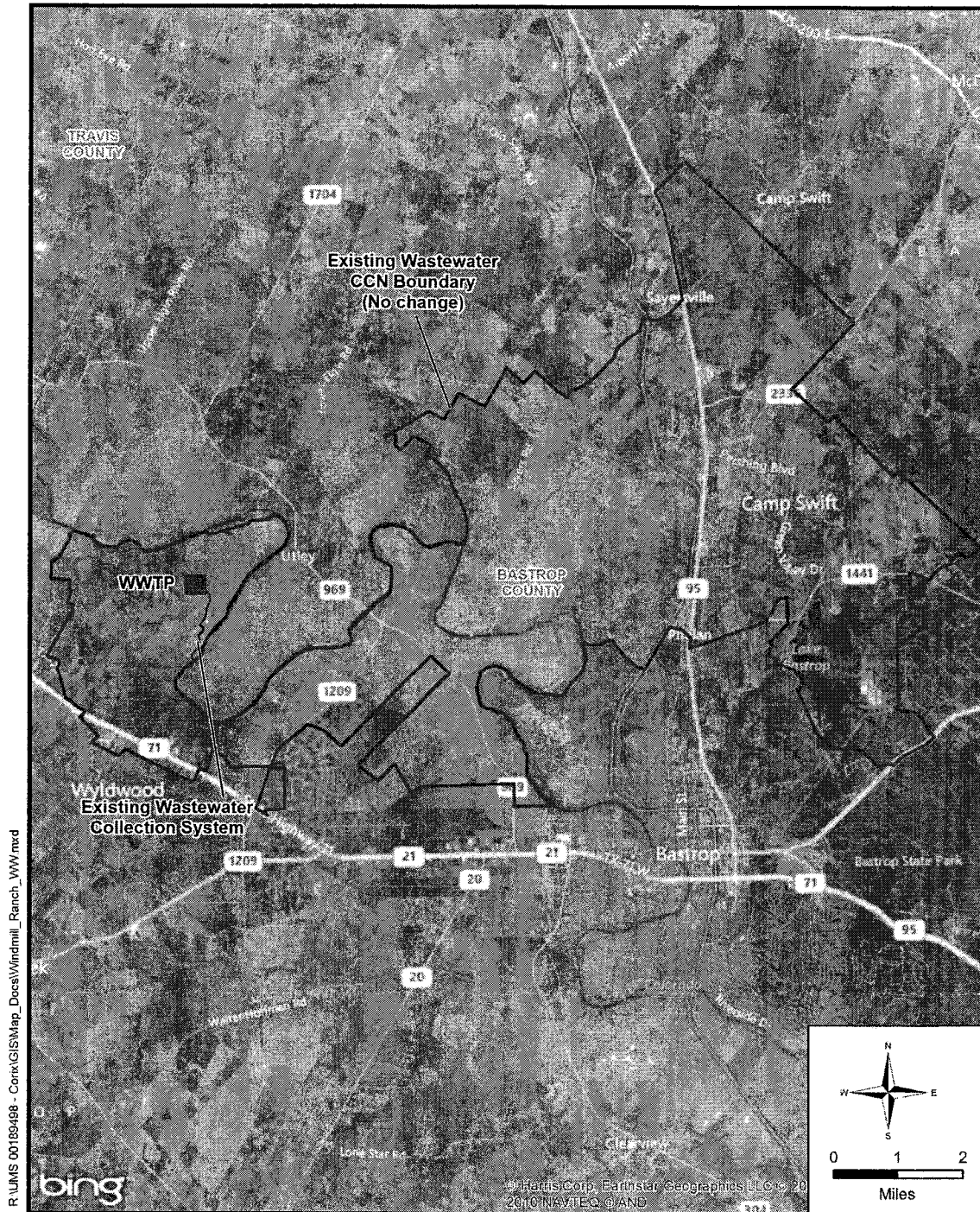
Se desea informacion en Espanol, puede Ilamar al 1-512-239-0200.

Darrin Barker, Operations Manager  
Utility Representative

Corix Utilities, Texas, Inc.  
Utility Name

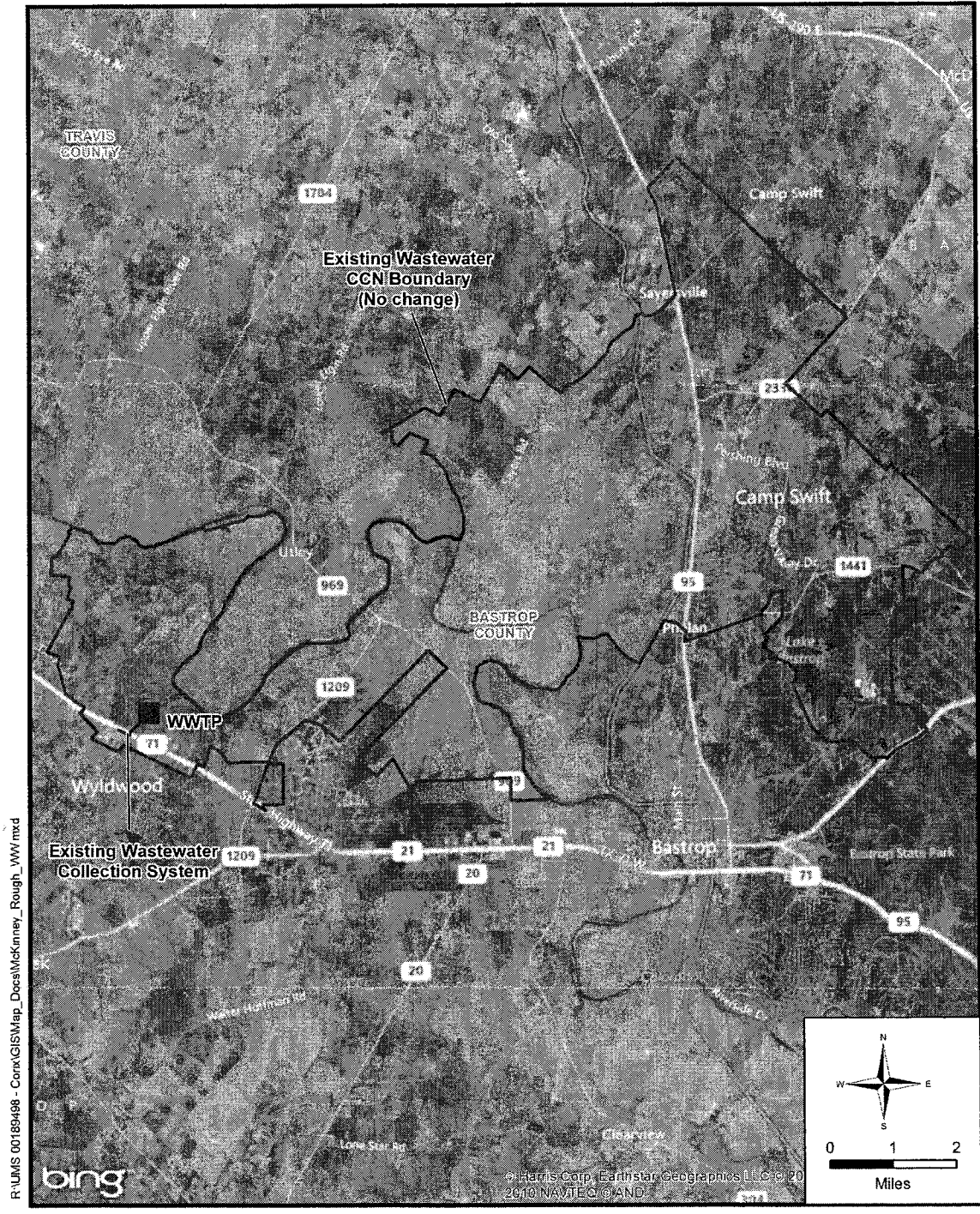






Windmill Ranch - Existing Wastewater CCN Boundary





McKinney Rough - Existing Wastewater CCN Boundary

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES  
APPLICATION NO. 87595-5

STATE OF TEXAS  
COUNTY OF Travis

Before me, the undersigned authority, on this day personally appeared

Edward Yanoshita, who being by me

duly sworn, deposes and that (s)he is the General Manager  
(TITLE)

of the Corix Utilities (Texas) Inc.  
(NAME OF UTILITY)

that the attached notice was provided to customers and other affected parties by

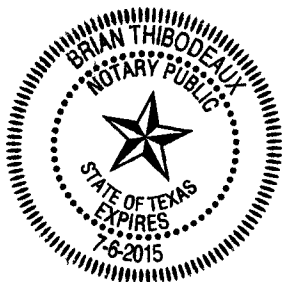
Mail

(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: 10/16/13  
(DATE)

[Signature]  
(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this 5 day of DECEMBER, 2013  
to certify which witness my hand and seal of office.



B. Thibodeaux  
Notary Public in and for the State of Texas

Brian Thibodeaux  
Print or Type Name of Notary Public

Commission Expires 7-6-15


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 1<sup>st</sup> day of November, 2012.



Corporate Secretary

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-S

STATE OF TEXAS  
COUNTY OF

Travis

Corix Utilities (Texas) Inc. has provided  
individual notice to the following entities:

	DATE
<u>City of Bastrop</u>	<u>10/16/13</u>
<u>Aqua WSC Inc.</u>	<u>10/16/13</u>
<u>Bastrop County</u>	<u>10/16/13</u>
<u>Bastrop West Water Systems</u>	<u>10/16/13</u>
<u>Chasco Constructors CCN 20985</u>	<u>10/16/13</u>
<u>The Colony MUD 1A - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1E - Amburst &amp; Brown</u>	<u>10/16/13</u>

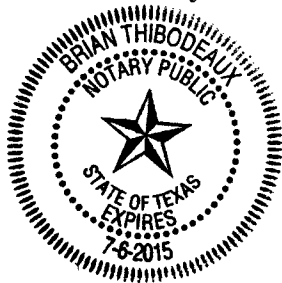
OATH

I, Edward Yanoshita, being duly sworn, file this form as  
General Manager (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.

[Signature]  
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 5<sup>th</sup> day of DECEMBER, 2013,  
to certify which witness my hand and seal of office.



B. Thibodeaux

Notary Public in and for the State of Texas

Brian Thibodeaux

Print or Type Name of Notary Public  
Commission Expires 7-6-15


CORIX UTILITIES (TEXAS) INC.

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



Corporate Secretary

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-5

STATE OF TEXAS

COUNTY OF Travis

Corix utilities (Texas) Inc. has provided individual notice to the following entities:

	DATE
<u>The Colony MUD 1D - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1C - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1E - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>West Bastrop Village MUD</u>	<u>10/16/13</u>
<u>West Bastrop Village - Amburst &amp; Brown</u>	<u>10/16/13</u>

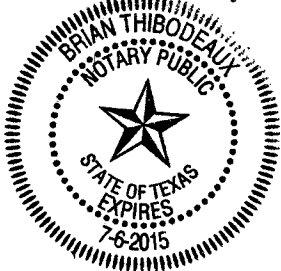
OATH

I, Edward Yanoshita, being duly sworn, file this form as General Manager (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.

[Signature]  
Applicant's Authorized Representative

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Subscribed and sworn to before me this 5th day of DECEMBER, 2013, to certify which witness my hand and seal of office.



[Signature]

Notary Public in and for the State of Texas

Brian Thibodeaux

Print or Type Name of Notary Public  
Commission Expires 7-6-17

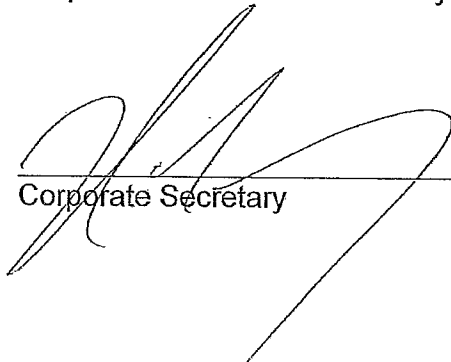
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Corporate Secretary

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-5

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas) Inc. has provided individual notice to the following entities:

	DATE
<u>The Colony MUD 1F- Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>XS Ranch MUD - Freeman &amp; Corbett LLP</u>	<u>10/16/13</u>
<u>Lost Pines GCD</u>	<u>10/16/13</u>
<u>Landco</u>	<u>10/16/13</u>
<u>Hyatt Regency Lost Pines Resort</u>	<u>10/16/13</u>
<u>Bastrop County MUD 2 - Allen Boone</u>	<u>10/16/13</u>
<u>The Colony MUD 1B - Amburst &amp; Brown</u>	<u>10/16/13</u>

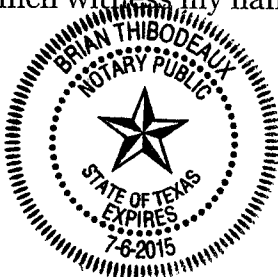
OATH

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[Signature]  
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Subscribed and sworn to before me this 5<sup>th</sup> day of DECEMBER, 2013, to certify which witness my hand and seal of office.



[Signature]

Notary Public in and for the State of Texas

Brian Thibodeaux

Print or Type Name of Notary Public  
Commission Expires 7-6-13



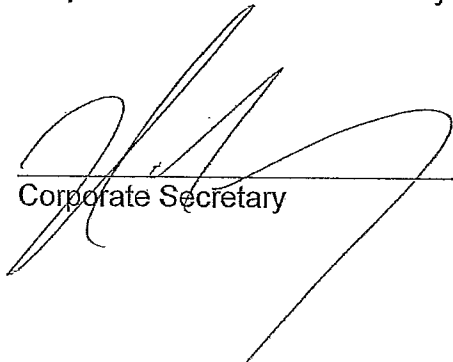
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IN WITNESS WHEREOF I have set my hand in the name and on behalf of the Corporation effective this 1<sup>st</sup> day of November, 2012.

  
Corporate Secretary

## Elizabeth Flores

---

**From:** Ed Yanoshita <Ed.Yanoshita@corix.com>  
**Sent:** Thursday, December 05, 2013 11:06 AM  
**To:** Sheresia Perryman; Elizabeth Flores  
**Cc:** Darrin Barker  
**Subject:** Corix Application 37595-S: Camp Swift, McKinney Roughs: Windmill Ranch STM  
**Attachments:** 37595-S (2).pdf; Camp Swift.xls; Alleyton.xls

Hello Sheresia, Elizabeth

Further to your request for information, please find attached

1. Affidavits re renoticing of Oct 16, 2013 for application 37595 - S
2. Customer mailing list for 37595 – S and Application 37597-S Alleyton Water and 37598-S Alleyton Sewer
3. Confirmation of mailing of notices on or about Oct 16, 2013

One clarification: please note that the number of sewer customers in the Camp Swift service area is shown as 258, this is the number of connections. There are some sewer customers with more than one sewer connection, so the number of customers receiving notice is less than 258 because duplicate notices were not sent to a customer with more than one sewer connection.

I will deliver the originals to your office this afternoon. Please call me if you have any questions or require any additional information.

Regards  
Ed

**Edward T. Yanoshita, P. Eng., JD**

General Manager  
Corix Utilities (Texas) Inc.

Office: (512) 306-4003  
Mobile: (512) 659-2942

1812 Centre Creek Drive, Suite 207  
Austin, Texas 78754

Visit our website at [www.corix.com](http://www.corix.com)

*This message, including all attachments to it, is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential or otherwise exempt from disclosure. Any unauthorized disclosure or distribution of this message is prohibited. If you have received this message in error, please delete it and any attachments to it without retaining any copies.*

# Transmittal Letter

December 5, 2013

## Corix Utilities (Texas) INC.

6836 Bee Caves Road  
Suite 209  
Austin, Texas 78749  
P:512.306.4000 F:512.306.4009

### To:

**Texas Commission on Environmental Quality**

PO BOX 13087

Mail Code 153

Austin, Texas 78711-3087

Attention:

**Tammy Benter**


Re:

**Application Number: 37595-S**

**Camp Swift/ McKinney  
Roughs/Windmill Ranch**

<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> Under Separate Cover via: [Type text here] the following:		
<input type="checkbox"/> Shop Drawings	<input type="checkbox"/> Prints	<input type="checkbox"/> Plans	<input checked="" type="checkbox"/> Other: Affidavits RE: Notice
<input type="checkbox"/> Copy of Letter	<input type="checkbox"/> Change Order	<input type="checkbox"/> Samples	
<input type="checkbox"/> Total Quantity	<input type="checkbox"/> Reproducible	<input type="checkbox"/> Specification	

Affidavit	1 Original 2 Copies	10/16/13		Affidavit of Notice to Customers
Affidavit	1 Original 2 Copies	10/16/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	1 Original 2 Copies	10/16/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	1 Original 2 Copies	07/26/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	5 Copies	11/01/12		Incumbency Certificate
Email	1	10/16/13		Email receipt of mail out

<input type="checkbox"/> For Approval	<input type="checkbox"/> Approved as Submitted	<input type="checkbox"/> Resubmit copies for approval
<input type="checkbox"/> For Your Use	<input type="checkbox"/> Approved as Noted	<input type="checkbox"/> Submit [#] copies for distribution
<input checked="" type="checkbox"/> As Requested	<input type="checkbox"/> Returned for Corrections	<input type="checkbox"/> Return [#] corrected prints
		 Signature

## Lance Beaver

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**From:** OfficeMax ImPress 0377 [cmx0377@officemax.com]  
**Sent:** October-16-13 10:17 AM  
**To:** Lance Beaver; Humphries, Barbra  
**Cc:** Ed Yanoshita; Darrin Barker  
**Subject:** RE: Windmill Ranch Customer Notice

Hi Lance,

We received your order and it is in production.

Thanks,  
Michelle

## PRINT CENTER

TEL: 512.476.1303 | FAX: 512.476.9355 | 907 W 5th Street, Austin, TX 78703

submit print orders conveniently:

**Online** <http://www.officemax.com/printonline>

**Mobile Print Center App:** [iPhone App Store](#) | [Android Market](#)

**Email** [impress0377@officemax.com](mailto:impress0377@officemax.com)

CONFIDENTIALITY NOTICE: The information contained in this e-mail and attached document(s) may contain confidential information that is intended only for the addressee(s). If you are not the intended recipient, you are hereby advised that any disclosure, copying, distribution or the taking of any action in reliance upon the information is prohibited. If you have received this e-mail in error, please immediately notify the sender and delete it from your system.

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**From:** Lance Beaver [<mailto:Lance.Beaver@corix.com>]  
**Sent:** Wednesday, October 16, 2013 10:13 AM  
**To:** Humphries, Barbra; OfficeMax ImPress 0377  
**Cc:** Ed Yanoshita; Darrin Barker  
**Subject:** FW: Windmill Ranch Customer Notice

Barbra/Michelle,

Please see attached customer notice for mail out. This can be printed on regular white paper and mailed out in Corix envelopes. Also, attached is the customer mailing list. Please confirm receipt of this email and let me know if you have any questions.

Thank you,

Lance Beaver, Customer Care Supervisor  
Phone (512) 306-4000 | Fax (512) 306-3009 | [www.corix.com](http://www.corix.com)

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**From:** Lance Beaver  
**Sent:** October-16-13 8:47 AM  
**To:** Humphries, Barbra; 'impress0377@officemax.com'  
**Subject:** Windmill Ranch Customer Notice

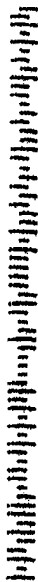
# CORIX<sup>®</sup> Utilities

Corix Utilities (Texas) Inc.  
6836 Bee Cave Road, Ste. 209  
Austin, Texas 78746

CORIX UTILITIES  
6836 BEE CAVE RD  
STE 209  
AUSTIN TX 78746-5059



7874635059 0029



**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: \_\_\_\_\_ Date Notice Mailed: October 16, 2013  
(Name of Customer, Neighboring System or City)

\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City State Zip)

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

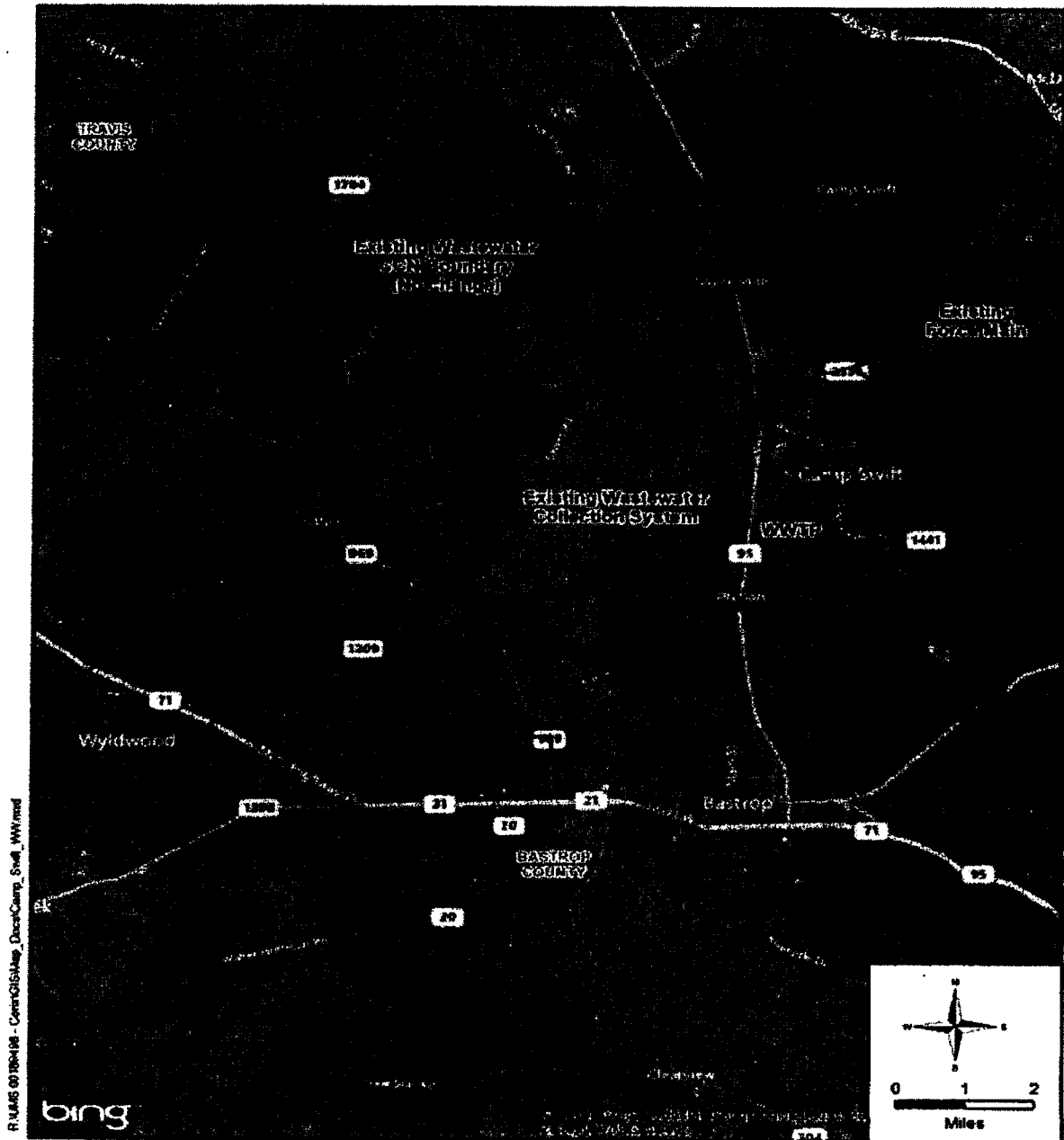
has submitted an application with the Texas Commission on Environmental  
Quality to obtain a sewer CCN, and to acquire facilities in Bastrop County  
held by:

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, the **Camp Swift** wastewater facility currently serves 258 customers and  
the Windmill Ranch wastewater facility currently serves 1 customer. The overall  
certificated area proposed for purchase includes zip codes **78602, 78612, and  
78621.**

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.



Camp Swift - Existing Wastewater CCN Boundary





# Texas Commission on Environmental Quality



## AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES APPLICATION NO. [REDACTED]

STATE OF TEXAS  
COUNTY OF [REDACTED]

Before me, the undersigned authority, on this day personally appeared

[REDACTED], who being by me

duly sworn, deposes and that (s)he is the [REDACTED]  
(TITLE) J

of the [REDACTED]  
(NAME OF UTILITY)

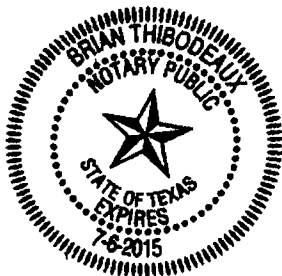
that the attached notice was provided to customers and other affected parties by

[REDACTED]  
(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: [REDACTED]  
(DATE)

[REDACTED]  
(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this [REDACTED] day of [REDACTED], 2013,  
to certify which witness my hand and seal of office.



[REDACTED]  
Notary Public in and for the State of Texas

[REDACTED]  
Print or Type Name of Notary Public

Commission Expires [REDACTED]

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES  
APPLICATION NO. [REDACTED]

STATE OF TEXAS  
COUNTY OF [REDACTED]

Before me, the undersigned authority, on this day personally appeared

[REDACTED], who being by me

duly sworn, deposes and that (s)he is the [REDACTED]

(TITLE)

of the [REDACTED]

(NAME OF UTILITY)

that the attached notice was provided to customers and other affected parties by

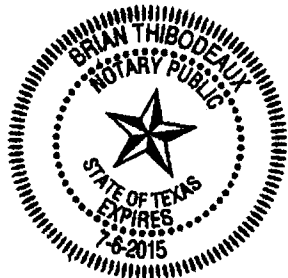
[REDACTED]  
(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: [REDACTED]

(DATE)

[REDACTED]  
(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this [REDACTED] day of [REDACTED], 2013,  
to certify which witness my hand and seal of office.



[REDACTED]  
Notary Public in and for the State of Texas

[REDACTED]  
Print or Type Name of Notary Public

Commission Expires [REDACTED]

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES  
APPLICATION NO. [REDACTED]

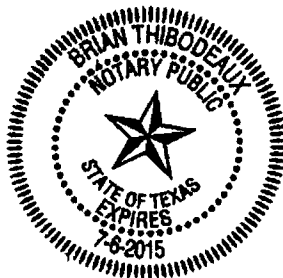
STATE OF TEXAS  
COUNTY OF [REDACTED]

Before me, the undersigned authority, on this day personally appeared  
[REDACTED], who being by me  
duly sworn, deposes and that (s)he is the [REDACTED]  
(TITLE)  
of the [REDACTED]  
(NAME OF UTILITY)

that the attached notice was provided to customers and other affected parties by  
[REDACTED]  
(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: [REDACTED]  
(DATE)  
[REDACTED]  
(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this [REDACTED] day of [REDACTED], 2013,  
to certify which witness my hand and seal of office.



[REDACTED]  
Notary Public in and for the State of Texas

[REDACTED]  
Print or Type Name of Notary Public

Commission Expires [REDACTED]

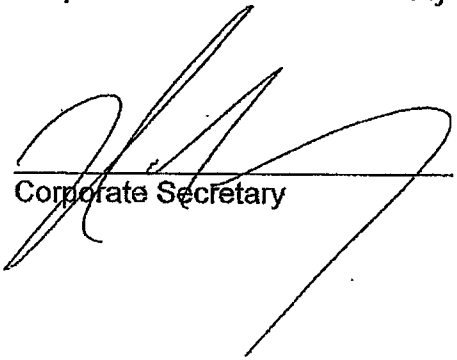
CORIX UTILITIES (TEXAS) INC.

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 1<sup>st</sup> day of November, 2012.



Corporate Secretary

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-5

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas) Inc. has provided  
individual notice to the following entities:

	DATE
<u>City of Bastrop</u>	<u>10/16/13</u>
<u>Aqua WSC Inc.</u>	<u>10/16/13</u>
<u>Bastrop County</u>	<u>10/16/13</u>
<u>Bastrop West Water Systems</u>	<u>10/16/13</u>
<u>Chasco Constructors CCN 20985</u>	<u>10/16/13</u>
<u>The Colony MUD 1A - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1E - Amburst &amp; Brown</u>	<u>10/16/13</u>

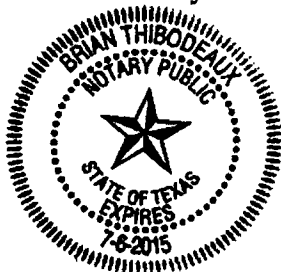
OATH

I, Edward Yanoshita, being duly sworn, file this form as  
General Manager (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.

[Signature]  
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 5<sup>th</sup> day of DECEMBER, 2013,  
to certify which witness my hand and seal of office.



[Signature]

Notary Public in and for the State of Texas

Brian Thibodeaux

Print or Type Name of Notary Public  
Commission Expires 7-6-15

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-5

STATE OF TEXAS

COUNTY OF Travis

Corix utilities (Texas) Inc. has provided individual notice to the following entities:

	DATE
<u>City of Bastrop</u>	<u>10/16/13</u>
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<u>Bastrop County</u>	<u>10/16/13</u>
<u>Bastrop West Water Systems</u>	<u>10/16/13</u>
<u>Chasco Constructors CCN 20985</u>	<u>10/16/13</u>
<u>The Colony MUD 1A - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1E - Amburst &amp; Brown</u>	<u>10/16/13</u>

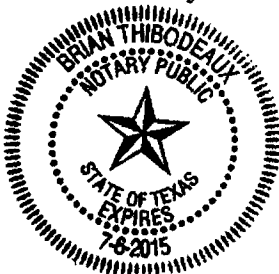
OATH

I, Edward Yanoshita, being duly sworn, file this form as General Manager (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.

[Signature]  
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 5th day of DECEMBER, 2013, to certify which witness my hand and seal of office.



B. Thibodeaux  
Notary Public in and for the State of Texas  
Brian Thibodeaux  
Print or Type Name of Notary Public  
Commission Expires 7-6-15

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-5

STATE OF TEXAS

COUNTY OF Travis

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<u>The Colony MUD 1A - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1E - Amburst &amp; Brown</u>	<u>10/16/13</u>

OATH

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B. Thibodeaux

Notary Public in and for the State of Texas

Brian Thibodeaux

Print or Type Name of Notary Public  
Commission Expires 7-6-15

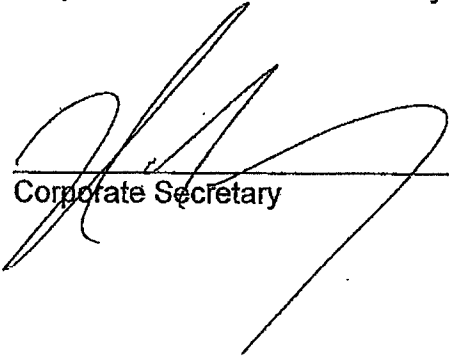
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Corporate Secretary



Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-5

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas) Inc. has provided individual notice to the following entities:

	DATE
<u>The Colony MUD 1D - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1C - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>The Colony MUD 1E - Amburst &amp; Brown</u>	<u>10/16/13</u>
<u>West Bastrop Village MUD</u>	<u>10/16/13</u>
<u>West Bastrop Village - Amburst &amp; Brown</u>	<u>10/16/13</u>

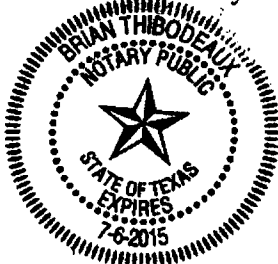
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Subscribed and sworn to before me this 5th day of DECEMBER, 2013, to certify which witness my hand and seal of office.



[Signature]  
Notary Public in and for the State of Texas

Brian Thibodeaux

Print or Type Name of Notary Public  
Commission Expires 7-6-13

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37595-S

STATE OF TEXAS

COUNTY OF Travis

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<u>The Colony MUD 1E - Amburst &amp; Brown</u>	<u>10/16/13</u>
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<u>West Bastrop Village - Amburst &amp; Brown</u>	<u>10/16/13</u>

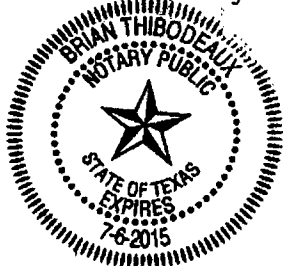
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Subscribed and sworn to before me this 5th day of DECEMBER, 2013, to certify which witness my hand and seal of office.



[Signature]  
Notary Public in and for the State of Texas

Brian Thibodeaux  
Print or Type Name of Notary Public  
Commission Expires 7-6-13