



Control Number: 42979

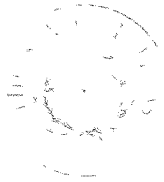


Item Number: 3

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*



42979

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 23, 2013

RECEIVED
 2014 SEP 18 AM 9:21
 PUBLIC UTILITY COMMISSION
 FILING CLERK

BY CERTIFIED MAIL

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

Re: Application from Corix Utilities (Texas) Inc., A2074, to Purchase Facilities and Transfer a Portion of Certificate of Convenience and Necessity (CCN) No. 11670 held by Lower Colorado River Authority (LCRA) (Smithwick Mills), and to Obtain and Amend a Water CCN in Burnet County; Application No. 37608-S

CN: 600253637; RN: 101454155 (LCRA)
 CN: 604102301; RN: 106448079 (Corix)

Dear Mr. Yanoshita:

The above referenced application for Corix, received on April 29, 2013, has been accepted for filing and has been assigned application number 37608-S. Please refer to the application number in future correspondence. Ms. Elizabeth Flores has been assigned to perform the technical review.

Your next step is to provide the **revised** public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Burnet County. **It is the responsibility of the applicant to provide correct notice** of the application to:

- any districts, groundwater conservation districts, counties, utilities, cities, cities with an extraterritorial jurisdiction within two (2) miles of your proposed service area, and
- any customers transferred, or other affected parties in your requested area, and
- any city with an extraterritorial jurisdiction which overlaps the proposed service area or other affected parties in your requested area, and
- all landowners with more than 25 acres in your proposed CCN area. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN lies.

Please be sure to include a map showing the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner. It is the applicant's burden to provide an accurate map delineating the proposed area with each individual notice.

Mr. Ed Yanoshita

Page 2

July 23, 2013

Check notices carefully before mailing or publishing. You must list the zip codes affected by the application in the space provided on the notice form before providing notice.

Information related to utilities and districts including addresses can be obtained from the TCEQ web site located at www10.tceq.texas.gov/iwud/.

<http://www.tceq.texas.gov/groundwater/districts.html> for ground water districts.

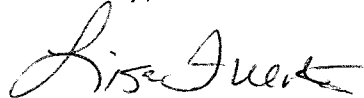
As proof that notice was given, you are required to return to this office a copy of the actual notice attached to a signed affidavit that the notice was given. Affidavit forms are enclosed.

Additional financial or technical information may also be requested through future correspondence.

These items must be completed and returned to our office by **August 23, 2013**. Processing of the application cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

If you have any questions, please contact Ms. Elizabeth Flores at 512/239-6846, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

TB/KN/mmg

Enclosures: as stated

Bryan W. Shaw, Ph.D., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 6, 2013

CERTIFIED MAIL

Mr. Edward Yanoshita, General Manager
Corix Utilities (Texas) Inc.
1812 Centre Creek Dr., Ste. 207
Austin, Texas 78754

Re: Application from Corix Utilities (Texas) Inc., A2074, to Purchase Facilities and Transfer a Portion of Certificate of Convenience and Necessity (CCN) No. 11670 held by Lower Colorado River Authority (LCRA) (Smithwick Mills), and to Obtain and Amend a Water CCN in Burnet County; Application No. 37608-S

CN: 600253637; RN: 101454155 (LCRA)
CN: 604102301; RN: 106448079 (Corix)

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.

Mr. Edward Yanoshita, General Manager

Page 2

December 6, 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. Elizabeth Flores by phone at 512/239-6846, by fax at 512/239-6972, by email at elizabeth.flores@tceq.texas.gov, or if by correspondence, include MC 153 in the letterhead address below.

Sincerely,



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

TB/EF/sd

cc: TCEQ, Region 11 Office

RECEIVED

Transmittal Letter

October 16, 2013

Corix Utilities (Texas) Inc.

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

TCEQ
 WATER SUPPLY DIV.

2013 OCT 16 PM 4 27

To:**Texas Commission on Environmental Quality**

PO BOX 13087
 Mail Code 153
 Austin, Texas 78711-3087

Attention:

Tammy Benter

Re:

Application Number:**REVISED: 37608 - S****Smithwick Mills Water****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 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 Affidavits to reference notice issued to Waterford MUD # 1.

Copy to:

Signature



Notice to Current Customers, Neighboring Systems, Landowners and Cities

NOTICE OF INTENT FOR LOWER COLORADO RIVER AUTHORITY'S (LCRA) TO SELL WATER FACILITIES AND TRANSFER A PORTION OF THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11670 TO CORIX UTILITIES (TEXAS) INC. AND FOR CORIX UTILITIES (TEXAS) INC. TO OBTAIN AND AMEND A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN BURNET COUNTY, TEXAS

To: _____ Date Notice Mailed: October 16, 2013
(Name of Customer, Neighboring System, Landowner 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 and amend a CCN and to acquire facilities in Burnet 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 §13301).

The area subject to this transaction is located approximately 6.5 miles east of downtown Marble Falls, Texas, and is generally bounded on the north by FM 1431; on the east by County Road 344; on the south by edge of the Colorado River; and on the west by Smitty's Lane. The total area being requested includes approximately 206 acres and currently serves 68 water customers. The water service area includes the **Smithwick Mills Estates** subdivision and acres within zip code **78654**.

Questions concerning the proposed service area can be directed to Corix Utilities (Texas) Inc. at 6836 Bee Cave Road, Ste. 209, Austin TX 78746, 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";

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 TO THE
 WATER SERVICE
 DIV.
 2013 OCT 16 PM 4 27
 78746

- (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

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

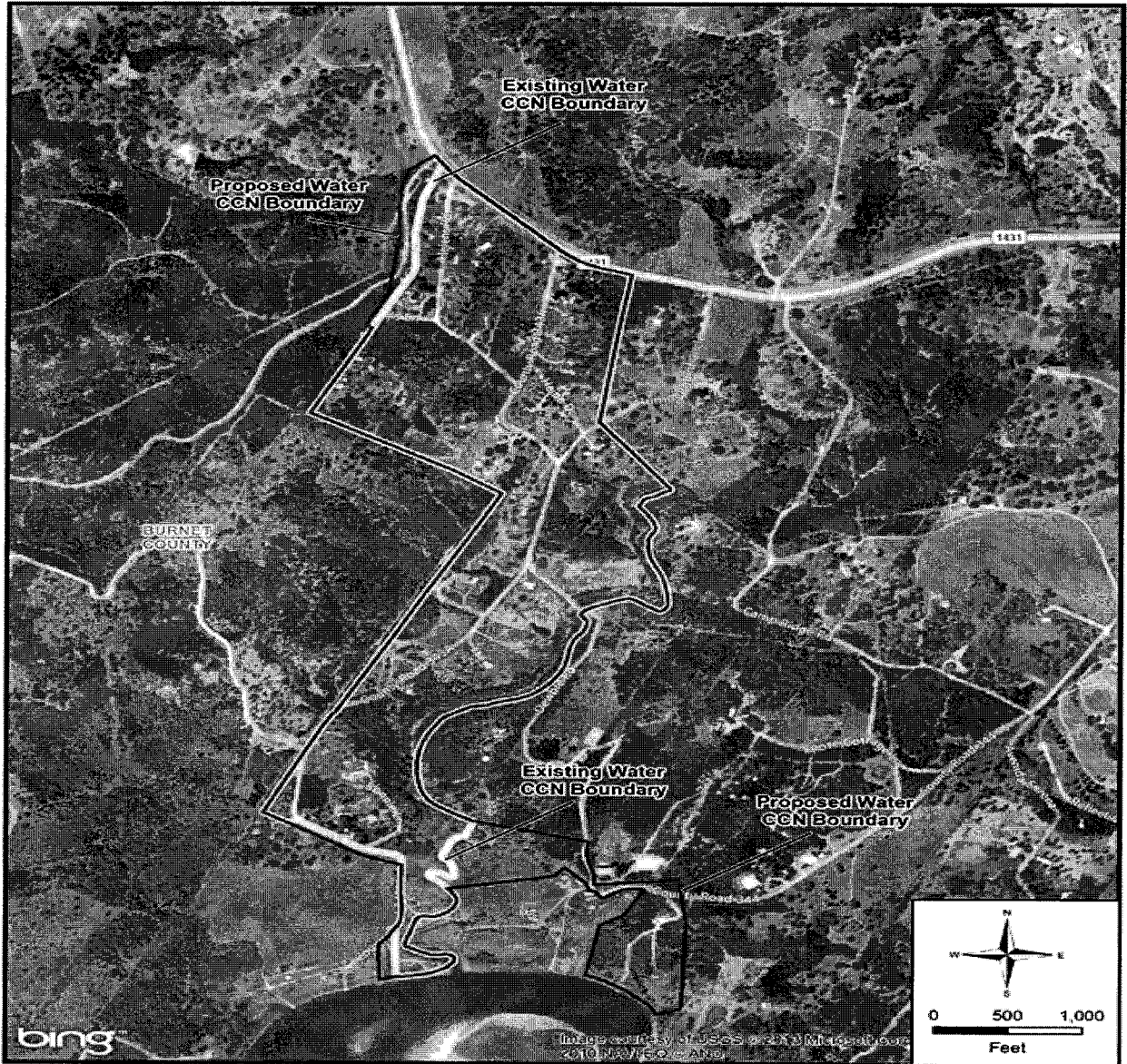
Se desea informacion en Espanol, puede llamar al 1-512-239-0200.

Darrin Barker, Operations Manager
Utility Representative

Corix Utilities, Texas, Inc.
Utility Name

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WATER SUPPLY DIV.
2013 OCT 16 PM 4 27

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Smithwick Mills - Proposed Water CCN Boundary

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WATER SUPPLY DIV.
2013 OCT 16 PM 4 27

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37608-S (Smithwick Mills)

STATE OF TEXAS

COUNTY OF Travis

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

Waterford MUD #1

DATE

10/16/2013

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 OCT 16 PM 4 27

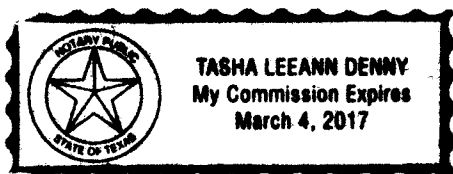
OATH

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

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 16 day of October, 2013,
to certify which witness my hand and seal of office.



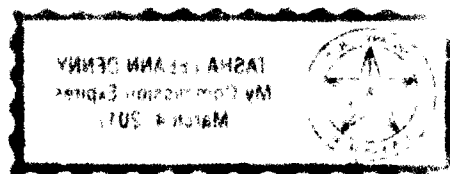
Tasha Denny
Notary Public in and for the State of Texas
Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

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Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37608-S (Smithwick Mills)

STATE OF TEXAS

COUNTY OF Travis

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individual notice to the following entities:

Waterford MUD #1

DATE
10/16/2013

2013 OCT 16 PM 4 27
WATER SUPPLY DIV.

RECEIVED
TCEQ

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

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 16 day of October, 2013,
to certify which witness my hand and seal of office.



Tasha Denny
Notary Public in and for the State of Texas
Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

APPLICATION NO. 37608-S (Smithwick Mills)

STATE OF TEXAS

COUNTY OF Travis

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Waterford MUD #1

DATE

10/16/2013

RECEIVED
TCEQ
WATER SUPPLY DIV.
OCT 16 PM 4 27

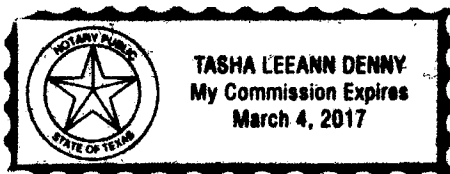
OATH

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 16 day of October, 2013, to certify which witness my hand and seal of office.



Tasha Denny
Notary Public in and for the State of Texas
Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017


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

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TOEQ
WATER SUPPLY DIV.
2013 OCT 16 PM 4 27

Transmittal Letter

August 13, 2013

Corix Utilities (Texas) INC.

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

RECEIVED
AUG 13 2013

To:

Texas Commission on Environmental Quality
PO BOX 13087
Mail Code 153
Austin, Texas 78711-3087

Attention:

Tammy Benter

Re:

Application Number: 37608 - S

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	08/09/13		Publisher's Affidavit
Affidavit	1 Original 2 Copies	07/26/13		Affidavit of Notice to Customers
Affidavit	1 Original 2 Copies	07/26/13		Affidavit of Neighboring Utilities and Affected Parties
Affidavit	1 Original 2 Copies	07/26/13		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

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

Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37608-S

STATE OF TEXAS
COUNTY OF Burnet

Before me, the undersigned authority, on this day personally appeared
Cheryl Michel, who being by me
duly sworn, deposes and says that (s)he is the Account Representative
(TITLE)
of the Highlander
(NAME OF NEWSPAPER);
that said newspaper is regularly published in Burnet
(COUNTY/COUNTIES)
and generally circulated in Burnet Llano, Texas; and
(COUNTY/COUNTIES)

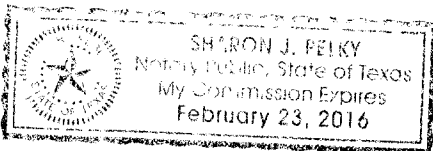
that the attached notice was published in said newspaper on the following date(s), to wit:

8-2-13, 8-9-13
(DATES)

Cheryl Michel
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 9th day of August, 2011,
to certify which witness my hand and seal of office.

Sharon J. Peiky
Notary Public in and for the State of Texas
Sharon J. Peiky



Print or Type Name of Notary Public
Commission Expires 2-23-16

Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37608-S

STATE OF TEXAS
COUNTY OF Burnet

Before me, the undersigned authority, on this day personally appeared
Cheryl Michel, who being by me
duly sworn, deposes and says that (s)he is the Account Representative
(TITLE)
of the Highlander
(NAME OF NEWSPAPER);
that said newspaper is regularly published in Burnet
(COUNTY/COUNTIES)
and generally circulated in Burnet Llano, Texas; and
(COUNTY/COUNTIES)

that the attached notice was published in said newspaper on the following date(s), to wit:
8-2-13, 8-9-13
(DATES)

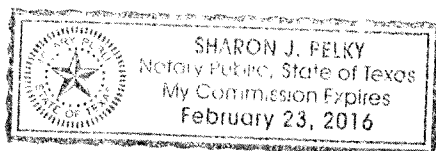
Cheryl Michel
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 9th day of August, 2011,
to certify which witness my hand and seal of office.

Sharon J. Pelky
Notary Public in and for the State of Texas

Sharon J. Pelky

Print or Type Name of Notary Public
Commission Expires 2-23-16



Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37608-S

STATE OF TEXAS
COUNTY OF Burnet

Before me, the undersigned authority, on this day personally appeared
Cheryl Michel, who being by me
duly sworn, deposes and says that (s)he is the Account Representative
(TITLE)
of the Highlander
(NAME OF NEWSPAPER);
that said newspaper is regularly published in Burnet
(COUNTY/COUNTIES)
and generally circulated in Burnet Llano, Texas; and
(COUNTY/COUNTIES)

that the attached notice was published in said newspaper on the following date(s), to wit:
8-2-13, 8-9-13
(DATES)

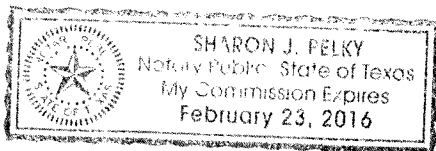
Cheryl Michel
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 9th day of August, 2011,
to certify which witness my hand and seal of office.

Sharon J. Pelky
Notary Public in and for the State of Texas

Sharon J. Pelky

Print or Type Name of Notary Public
Commission Expires 2-23-16



Notice for Publication
NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE
IN BURNET COUNTY, TEXAS

Corix Utilities (Texas) Inc. has filed an application with the Texas Commission on Environmental Quality to purchase facilities and transfer a portion of CCN No. 11670 held by Lower Colorado River Authority, and to obtain and amend a CCN to provide water utility service in Burnet County.

The area subject to this transaction is located approximately 6.5 miles east of downtown Marble Falls, Texas, and is generally bounded on the north by FM 1431; on the east by County Road 344; on the south by edge of the Colorado River; and on the west by Smitty's Lane. The total area being requested includes approximately 206 acres and currently serves 68 water customers. The water service area includes the **Smithwick Mills Estates** subdivision and acres within zip code **78654**.

A copy of the proposed service area map and questions concerning the proposed service area can be directed to Corix Utilities (Texas) Inc. at 6836 Bee Cave Road, Ste. 209, Austin TX 78746, phone number: 512/396-4000

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Se desea informacion en Espanol, puede
llamar al 512-339-0200.



Smithwick Mills - Proposed Water CCN Boundary

Notice for Publication
NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE
IN BURNET COUNTY, TEXAS

Corix Utilities (Texas) Inc. has filed an application with the Texas Commission on Environmental Quality to purchase facilities and transfer a portion of CCN No. 11670 held by Lower Colorado River Authority and to obtain and amend a CCN to provide water utility service in Burnet County, Texas.

The area subject to this transaction is located approximately 8.5 miles southeast of downtown Marble Falls, Texas and is generally bounded on the north and east by the edge of the Colorado River; on the south by high School Road; and on the west by County Road 411. The total area being requested includes approximately 1,377 acres and currently serves 420 water customers. The water service area includes the Cooper's Bend Estates, Cottage Hills, Cypress Hills, Eagle Bluff, Lake Oaks, Lake Oaks Ranch, Lakeside BeaCh, and Spicewood Beach subdivisions and areas within zip code 78669.

A copy of the proposed service area map and questions concerning the proposed service area can be directed to Corix Utilities at 6836 Bee Cave Road, Ste. 209, Austin TX 78746, phone number: 512/306-4000

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing.

If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

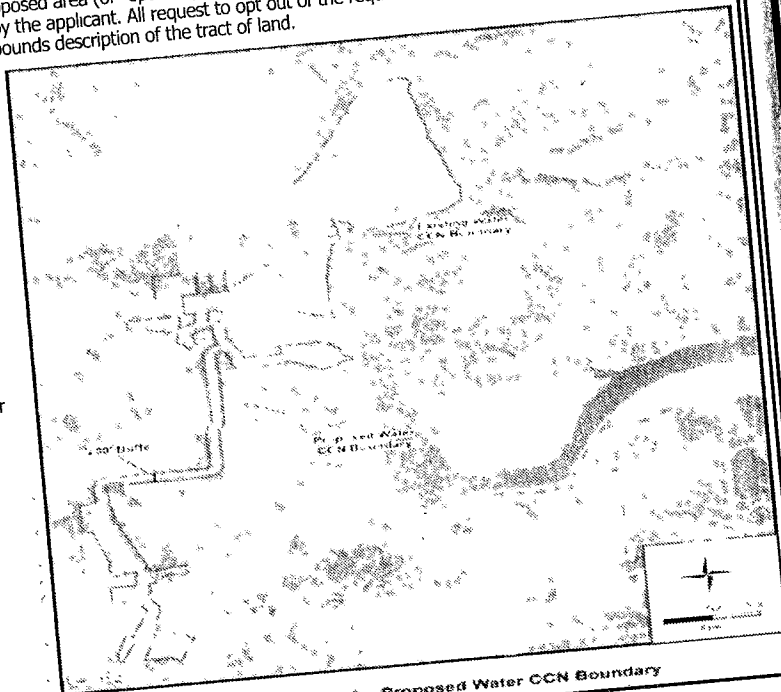
If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the

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A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

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



Spicewood Beach - Proposed Water CCN Boundary

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES
APPLICATION NO. 37608-S

STATE OF TEXAS
COUNTY OF Travis

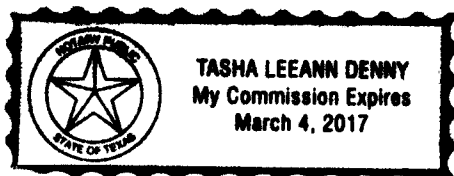
Before me, the undersigned authority, on this day personally appeared
Edward Yanoshita, who being by me
duly sworn, deposes and that (s)he is the General Manager
(TITLE)
of the Corix Utilities (Texas Inc);
(NAME OF UTILITY)

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: 7/26/13
(DATE)

[Signature]
(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this 26 day of July, 2013,
to certify which witness my hand and seal of office.



Tasha Denny
Notary Public in and for the State of Texas

Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

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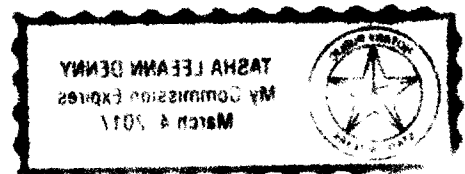
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Texas Commission on Environmental Quality



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APPLICATION NO. 37608-S

STATE OF TEXAS
COUNTY OF Travis

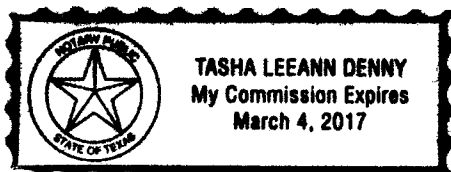
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Tasha Denny
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Commission Expires March 4, 2017

Texas Commission on Environmental Quality



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APPLICATION NO. 37608-S

STATE OF TEXAS
COUNTY OF Travis

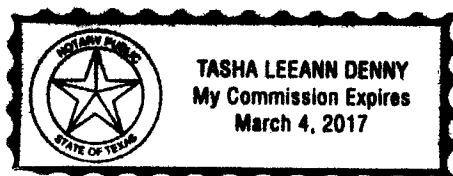
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Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO LANDOWNERS
APPLICATION NO. 37608-S

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas Inc)
(NAME OF UTILITY)

has provided individual notice to the following entities:

	DATE
<u>Gaylon Bisdwell</u>	<u>7/26/13</u>
<u>Elizabeth Overly</u>	<u>7/26/13</u>
<u>Kenneth Lewis</u>	<u>7/26/13</u>
<u>Truman Stinson</u>	<u>7/26/13</u>
<u>Impact Christian Youth Camp</u>	<u>7/26/13</u>
<u>Joseph Land & Cattle Co LTD</u>	<u>7/26/13</u>

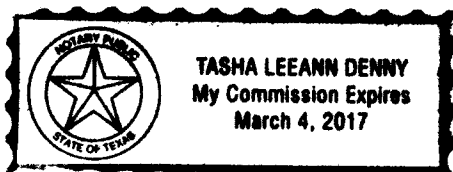
OATH

I, Edward Yanoshita, being duly sworn, file this form as
General Manager (indicate relationship to applicant, that is,
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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

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or its' attorney, a properly verified Power of Attorney must be enclosed.

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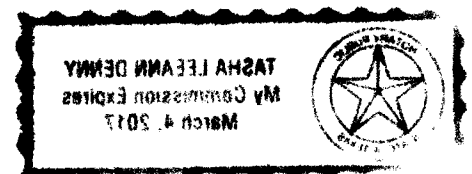
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APPLICATION NO. 37608-S

STATE OF TEXAS

COUNTY OF Travis

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<u>Truman Stinson</u>	<u>7/26/13</u>
<u>Impact Christian Youth Camp</u>	<u>7/26/13</u>
<u>Joseph Land & Cattle Co LTD</u>	<u>7/26/13</u>

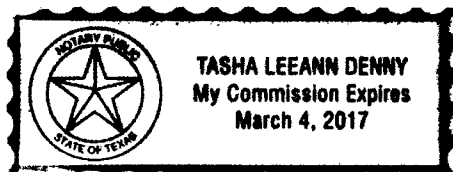
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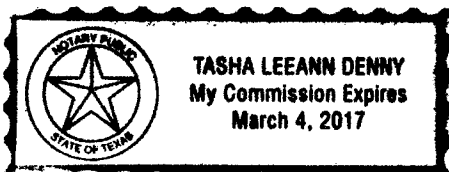
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AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37608-S

STATE OF TEXAS

COUNTY OF Travis

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<u>Aqua Texas</u>	<u>7/26/13</u>
<u>Burnet County</u>	<u>7/26/13</u>
<u>Capstone Water System</u>	<u>7/26/13</u>
<u>City of Marble Falls</u>	<u>7/26/13</u>
<u>Double Horn WSC</u>	<u>7/26/13</u>
<u>SH WSC</u>	<u>7/26/13</u>
<u>Travis County</u>	<u>7/26/13</u>

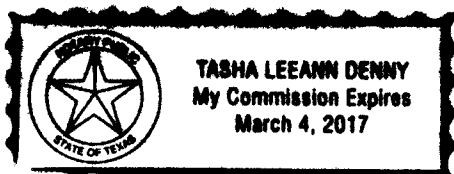
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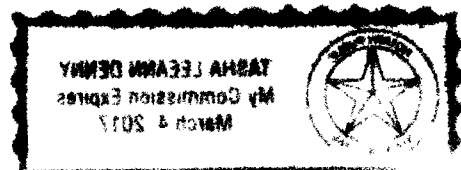
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John M. Smith, Jr.
John M. Smith, Jr.

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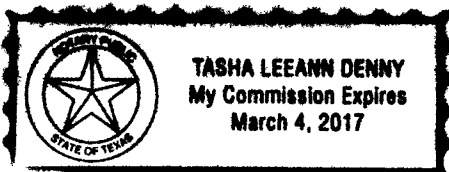
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