



Control Number: 42983



Item Number: 3

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.



# Southwest Engineers

Civil · Environmental · Planning

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Gonzales, Texas 78629

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TBPE No. F-1909

#42983

November 11, 2013

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

RE: Application from the City of San Marcos, Certificate of Convenience and Necessity No. 10298, to Acquire a Portion of CCN No. 10297 held by Crystal Clear Water Supply Corporation (WSC) in Guadalupe and Hays Counties.  
Application No. 37671-S  
SWE Project No. 0093-000-00 Task 54

Ms. Christine Mester:

To complete the application, please find enclosed within this letter four (4) copies of the following items that were requested in the letter dated October 11<sup>th</sup> and signed by Ms. Tammy Benter:

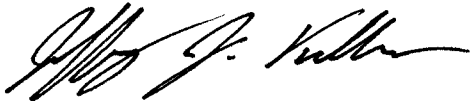
1. A map showing the areas proposed to be amended to the City of San Marcos's service area as well as showing the areas which the City of San Marcos wishes to decertify from its service area.
2. A facility map showing the proposed areas to be amended to the City of San Marcos's service area along with its existing and proposed water lines.
3. A written description of the proposed service areas.
4. Signed resolutions by both Crystal Clear WSC and City of San Marcos agreeing to the amended and decertified areas.

Also, provided is a CD which contains digital data of both the areas to be amended to the City of San Marcos's service area and the areas to be decertified from the City of San Marcos's service area. Crystal Clear WSC has also submitted an application

which was assigned Application No. 37672-S. The City of San Marcos and Crystal Clear WSC applications are to form a new CCN boundary between the entities which is shown in the maps of both applications.

If you should have any questions, please feel free to contact me at (830) 672-7546.

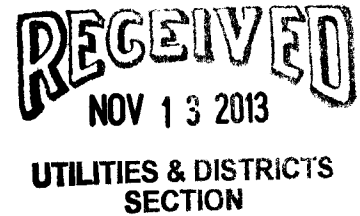
Respectfully submitted,



Jeff J. Kallus, P.E.

ENCL

cc: Mr. Jon Clack, City of San Marcos w/copy



**OVERSIZED DOCUMENT(S)**

**TO VIEW**

**OVERSIZED DOCUMENT(S)**

**PLEASE GO TO**

**CENTRAL RECORDS**

**(512) 936-7180**

**OVERSIZED DOCUMENT(S)**

**TO VIEW**

**OVERSIZED DOCUMENT(S)**

**PLEASE GO TO**

**CENTRAL RECORDS**

**(512) 936-7180**

CITY OF SAN MARCOS

AREA #1

BEGINNING at a point on a south corner of the City of San Marcos' existing Water CCN Number 10298 at the intersection of Quail Run Drive (County Road 272) and Hamilton Hollow Road;

THENCE in a northeasterly direction parallel to I.H. 35 and approximately 13,500 feet northwest of I.H. 35 for a distance of approximately 3,575 feet;

THENCE in a northwesterly direction and perpendicular to I.H. 35 for a distance of approximately 7,700 feet;

THENCE in a southwesterly direction parallel to and approximately 21,200 feet northwest of I.H. 35 for a distance of approximately 8,550 feet;

THENCE in a southeasterly direction and perpendicular to F.M. 2439 for a distance of approximately 12,530 feet;

THENCE in a southwesterly direction and parallel to F.M. 2439 for a distance of approximately 870 feet;

THENCE in a southeasterly direction and perpendicular to F.M. 2439 to the centerline of F.M. 2439;

THENCE continuing in a southeasterly direction and perpendicular to F.M. 2439 to the southern right-of-way of the Union Pacific Railroad;

THENCE in a southwesterly direction and along the south right-of-way line of the Union Pacific Railroad for a distance of approximately 1,270 feet;

THENCE in a southeasterly direction and perpendicular to Interstate Highway 35 for a distance of approximately 700 feet;

THENCE in a southwesterly direction and parallel to and approximately 1,790 feet northeast of I.H. 35 for a distance of approximately 1,060 feet;

THENCE in a southeasterly direction and perpendicular to I.H. 35 for a distance of approximately 400 feet;

THENCE in a southwesterly direction and parallel to and approximately 1,375 feet northeast of I.H. 35 for a distance of approximately 280 feet;

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THENCE in a southeasterly direction and perpendicular to I.H. 35 for a distance of approximately 525 feet;

THENCE in a northeasterly direction and parallel to and approximately 850 feet northeast of I.H. 35 to a point approximately 950 feet southwest of Industrial Fork Road;

THENCE in a southeasterly direction and perpendicular to I.H. 35 for a distance of approximately 710 feet and up to the north right-of-way line of I.H. 35;

THENCE in a northeasterly direction and along the north right-of-way line of I.H. 35 for a distance of approximately 560 feet;

THENCE in a southeasterly direction and perpendicular to and across I.H. 35 for a distance of approximately 2,800 feet to its intersection with the City of San Marcos' existing CCN Number 10298;

THENCE in a generally northwesterly direction and along the City of San Marcos' existing CCN Number 10298 to the POINT OF BEGINNING.

#### AREA #2

BEGINNING at a point along the City of San Marcos' existing CCN Boundary Number 10298 and along Francis Harris Lane approximately 1,390 feet south of the intersection of Francis Harris Lane (C.R. 265) and Old Bastrop Highway (C.R. 266);

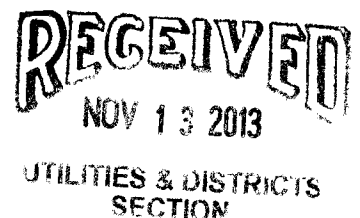
THENCE in a southerly direction and along C.R. 265 for a distance of approximately 8,750 feet;

THENCE due east for a distance of approximately 590 feet;

THENCE due north for a distance of approximately 1,380 feet;

THENCE due east for a distance of approximately 2,930 feet and at a point along the City of San Marcos' existing CCN Boundary Number 10298;

THENCE in a northwesterly direction and along the City of San Marcos' existing CCN Boundary Number 10298 to the POINT OF BEGINNING.



AREA #3

BEGINNING at a point along the Guadalupe/Hays County Line approximately 4,950 feet northeast of the intersection of Guadalupe/Hays County Line and State Highway 123;

THENCE in a southeasterly direction and perpendicular to F.M. 1978 for a distance of approximately 2,200 feet;

THENCE in a northeasterly direction and parallel to and approximately 3,160 feet northwest of F.M. 1978 for a distance of approximately 1,990 feet;

THENCE in a northwesterly direction and perpendicular to F.M. 1978 for a distance of approximately 2,200 feet;

THENCE in a southwesterly direction along the Guadalupe/Hays County Line to the POINT OF BEGINNING.

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## **RESOLUTION FOR DUALY CERTIFIED AREA**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CRYSTAL CLEAR WATER SUPPLY CORPORATION, AUTHORIZING THE FILING OF A JOINT APPLICATION WITH THE CITY OF SAN MARCOS AT THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TO AMEND RETAIL WATER SERVICE AREA BOUNDARIES BETWEEN CRYSTAL CLEAR WATER SUPPLY CORPORATION AND THE CITY OF SAN MARCOS IN CERTAIN PORTIONS OF SOUTHERN SAN MARCOS; AUTHORIZING THE GENERAL MANAGER TO ACT ON BEHALF OF THE CRYSTAL CLEAR WATER SUPPLY CORPORATION IN ALL MATTERS REGARDING THE TRANSFER OR EXCHANGE OF RETAIL WATER SERVICE TERRITORY, CUSTOMERS AND FACILITIES INCLUDING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECT THE AFORESTATED TRANSACTIONS; AND DECLARING AN EFFECTIVE DATE.**

### **RECITALS:**

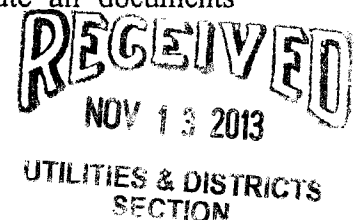
1. The Crystal Clear Water Supply Corporation ("CCWSC") provides retail water service to customers within its certificated service area boundaries, including portions of the City of San Marcos ("City"), as authorized by the Texas Commission on Environmental Quality ("TCEQ") under a Certificate of Convenience and Necessity ("CCN") issued by the TCEQ.

2. The City of San Marcos also provides retail water service to customers within San Marcos under a CCN issued by the TCEQ. The City of San Marcos and Crystal Clear wish to exchange and/or transfer certain service area, facilities and customers within their respective certificated service territory to eliminate service territory overlap between each other in the northern area of CCWSC. This overlap has caused inefficiency for both entities and has resulted in duplication of facilities for retail water service delivery. This service territory transfer will eliminate different levels of service for customers within the respective areas of San Marcos and CCWSC and different water system design in these areas because there will be only one retail service provider in area instead of two.

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CRYSTAL CLEAR WATER SUPPLY CORPORATION, SAN MARCOS, TEXAS:**

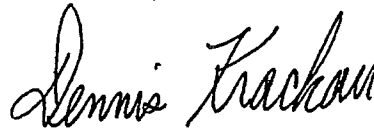
**PART 1.** The Board of Directors authorizes the General Manager or designee to file a Joint CCN application with the City of San Marcos at the TCEQ to amend certificated water retail service area boundaries.

**PART 2.** The General Manager or his designee is authorized to act on behalf of CCWSC in all matters related to the exchange and/or transfer of retail water service territory, facilities and customers with the City of San Marcos, Texas, and execute all documents necessary to effect said transfer and/or exchange.



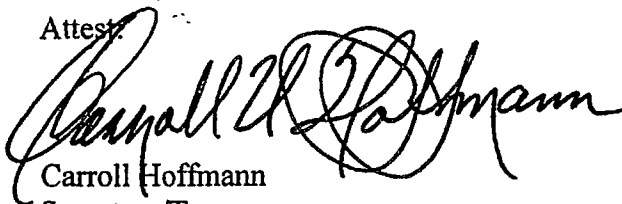
**PART 3.** This Resolution shall be in full force and effect immediately from and after its passage.

**ADOPTED** this the 17 day of May, 2012.



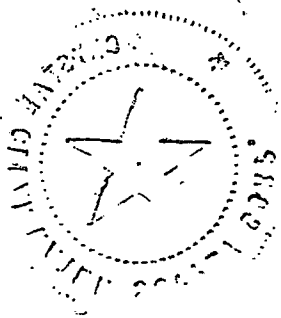
Dennis Krackau  
President

Attest:



Carroll Hoffmann  
Secretary/Treasurer

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**RESOLUTION 2012 - 47 R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AUTHORIZING THE FILING OF A JOINT APPLICATION WITH CRYSTAL CLEAR WATER SUPPLY CORPORATION AT THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TO AMEND RETAIL WATER SERVICE AREA BOUNDARIES BETWEEN CRYSTAL CLEAR WATER SUPPLY CORPORATION AND THE CITY OF SAN MARCOS IN CERTAIN PORTIONS OF SOUTHERN SAN MARCOS; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY IN ALL MATTERS REGARDING THE TRANSFER OR EXCHANGE OF RETAIL WATER SERVICE TERRITORY, CUSTOMERS AND FACILITIES INCLUDING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECT THE AFORESTATED TRANSACTIONS; AND DECLARING AN EFFECTIVE DATE.**

**RECITALS:**

1. The City of San Marcos ("City") provides retail water service to customers within San Marcos within its certificated service area boundaries as authorized by the Texas Commission on Environmental Quality ("TCEQ") under a Certificate of Convenience and Necessity ("CCN") issued by the TCEQ.

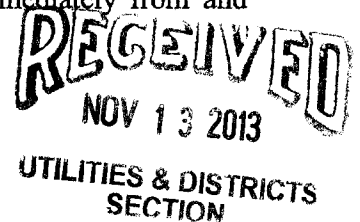
2. Crystal Clear Water Supply Corporation ("Crystal Clear") also provides retail water service to customers within San Marcos under a CCN issued by the TCEQ. The City and Crystal Clear wish to exchange and/or transfer certain service area, facilities and customers within their respective certificated service territory to eliminate service territory overlap between each other in the southern area of San Marcos. This overlap has caused inefficiency for both entities and has resulted in duplication of facilities for retail water service delivery. This service territory transfer will eliminate different levels of service for customers within San Marcos and different water system design in these area because there will be only one retail service provider in area instead of two.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**PART 1.** The City Council authorizes the City Manager or designee to file a Joint CCN application with Crystal Clear at the TCEQ to amend certificated water retail service area boundaries.


**PART 2.** The City Manager is authorized to act on behalf of the City in all matters related to the exchange and/or transfer of retail water service territory, facilities and customers with Crystal Clear and execute all documents necessary to effect said transfer and/or exchange.

**PART 3.** This Resolution shall be in full force and effect immediately from and




after its passage.

**ADOPTED** this the 1st day of May, 2012.



Daniel Guerrero  
Mayor

Attest:



Jamie Lee Pettijohn  
City Clerk

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**Southwest Engineers, Inc.**  
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July 13 2013

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