

Control Number: 42994



Item Number: 8

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.



42994

FRITZ, BYRNE, HEAD & HARRISON, PLLC
Attorneys at Law

January 3, 2014

VIA HAND DELIVERY

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

RECEIVED
TCEQ
WATER SUPPLY DIV.
2014 JAN 3 PM 2 29

Re: Dusty Drury d/b/a D&K Development Corporation/EMCAD Water and
Wastewater, LLC
Application No. 37727-S

Dear Ms. Reyes-Tamayo:

Enclosed are an original and three copies of the Affidavit of Notice to Customers and Other Affected Parties (together with the TCEQ-approved Notice to Current Customers, Neighboring Systems, Landowners and Cities) and Affidavit of Notice to Neighboring Utilities and Affected Parties for filing in the above-referenced application. By filing these affidavits, Dusty Drury d/b/a D&K Development Corporation, certifies that the attached notice was mailed to all current customers, neighboring utilities, landowners owning 25 or more acres and cities as required by TCEQ rules. Please contact me if you have any questions.

Sincerely yours,

FRITZ, BYRNE, HEAD & HARRISON, PLLC

By: Bob Renbarger
Bob Renbarger

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Value Driven.. Client Oriented



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Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37727-5

STATE OF TEXAS
COUNTY OF TARRANT

D & K DEVELOPMENT CORP. has provided individual notice to the following entities:

	DATE
<u>CITY OF FORT WORTH</u>	<u>DEC. 23, 2013</u>
<u>CITY OF CROWLEY</u>	<u>DEC. 23, 2013</u>
<u>CITY OF BURLESON</u>	<u>DEC. 23, 2013</u>
<u>NORTHERN TRINITY GROUNDWATER CONSV. DIST.</u>	<u>DEC. 23, 2013</u>
<u>JOHNSON COUNTY SUD</u>	<u>DEC. 23, 2013</u>
<u>TARRANT COUNTY</u>	<u>DEC. 23, 2013</u>
<u>CHUCK BELL WATER SYSTEMS</u>	<u>DEC. 23, 2013</u>

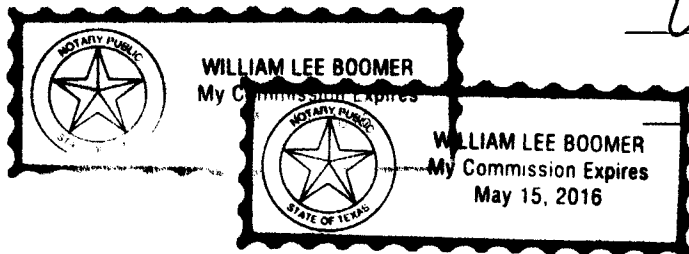
OATH

I, DEWEY D. DRURY, being duly sworn, file this form as PRESIDENT (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.

Dewey D. Drury
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 26TH day of DEC., 2013, to certify which witness my hand and seal of office.



William Lee Boomer
Notary Public in and for the State of Texas
WILLIAM LEE BOOMER
Print or Type Name of Notary Public
Commission Expires MAY 15, 2016

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES
APPLICATION NO. 37727-5

STATE OF TEXAS
COUNTY OF TARRANT

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TCEQ
WATER SUPPLY DIV.
2014 JAN 3 PM 2 29

Before me, the undersigned authority, on this day personally appeared
DEWET D. DRURY, who being by me
duly sworn, deposes and that (s)he is the PRESIDENT
(TITLE)
of the D & K DEVELOPMENT CORP.
(NAME OF UTILITY)

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

POSTAGE PAID FIRST CLASS MAIL
(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: DEC. 23, 2013
(DATE)

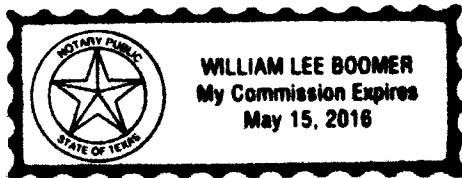
[Signature]
(SIGNATURE OF UTILITY OFFICIAL)

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

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

WILLIAM LEE BOOMER
Print or Type Name of Notary Public

Commission Expires MAY 15, 2016



**Notice to Current Customers, Neighboring Systems,
Landowners and Cities**

DUSTY DRURY DBA D&K DEVELOPMENT CORPORATION'S NOTICE OF INTENT
TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) NO. 20816 TO EMCAD WATER AND WASTEWATER, LLC IN
TARRANT COUNTY, TEXAS

To: _____ Date Notice Mailed: _____ 2013
(Name of Customer, Neighboring System, Landowner or City)

(Address)

(City State Zip)

Dusty Drury dba D&K Development Corporation PO Box 172081 Arlington TX 76003
(Sellers or Transferor's Name) (Address) (City) (State)(Zip Code)

has submitted an application with the Texas Commission on Environmental Quality to
sell facilities and transfer sewer CCN No. 20816 in Tarrant County to:

EMCAD Water and Wastewater, LLC 2492 Matterhorn Dr. Wexford PA 15090
(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 transaction and proposed service area include the following
subdivision(s): Mayfair, Mayfair South and Mayfair West.

The area subject to this transaction is located approximately 13 miles south of downtown
Fort Worth, Texas and is **generally** bounded on the north by FM 1187; on the east by
Crystal Lane; on the south by Floyd Hampton Road; and on the west by W Cleburne
Road.

The total area being requested includes approximately 192 acres and serves 159 current
customers. This transaction will have the following effect on the current customers'
rates and services: No change to current rates. Current service level will either be
maintained or improved.

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

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TARRANT COUNTY, TEXAS
2014 JAN 3 PM 4:29

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

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

Utility Representative

Utility Name