

Affected persons may file written protests and/or request a public hearing within 30 days of this notice.

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- (3) include 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.

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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 on Espanol, puede llamar al 512-239-0200.

TIMOTHY W COFFEY

Utility Representative

ATHENS WATER SYSTEM

Utility Name

Notice to Current Customers, Neighboring Systems and Cities

Timothy W Coffey, Independent Executor for the Estate of William (WR) Coffey 'S
(Seller's or Transferor's Name)

NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) NO 12993 TO Land T Waterworks, LLC
(Purchaser's or Transferee's Name)
IN Henderson COUNTY, TEXAS

To: MARTINS MILL WSC Date Notice Mailed [REDACTED], 20 [REDACTED]
(Name of Customer, Neighboring System or City)

13002 FM 858
(Address)

BEN WHEELER TX 75754
City State Zip

TIMOTHY W COFFEY	P O BOX 423	CENTERVILLE TX 75833
Sellers or Transferors' Name	Address	City/State/Zip Code

has submitted an application with the Texas Commission on Environmental Quality to sell facilities and transfer water or sewer (please select) CCN No. 12993 in HENDERSON [County Name]

County to:

Land T WATERWORKS, LLC - CURTIS LOGAN	13002 FM 858	ATHENS TX 75801
Purchasers or Transferee'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 the transfer of the CCN include the following subdivision(s) and zip codes:

ATHENS WATER SYSTEM - 75751

The area subject to this transaction is located approximately 5.8 miles NW [direction] of downtown ATHENS, [City or Town] Texas, and is generally bounded on the north by CR 3913; on the east by HIGHWAY 19; on the south by US 175; and on the west by CITY OF EUSTACE

The total area being requested includes approximately 516 acres and serves 83 current customers. This transaction will have the following effect on the current customer's rates and services:

NONE

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TIMOTHY W COFFEY

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ATHENS WATER SYSTEM

Utility Name

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NECESSITY (CCN) NO 12993 TO Land T Waterworks, LLC
(Purchaser's or Transferee's Name)
IN Henderson COUNTY, TEXAS

To: (DBA) TOE WATER SUPPLY CORPORATION Date Notice Mailed [REDACTED], 20 [REDACTED]
(Name of Customer, Neighboring System or City)

1361 VZ COUNTY ROAD 2403
(Address)

CANTON TX 75103
City State Zip

TIMOTHY W COFFEY P.O BOX 423 CENTERVILLE, TX 75833
Sellers or Transferors' Name Address City/State/Zip Code

has submitted an application with the Texas Commission on Environmental Quality to sell facilities and transfer
water or sewer (please select) CCN No. 12993 in HENDERSON [County Name]

County to:

Land T Waterworks, LLC CURTIS LOGAN 1560 AGR 035 PALESTINE TX
Purchasers or Transferee's Name Address City/State/Zip Code

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TIMOTHY W COFFEY

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ATHENS WATER SYSTEM

Utility Name

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Timothy W. Coffey, Independent Executor for the Estate of William (WR) Coffey 'S
(Seller's or Transferor's Name)

NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) NO 12993 TO L and T Waterworks, LLC

(Purchaser's or Transferee's Name)

IN Henderson COUNTY, TEXAS

To: CITY OF MABANK (11026) Date Notice Mailed [REDACTED], 20 [REDACTED]
(Name of Customer, Neighboring System or City)

P O BOX 293
(Address)

MABANK TX 75147
City State Zip

<u>TIMOTHY W. COFFEY</u>	<u>P O BOX 423</u>	<u>CENTERVILLE, TX 75833</u>
Sellers or Transferors' Name	Address	City/State/Zip Code

has submitted an application with the Texas Commission on Environmental Quality to sell facilities and transfer water or sewer (please select) CCN No. 12993 in HENDERSON [County Name]

County to:

<u>L and T WATERWORKS, LLC CURTIS LOGAN</u>	<u>560 W 485</u>	<u>RAEFESTINE, TX 75844</u>
Purchasers or Transferee's Name	Address	City/State/Zip Code

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Utility Representative

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Utility Name

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(Seller's or Transferor's Name)

NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) NO 12993 TO Land T Waterworks, LLC
(Purchaser's or Transferee's Name)
IN Henderson COUNTY, TEXAS

To: CITY OF KEMP (11300) Date Notice Mailed [REDACTED], 20 [REDACTED]
(Name of Customer, Neighboring System or City)

P O BOX 276
(Address)

KEMP TX 75143
City State Zip

TIMOTHY W COFFEY P O BOX 423 CENTERVILLE, TX 75833
Sellers or Transferors' Name Address City/State/Zip Code

has submitted an application with the Texas Commission on Environmental Quality to sell facilities and transfer
water or sewer (please select) CCN No. 12993 in HENDERSON [County Name]

County to:

Land T WATERWORKS, LLC - CUFFIS LOGAN 13007 Old 485 Palestine, TX 75801
Purchasers or Transferee's Name Address City/State/Zip Code

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TIMOTHY W COFFEY

Utility Representative

ATHENS WATER SYSTEM

Utility Name

Notice to Current Customers, Neighboring Systems and Cities

Timothy W Coffey, Independent Executor for the estate of William (WR) Coffey 'S
(Seller's or Transferor's Name)

NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) NO 12993 TO Land T Waterworks, LLC
(Purchaser's or Transferee's Name)
IN Henderson COUNTY, TEXAS

To: Neches & Trinity Valleys Groundwater Conservation District Date Notice Mailed [REDACTED], 20 [REDACTED]
(Name of Customer, Neighboring System or City)

P O Box 1387
(Address)

Jacksonville TX 75766
City State Zip

Timothy W Coffey P O Box 423 Centerville, TX 75833
Sellers or Transferors' Name Address City/State/Zip Code

has submitted an application with the Texas Commission on Environmental Quality to sell facilities and transfer
water or sewer (please select) CCN No. 12993 in Henderson [County Name]

County to:

Land T Waterworks, LLC - Curtis Logan 1560 ACR 485 Palestine, TX 75801
Purchasers or Transferee'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 the transfer of the CCN include the following subdivision(s) and zip codes:

Athens Water System - 75751

The area subject to this transaction is located approximately 5.8 miles NW [direction] of
downtown Athens, [City or Town] Texas, and is generally bounded on the north by
CR 3913; on the east by Highway 19;
;on the south by US 175; and on the west by City of Eustace

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Timothy W Coffey

Utility Representative

Athens Water System

Utility Name

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



91 7199 9991 7031 8280 6384

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 6, 2014

**BY FAX TO 903/536-3421 AND
BY CERTIFIED MAIL**

Mr. Curtis Logan
1560 ACR 485
Palestine, TX 75803

NOTICE OF DEFICIENCY

Re: Application from Curtis D. Logan dba L and T WaterworksLLC, A2017, to Acquire Facilities and Transfer Certificate of Convenience and Necessity (CCN) No. 12993 held by WR Coffey dba Athens Land Company in Henderson County; Application No. 37826-S

CN: 600708051; RN: 101243624 (WR Coffey dba Athens Land Comapny)

Dear Mr. Logan:

Your application from Curtis D. Logan dba L and T Waterworks, LLC received on December 23, 2013, has been assigned application no. 37826-S, but has not been accepted for filing. Please refer to the application number in future correspondence.

In order for your application to be accepted for filing, please provide the following additional items:

1. An agreement between parties, contingent contract or other documents supporting the proposed transaction
2. Please complete every question in the application, if it is not applicable to your system, write N/A. Please answer questions 21 in the application.
3. The neighboring utility list in your application was incomplete. On November 14, 2012, the Commission implemented a policy change that requires applicants for CCN related applications to provide a complete list of entities providing the same type of retail utility service (i.e., water and/or sewer) as requested in the application, within a specified area. For applicants requesting a new CCN for the first time, the requirement is to provide a list of entities within a five mile area of the proposed area. For applicants requesting to amend an existing CCN, the requirement is to provide a list of entities within two miles of the proposed area. In addition to this information, the Commission also requires that applicants provide a list of cities whose corporate limits and/or extra-territorial jurisdiction (ETJ) are within the same two and/or five mile area of the proposed CCN area.

** Transmit Conf. Report **

P.1

Mar 10 2014 9:12

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919035363421	NORMAL	10, 9:12	0'59"	3	* O K *	



Fax Cover Sheet

Number of Pages:
(including this sheet)

3

Date: March 10, 2014**To:** Mr. Curtis Logan**Organization:****Fax:** 903-536-3421**From:** Christine Mester**Division :** Water Supply Division

Texas Commission on Environmental Quality

Phone: 512-239-2788**Fax:** 512-239-6972

Stacey Duncan

From: Lisa Fuentes
Sent: Monday, December 30, 2013 11:26 AM
To: Tim Coffey
Cc: Stacey Duncan; Christine Mester
Subject: RE: STM applications filed for Moody Water System and Athens Water System

Thank you Mr. Coffey. We'll get these applications logged in and begin our review.
Lisa

Lisa Fuentes
Team Leader
Utilities Financial Review Team
Water Supply Division
512/239-6117
512/239-6972 fax

From: Tim Coffey [<mailto:timcoffey@candlinvestment.com>]
Sent: Monday, December 30, 2013 10:53 AM
To: Lisa Fuentes
Subject: RE: STM applications filed for Moody Water System and Athens Water System

Ms. Fuentes,

This is to confirm our conversation. The buyer DOES intend to transfer the existing CCN numbers of the Athens and Moody water systems. Thank you for your assistance.

Tim Coffey

903-536-7200
979-255-2481

From: Lisa Fuentes [<mailto:lisa.fuentes@tceq.texas.gov>]
Sent: Monday, December 30, 2013 10:37 AM
To: timcoffey@candlinvestment.com
Cc: Stacey Duncan; Christine Mester
Subject: STM applications filed for Moody Water System and Athens Water System

Mr. Coffey,
Thank you for speaking with me this morning. As we discussed, it is my understanding that the buyer intends to transfer the existing CCN numbers of the Athens and Moody water systems rather than canceling those numbers and obtaining new ones. Please reply to this email and confirm.
Thanks for your help,
Lisa

Lisa Fuentes
Team Leader
Utilities Financial Review Team
Water Supply Division
512/239-6117
512/239-6972 fax

APPLICATION FOR SALE, TRANSFER,
OR MERGER OF A RETAIL PUBLIC UTILITY

*RN# 101243624 *CN# 600708051 *If known (See instructions)

1. Proposed action of application (check all the boxes that apply):

Sale of All Portion of the Water system(s) under CCN No.: 12993
Acquisition Sewer system(s) under CCN No.:
Lease/Rental

Transfer of All Portion of the Certificated water service area – CCN No.:
Certificated sewer service area – CCN No.:

If only a portion of a system or certificated service area is affected by this transaction, please specify the areas or subdivision involved:

[Redacted area]

and to:

Obtain a CCN for the transferee (purchaser) – indicate if purchaser will take the seller's CCN

Amend the transferee's CCN No.:

Merge or consolidate public utilities

Cancel CCN of the transferor (seller)

[Redacted area]

2. Proposed effective date of this transaction: March 1, 2014

(Must be at least 120 days after proper notice is provided)

**QUESTIONS 3 THROUGH 5 APPLY TO THE TRANSFEROR
(CURRENT SERVICE PROVIDER OR SELLER)**

3. For the current CCN holder or service provider please indicate:

A. Name: ATHENS WATER SYSTEM

(Individual, Corporation or Other Legal Entity)

Who is a(n): of Individual Corporation WSC HOA or POA Other

B. Utility Name (if different than above): ATHENS WATER SYSTEM

Address: P O BOX 423 CENTERVILLE, TX 75833 Telephone: (AC) 903-536-7200

C. Contact person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney or accountant.

Name: TIMOTHY W GOFFEY Title: Independent executor of the

Address: P O BOX 423 CENTERVILLE, TX 75833 Telephone: (AC) 979-255-2481

Fax: 903-536-3421 Email: timcoffey@candlinvestment

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DEC 23 2013
UTILITIES & DISTRICTS
SECTION

4. About the last rate increase for the system or facilities being transferred **April 3, 2006**
A. What was the effective date of the last rate increase? **03/20/2007**

B. Was notice of this increase provided to the Texas Commission on Environmental Quality or its predecessors?

No Yes- Application/Docket Number: **2007-1120UCR** Date **10/24/2007**

5. Please provide a list of all customers affected by this transaction who have deposits held by the transferor or seller utility, if any, and include the following information (attach additional sheets if necessary):

Name and Address of Utility Customer	Date of Deposit	Amount of Deposit	Amount of Unpaid Interest on Deposit
None			

Within 30 days of the actual transaction date, and prior to the transfer of the certificate by the TCEQ, the seller must provide proof to the Commission that these customer deposits were returned to the customers or transferred to the purchasing utility. Proof should include a sworn affidavit.

QUESTIONS 6 THROUGH 16 REFER TO THE TRANSFEREE OR PURCHASER

6. For the person or entity acquiring the facilities and/or CCN:

Applicant: **L and T Waterworks, LLC - Curtis Logan**
(Individual, Corporation, or Other Legal Entity)

Utility Name: **Athens Water System**
(If different than above)

Utility Address: **1560 ACR 485, Palestine, TX 75803**

Fax: **n/a** Email: **n/a** Telephone (AC): **903-477-0501**

CCN Numbers held prior to the filing of this application: **12993**

7. Check the appropriate box and provide information regarding the legal status of the transferee applicant:

Individual

Home or Property Owners Association

Partnership; attach copy of partnership agreement

Corporation; provide charter number as recorded with the Office of the Secretary of State for Texas: **L and T Waterworks, LLC - Curtis Logan**

Non-profit, member-owned, member-controlled Cooperative Corporation (Article 1434(a) Water Supply or Sewer Service Corporation); provide charter number:

Municipally-owned utility

District (MUD, SUD, WCID, etc.)

County

Other (please explain):

RECEIVED
DEC 23 2013

8. If the applicant is an *Individual* or sole proprietorship, provide the following information. If not, skip to the next question.

Name:		Email:	
Address:			
Telephone (AC):		Fax (AC):	

9. If the applicant is other than an *Individual* provide the following information regarding the officers or partners of the legal entity applying for the transfer. You must complete either question 8 or question 9, whichever applies to the transferee applicant.

•Name:	Curtis Logan	Telephone (AC):	903-477-0501
Address:	1560 ACR 485. Palestine, TX 75803		
Position:	Owner	Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

- Attach additional sheet(s) if necessary -

- Important:**
- If the applicant is a for-profit corporation, please provide a copy of the corporation's "Certification of Account Status" from the State Comptroller Office. This "Certification of Account Status" can be obtained from:

Texas Comptroller of Public Accounts

P. O. Box 13528, Capitol Station
 Austin, Texas 78711
 1-800-252-5555

- If the applicant is an Article 1434a water supply or sewer service corporation or other non-profit corporation, please provide a copy of the Articles of Incorporation and By-Laws.

RECEIVED
 DEC 23 2013

**UTILITIES & DISTRICTS
 SECTION**

10. Contact person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney or accountant.

Name:	Curtis Logan	Title:	Owner
Address:	1560 ACR 485 Palestine, TX 75803	Telephone (AC):	903-477-0501
Fax #		Email	
Relationship to the applicant:		Owner/Applicant	

IF THERE ARE MORE THAN TWO PARTIES INVOLVED IN THIS TRANSACTION, PLEASE ATTACH SHEETS PROVIDING THE INFORMATION REQUIRED IN QUESTION 6 THROUGH QUESTION 10 FOR EACH PARTY

11. Please respond to each of the following questions. Attach additional sheets if necessary.
- A. Describe the experience and qualifications of the applicant to provide adequate utility service to the requested area

Experienced Operator

- B. Has the applicant acquiring the CCN or facilities or an affiliated interest of the applicant been under enforcement action by the TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG) or the Environmental Protection Agency (EPA) in the past for noncompliance with rules, orders or State Statutes? Yes No

If yes, please attach copies of any correspondence with these regulatory agencies concerning these enforcement actions and describe any actions and efforts to comply with those requirements. Attach additional sheets if needed.

[Redacted area]

- C. Describe the source and availability of funds required to make the planned or required improvements, if any, to meet minimum requirements of the TCEQ and ensure continuous and adequate service.

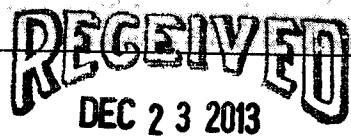
Start up capital & monthly income

- D. Describe the anticipated impact of this transaction on the quality of utility service and explain any anticipated changes in the quality of service.

No changes

- E. How will the transaction serve the public interest?

Due to the death of William R (WR) Coffey the heirs need the transfer completed



12. Please describe the nature of the proposed transaction:

To better service the customers

13. If the transferee applicant is an Investor Owned Utility (IOU) and will be under the rate jurisdiction of the TCEQ, please provide the following information. Water supply or sewer service corporations and political subdivisions of the state should mark this section N/A:

- A.
 - Total Purchase Price:
 - Total Original Cost (as recorded on books of seller or merging entity):
 - Accumulated Depreciation as of the proposed effective date of the transaction:
 - Contributions in Aid of Construction:
 - Specific surcharges approved by TCEQ:
 - Revenues from explicit customer agreements:

- Developer Contributions (please explain):

[Redacted area]

- Other Contributions (please explain):

[Redacted area]

Total Contributions in Aid of Construction

• Net Book Value:

If the Original Cost or any of the above items has been established in a rate case proceeding by the PUC, the TWC or the TCEQ, please provide the Application/Docket Number and date:

Application/Docket Number: Date:

If the applicant is not under the rate jurisdiction of the TCEQ, only the purchase price and information related to Contributions in Aid of Construction is required.

B. Please provide any other information concerning the nature of the transaction you believe should be given consideration if not explained elsewhere in the application. [attach additional sheet(s) if necessary]:

n/a

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C. Complete the following proposed entries listed below as shown in books of purchasing (or surviving) company. Additional entries may be made; the following are suggested only, and not intended to pose descriptive limitations.

Utility Plant in Service:	
Plant Acquisition Adjustment:	
Extraordinary Loss on Purchase:	
Accumulated Depreciation of Plant:	
Cash:	
Notes Payable:	
Mortgage Payable:	
Others (please list):	

As the purchaser, I understand that it is **my responsibility** in any future rate proceeding to provide written evidence and support for the original cost and installation date of all facilities used and useful for providing utility service.

Purchaser's Initials: Date:

14. Please indicate the proposed effect of this transaction on the rates to be charged to the affected customers:
- All the customers will be charged the same rates as they were charged before the transaction.
 - Some All customers will be charged different rates than they were charged before the transaction.

If rates are changing, please explain:

Applicant is an IOU and intends to file with the Commission or municipal regulatory authority an application to change rates of some/all of its customers as a result of this transaction. If so, please explain:

Other. Please explain:

15. List all neighboring water and /or sewer utilities, cities, and political subdivisions providing the same service within two (2) miles of area affected by this proposed transaction. This information should be available from the water utility database (WUD) or Applicant's licensed water operator.

City of Eustace, Payne Springs WSC, Lakeshore Utility Co., Hidden Acres Water System, City of Log Cabin, Crescent Heights WSC, Dal High WS.

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