



Control Number: 43001

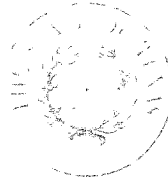


Item Number: 4

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., P.E., *Chairman*
 Toby Baker, *Commissioner*
 Zak Covar, *Commissioner*
 Richard A. Hyde, P.E., *Executive Director*



43001
 RECEIVED

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2014 SEP 18 AM 9:45
 PUBLIC UTILITY COMMISSION
 FILING CLERK

Protecting Texas by Reducing and Preventing Pollution

May 22, 2014

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

Mr. Curtis D. Logan
 1560 ACR 485
 Palestine, TX 75803

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

CN: 600708051; RN: 101243624 (WR Coffey dba Athens Land Comapny)
 CN: 604520673; RN: 107111874 (Curtis D. Logan dba L and T Waterworks, LLC)

Dear Mr. Logan:

The above referenced application has been accepted for filing. Thank you for the items provided with your letter received on March 28, 2014. Please refer to your Application No. 37826-S in future correspondence. Ms. Debbie Reyes Tamayo has been assigned to perform the technical review.

It is the responsibility of the applicant to provide correct notice of the application to the following:

- any districts, groundwater conservation districts, counties, utilities, cities, cities with an extraterritorial jurisdiction within two miles of your proposed service area, and
- any city with an extraterritorial jurisdiction which overlaps the proposed service area, and
- any customers transferred, or other affected parties in your requested area.

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/.

Mr. Curtis Logan
Page 2
May 22, 2014

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. Please complete the affidavits and submit an original and two copies (attached to the notice) to this office.

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

These items must be completed and returned to our office by **June 23, 2014**. Processing of this 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. Debbie Reyes Tamayo at 512/239-4683, 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/CM/mmg

Enclosures: as stated

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

TIMOTHY W. COFFEY, INDEPENDENT EXECUTOR FOR THE ESTATE OF WILLIAM R. (W.R.) COFFEY'S NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 12993 TO CURTIS D. LOGAN DBA L AND T WATERWORKS, LLC, IN HENDERSON COUNTY, TEXAS

To: _____ Date Notice Mailed: _____, 2014
(Name of Customer, Neighboring System, Landowner or City)

(Address)

(City State Zip)

Timothy W. Coffey, Executor P.O. Box 423 Centerville TX 75833
(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 water CCN No. 12993 in Henderson County to:

Curtis D. Logan dba L and T Waterworks, LLC 1560 ACR 485 Palestine TX 75803
(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) and zip code(s): Athens Land Company - 75751.

The area subject to this transaction is located approximately 5.8 miles northwest of downtown Athens, 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 the 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 customers' rates and services: none.

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

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

Utility Representative

Utility Name

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. _____

STATE OF TEXAS
COUNTY OF _____

_____ has provided individual notice to the following entities:

	DATE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

OATH

I, _____, being duly sworn, file this form as _____ (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.

Applicant's Authorized Representative

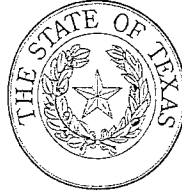
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public
Commission Expires _____

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES
APPLICATION NO. _____

STATE OF TEXAS
COUNTY OF _____

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

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

(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: _____
(DATE)

(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this _____ day of _____, 2012,
to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public
Commission Expires _____

** Transmit Conf. Report **

P. 1

May 21 2014 12:30

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919035363421	NORMAL	21,12:30	3'12"	5	* O K	

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 22, 2014

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

Mr. Curtis D. Logan
 1560 ACR 485
 Palestine, TX 75803

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CN: 600708051; RN: 101243624 (WR Coffey dba Athens Land Company)
 CN: 604520673; RN: 107111874 (Curtis D. Logan dba L and T Waterworks, LLC)

Dear Mr. Logan:

The above referenced application has been accepted for filing. Thank you for the items provided with your letter received on March 28, 2014. Please refer to your Application No. 37826-S in future correspondence. Ms. Debbie Reyes Tamayo has been assigned to perform the technical review.

It is the responsibility of the applicant to provide correct notice of the application to the following:

- any districts, groundwater conservation districts, counties, utilities, cities, cities with an extraterritorial jurisdiction within two miles of your proposed service area, and
- any city with an extraterritorial jurisdiction which overlaps the proposed service area, and

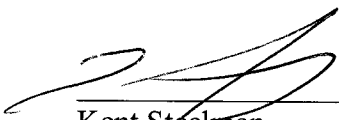
43001

To: Administrative Review Date Complete: January 9, 2014

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-003-14/37826-S
L&T Waterworks to acquire Athens Land Company (12993) in Henderson county.

- X 1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
- X 5. If this is a Sale, Transfer, or Merger, is additional area being requested? NO
9. Utility notice was sufficient.
- X 10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:
- TWO MILES:
- Bethel-Ash WSC (10821)
- ✓ City of Eustace (10838)
- ✓ Payne Springs WSC (10848)
- Neches & Trinity Valleys GCD
- Henderson county
- All cities and etj's within 2 miles of proposed area
- Any other Utility, District or entity that would be required to receive notice
- X 11. Notice: OK
12. Other comments:



Kent Steelman

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

43001

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 5, 2014

Mr. Michael Rueter
2415 Spanish Circle Apt 412
Arlington TX 76016

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

CN: 600708051; RN: 101243624 (WR Coffey dba Athens Land Company)
CN: 604520673; RN: 107111874 (Curtis D. Logan dba L and T Waterworks, LLC)

Dear Mr. Rueter:

The Texas Commission on Environmental Quality (TCEQ) has reviewed your letter dated May 13, 2014, concerning the above referenced application. Unfortunately, your request for an extension of time to respond to the notice cannot be approved. We hope the following information is helpful.

Curtis D. Logan dba L and T Waterworks, LLC, is requesting to acquire and transfer water facilities from W.R. Coffey dba Athens Land Company in Henderson County. You received the notice because you are a current customer or landowner living in the area W.R. Coffey dba Athens Land Company currently serves. If the transfer request is approved, Mr. Curtis D Logan dba T Waterworks LLC will be the new utility owner/water service provider for your area.

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.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

How is our customer service? tceq.texas.gov/customersurvey

Mr. Michael Rueter
Page 2
June 5, 2014

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 will proceed with the process of the transfer 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

Pursuant to Texas Administrative Code, Title 30 Environmental Quality Rule §291.3(3), to request a public hearing the protest must meet the definition of an affected person:

Affected person--Any landowner within an area for which an application for a new or amended certificate of public convenience and necessity is filed; any retail public utility affected by any action of the regulatory authority; any person or corporation, whose utility service or rates are affected by any proceeding before the regulatory authority; or any person or corporation that is a competitor of a retail public utility with respect to any service performed by the retail public utility or that desires to enter into competition.

The last day to request a public hearing is June 9, 2014.

Thank you for contacting the TCEQ. If you have any questions, please contact Ms. Debbie Reyes Tamayo by phone at 512/239-4683, by fax at 512/239-6972, by email at Debbie.Reyes-Tamayo@tceq.texas.gov. If you contact our office by correspondence, please include MC-153 in the letterhead address.

Sincerely,



Cari-Michel La Caille, Assistant Director
Water Supply Division
Texas Commission on Environmental Quality

CML/DRT/mmg

cc: Mr. Curtis Logan