



Control Number: 43001



Item Number: 5

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.

ATHENS WATER SYSTEM

P O BOX 423

CENTERVILLE, TX 75833

(903) 536-7200 OFFICE

(903) 536-3421 FAX

OFFICE HOURS: MONDAY – FRIDAY 8:00 AM – 5:00 PM

404 West Frontage Rd, CENTERVILLE, TX 75833

BY: CERTIFIED MAIL-7002-3150-0004-4333-2227

BY: FAX to 512-239-6972

BY: E-Mail to debbie.reyes-tamayo@tceq.texas.gov

Texas Commission on Environmental Quality
Attn: Cari-Michel La Caille, Assistant Director
Water Supply Division MC-153
P O Box 13087
Austin, Texas 78711-3087

Re: Athens Water System
Application # 37826-S
CCN# 12993
CN: 600708051; RN:101243624 (WR Coffey dba Athens Water Company)
CN: 604520673; RN: 107111874 (Curtis D Logan dba L and T Waterworks, LLC)

Attn: Cari-Michel La Caille, Assistant Director

I have enclosed a copy of the signed Contract and/or Transfer serving as Bill of Sale as well as information regarding the disposition of customer deposits.

All deposits regarding active accounts have been reviewed, accounted for and the amount is being transfer by check to L & T Waterworks, LLC - Curtis Logan, (as per discussed with Debbie Reyes-Tamayo on Tuesday, July 22, 2014, verification stated in this letter will serve as it being documented).

I trust this will complete the information regarding the recommendation for the approval of the transfer of the CCN.

If there should be any questions regarding this information please contact me at 903-536-7200 or via e-mail at sue@candlinvestment.com.

Thank you for your assistance regarding this matter.

Sincerely,


Sue Bateman

cc: L & T Waterworks, LLC - Curtis Logan

43001
RECEIVED

WATER SUPPLY

2014 JUL 28 PM 2 36

July 24, 2014

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

5

TRANSFER OF WATER SYSTEM

RECEIVED
WATER SUPPLY DIV.
2014 JUL 28 PM 2 3

I, Timothy W. Coffey, Independent Executor of the estate of William R (WR) Coffey (owner), in consideration as a Transfer only, do hereby transfer and convey to L and T Waterworks, LLC Curtis Logan (Receiver), the following described item:

Athens Water System - Henderson County, Texas

I, the undersigned, do transfer the above described Water System to the Receiver as a Transfer Only shown and certify that all the information provided in the Transfer is true and accurate to the best of my knowledge.

I, the undersigned, Receiver, acknowledge receipt of this transfer and understand there is no guarantee or warranty, expressed or implied, with respect to the above described Water System. It is also understood that the above described is transferred "as is" condition.

Dated this 20th day of March, 2014

Transfer's Name (Printed) Timothy W. Coffey, Independent Executor of the estate of William R (WR) Coffey	Receiver's Name (Printed) L and T Waterworks, LLC - Curtis Logan <i>Curtis Logan</i>
Transfer's Signature: <i>Timothy W. Coffey</i>	Receiver's Signature: <i>Curtis Logan</i>
Address: P O Box 423	Address: 1560 ACR 485
City/State/Zip Centerville, TX 75833	City/State/Zip Palestine, TX 75833
Phone: 903-536-7200	Phone: 903-477-0501


Athens Water System

P.O. BOX 423
CENTERVILLE, TX. 75833
(903) 536-7200
FAX: (903) 536-3421

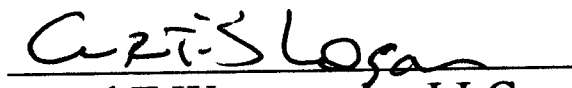
RECEIVED
TSCC
WATER SUPPLY
2014 JUL 28 PM 2 35

March 20, 2014

I, Timothy W. Coffey, Independent Executor for the estate of William R. (W.R.) Coffey, agree to the transfer of Athens Water System, RN#101243624, CN#600708051, CCN#12993 to L and T Waterworks, LLC - Curtis Logan, Owner.



Timothy W. Coffey
Independent Executor
for the estate of
William R. (W.R.) Coffey



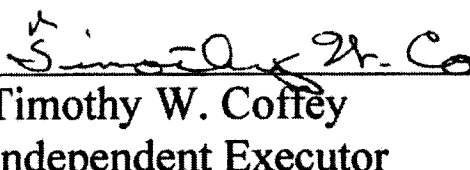
L and T Waterworks, LLC
Curtis Logan, Owner

Moody Water System

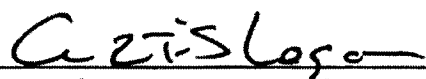
P.O. BOX 423
CENTERVILLE, TX. 75833
(903) 536-7200
FAX: (903) 536-3421

March 20, 2014

I, Timothy W. Coffey, Independent Executor for the estate of William R. (W.R.) Coffey, agree to the transfer of Moody Water System, RN#101240976, CN#600708051, CCN#12919 to L and T Waterworks, LLC - Curtis Logan, Owner.



Timothy W. Coffey
Independent Executor
for the estate of
William R. (W.R.) Coffey



L and T Waterworks, LLC
Curtis Logan, Owner

TRANSFER OF WATER SYSTEM

I, Timothy W. Coffey, Independent Executor of the estate of William R (WR) Coffey (owner), in consideration as a Transfer only, do hereby transfer and convey to L and T Waterworks, LLC Curtis Logan (Receiver), the following described item:

Moody Water System - Freestone County, Texas

I, the undersigned, do transfer the above described Water System to the Receiver as a Transfer Only shown and certify that all the information provided in the Transfer is true and accurate to the best of my knowledge.

I, the undersigned, Receiver, acknowledge receipt of this transfer and understand there is no guarantee or warranty, expressed or implied, with respect to the above described Water System. It is also understood that the above described is transferred "as is" condition.

Dated this 20th day of March, 2014

Transfer's Name (Printed) Timothy W. Coffey, Independent Executor of the estate of William R (WR) Coffey	Receiver's Name (Printed) L and T Waterworks, LLC - Curtis Logan <i>CURTIS Logan</i>
Transfer's Signature: <i>Timothy W. Coffey</i>	Receiver's Signature: <i>CURTIS Logan</i>
Address: P O Box 423	Address: 1560 ACR 485
City/State/Zip Centerville, TX 75833	City/State/Zip Palestine, TX 75833
Phone: 903-536-7200	Phone: 903-477-0501

TRANSFER OF WATER SYSTEM

I, Timothy W. Coffey, Independent Executor of the estate of William R (WR) Coffey (owner), in consideration as a Transfer only, do hereby transfer and convey to L and T Waterworks, LLC Curtis Logan (Receiver), the following described item:

Athens Water System - Henderson County, Texas

I, the undersigned, do transfer the above described Water System to the Receiver as a Transfer Only shown and certify that all the information provided in the Transfer is true and accurate to the best of my knowledge.

I, the undersigned, Receiver, acknowledge receipt of this transfer and understand there is no guarantee or warranty, expressed or implied, with respect to the above described Water System. It is also understood that the above described is transferred "as is" condition.

Dated this 20th day of March, 2014

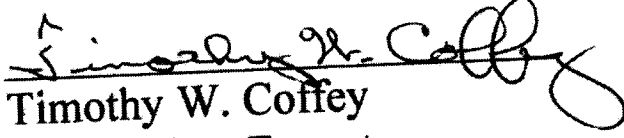
Transfer's Name (Printed) Timothy W. Coffey, Independent Executor of the estate of William R (WR) Coffey	Receiver's Name (Printed) L and T Waterworks, LLC - Curtis Logan <i>Curtis Logan</i>
Transfer's Signature: <i>Timothy W. Coffey</i>	Receiver's Signature: <i>Curtis Logan</i>
Address: P O Box 423	Address: 1560 ACR 485
City/State/Zip Centerville, TX 75833	City/State/Zip Palestine, TX 75833
Phone: 903-536-7200	Phone: 903-477-0501

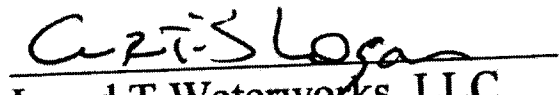
Athens Water System

P.O. BOX 423
CENTERVILLE, TX. 75833
(903) 536-7200
FAX: (903) 536-3421

March 20, 2014

I, Timothy W. Coffey, Independent Executor for the estate of William R. (W.R.) Coffey, agree to the transfer of Athens Water System, RN#101243624, CN#600708051, CCN#12993 to L and T Waterworks, LLC - Curtis Logan, Owner.


Timothy W. Coffey
Independent Executor
for the estate of
William R. (W.R.) Coffey


L and T Waterworks, LLC
Curtis Logan, Owner

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



91 7108 2133 3935 2003 7933

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 10, 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:

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:

- 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 Financial Review Team 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

Mr. Curtis D. Logan
Page 2
July 10, 2014

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.

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 Utilities Financial Review Team of changes in the financial, managerial, or technical information provided in the application.

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,



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

CM/DRT/mmg

**** Transmit Conf. Report ****

P.1

Jul 10 2014 9:55

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919035363421	NORMAL	10, 9:55	1'03"	3	* O K	

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

Fax: 512-239-6972
 Phone: 512-239-4683
 Division : Texas Commission on Environmental Quality
 From: Debbie Reyes Tamayo
 Water Supply Division



STM Checklist

Applicant: L&T Waterworks & Athens Land Company

Application No.: 37827-S

§13.301(a)	Was written application filed on or before the 120 th day before the effective date of a sale? Yes	Date verified: 06/30/14
Description: The application was filed on 12/23/13 and accepted for filing on 05/22/14.		
§13.301(a)	Was proper public notice provided? Yes.	Date verified: 06/30/14
Date(s): May 09, 2014		
Waivers: N/A.		
Additional notice required for amendment: No		
All appropriate entities notified: Yes, see letter dated 05/09/14.		
§13.301(b)	Does the purchaser have adequate FMT to provide continuous and adequate service to the requested area and any areas currently certificated to that person? Yes.	Date verified: 06/30/14
Description: See FM memo dated 05/30/14.		
Description of qualifications: The operator of and owner of L and T Waterworks, LLC Curtis D Logan has 20 years of working in the water field. He was the operator of WR Coffey dba Athens Land and Company. He is receiving this system at no cost from the estate of William R Coffey. Mr. Logan has been working in the surface water and ground water filed for 20 years. He worked for the City of Athens for 17 years, Poynor Water Supply for 16 years, and currently works for the City of Palestine going on 4 years. Mr. Logan is obtaining the system for \$0.00. L and T waterworks projected assets total \$320,000 and liabilities total \$0.00. Annually net income is projected to be approximately \$18,000 for the next 5 years. Additionally for initial cash flow purposes Mr. Logan will fund the system if necessary from this monthly income of \$2,324.60 for services provided to the City of Palestine as well as from his livestock business which generates approximately \$32,000 a year. The buyer Curtis Logan holds a Class B-Groundwater License.		
Description of any plans for improvements: The application identifies the improvements needed by starting up capital and monthly income.		
§13.301(c)	Is a bond or other financial assurance required to ensure continuous and adequate service? No.	Date verified: 06/30/14
Description: See FM memo dated 05/30/14.		
§13.301(d)	Will the transaction serve the public interest? Yes.	Date verified: 06/30/14
Is the applicant willing to make improvements? NA		
Description: The transaction is due to the death of William R WR Coffey and the heirs need the transfer completed.		
§13.301(e)	Does the purchaser or any affiliate of the purchaser have a history of noncompliance with the requirements of the commission within the past 5 years? See Below	Date verified: 06/30/14
Description: The Athens Water System COOP was sent a letter with date of May 10, 2013 with outstanding alleged violations: 465935, 499942, 499949, and 499950. They were to submit a compliance plan by June 10, 2013, with proposed actions of the corrections. See May 10, 2013, letter. A response was sent by Tim Coffey with date of June 4, 2013. TCEQ conducted a file review on June 18, 2014, stating all alleged violations were resolved. A letter of July 2, 2014, will be available in the file. See Compliance Summary.		
Any active enforcement actions? No. N/A		
Date of previous enforcement orders: N/A		
Penalties: N/A.		
In compliance with previous orders? N/A		

§13.301(e)	Does the purchaser or any affiliate of the purchaser have a history of continuing mismanagement or misuse of revenues as a utility service provider? No.	Date verified: 06/30/14
Description: N/A.		
§13.301(j)	If applicable, has the seller made a written disclosure to the purchaser related to customer contributions in aid of construction derived from specific surcharges? N/A	Date verified: 06/30/14
Description: N/A		
If applicable, have protestants' concerns been addressed by letter from the staff or utility? N/A. No protests were received.		Date verified: 06/30/14
Names of protestants: N/A		
Description of protests: N/A		
Protestants included on mailing list? N/A.		
Have any customer deposits been accounted for? N/A. This utility does not require deposits from its customers		Date verified: After sale
Have all tariff issues including rates, tap fees and service rules/extension policy language been resolved?		Date verified:
Description: N/A		Date tariff was stamped approved: Pending
If entity is a WSC, is most recent version of tariff on file? N/A		Date WSC tariff was received: N/A.
§13.132	Does the applicant have a current Annual Report on file? No. This is a new applicant requesting to obtain the CCN from Athens Land Company.	Date verified: 06/30/14
Description: N/A		Date annual report was received: N/A
Do any of the systems being transferred have violations that need to be corrected? See Compliance Summary.		Date verified: 06/30/14
If the purchaser is a corporation, is it in good standing with the State Comptroller? Purchaser is not a corporation.		Date verified: 06/30/14
Have all TCEQ Fees and penalties and any laboratory fees owed by either the seller or purchaser been paid? Yes. None owed.		Date verified: 06/30/14
What are the terms of the sale? L and T waterworks, LLC has applied to acquire the facilities and transfer the CCN 12993. The transfer is to better serve the customers. The asset purchase agreement is for :		Date verified:
Sales price:		
# of customers affected:		
Original cost of plant being transferred: Unknown		
Accumulated depreciation: N/A		
Date of closing:		
If facility being transferred is a wastewater treatment system, has the applicant requested a transfer of the wastewater discharge permit? N/A This is for water only.		Date verified: 06/30/14
Miscellaneous information: Na		Date verified: 06/30/14
Is the system under the jurisdiction of a city (if yes, name the city)? No.		
Is the seller's CCN being canceled? No. This new operator L and T waterworks, LLC, will obtain the original CCN 12993 in this application.		

	<p>If applicable, the staff person must send an email to Central Registry requesting them to link the appropriate CCN, CN and RN numbers. The email should be addressed to Karen Young with a copy to Bernadette Segala and say WUD Priority in the subject line. If these numbers are not linked appropriately, the Chief Clerk's Office will not be able to accept the application for posting and the file will be returned to our program area. This will cause a delay in the getting the final order and CCN(s) signed.</p>	<p>Date verified: Will need to come back for this..</p>
<p>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</p> <p>CN: 600708051; RN: 101243624 (WR Coffey dba Athens Land Comapny) CN: 604520673; RN: 107111874 (Curtis D. Logan dba L and T Waterworks, LLC)</p> <p>After sales documents:</p> <p>A2017 will be changed to CCN 12993.</p>		

COMPLIANCE SUMMARY:

(Please create a general description for every water and/or wastewater system being transferred)

Name of Water System: Athens Water System COOP
PWS: 1070235
Inspection Date: February 23, 2011

A notice of violation for the compliance evaluation investigation was issued by letter dated May 10, 2013. After further review by TCEQ Athens Water System COOP was informed by letter e-mail stating adequate compliance documentation was received resolving the alleged violations from Angela Hicks of TCEQ Tyler Region: See attached.

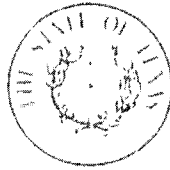
Signed: _____ Date: _____

Will sign after changes

Debin 9/3-14



Aryan 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

July 2, 2014

CERTIFIED MAIL 91 7199 9991 7031 8548 4527
RETURN RECEIPT REQUESTED

Mr. W.R. Coffey, Owner
Athens Water System COOP
PO Box 423
Centerville, TX 75833

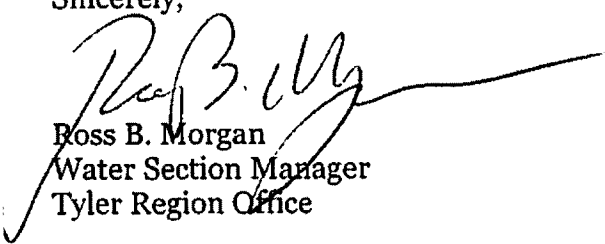
Re: Notice of Compliance with Notice of Violation (NOV) dated May 10, 2013
Athens Water System COOP, V.F. Holland Survey, A324, Lots 42B and 43, (Henderson
County), Texas, RN101281855, TCEQ Additional ID 1070235, Investigation No. 1177369

Dear Mr. Coffey:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) Tyler Region Office has received adequate compliance documentation on June 7, 2013, to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on March 11, 2013. Based on the information submitted, TCEQ records indicate that compliance with the above-reference NOV has been achieved.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Angela Hicks in the Region 5-Tyler Office at (903) 535-5122.

Sincerely,


Ross B. Morgan
Water Section Manager
Tyler Region Office

RBM/ALH

Enclosures: Summary of Investigation Findings

