

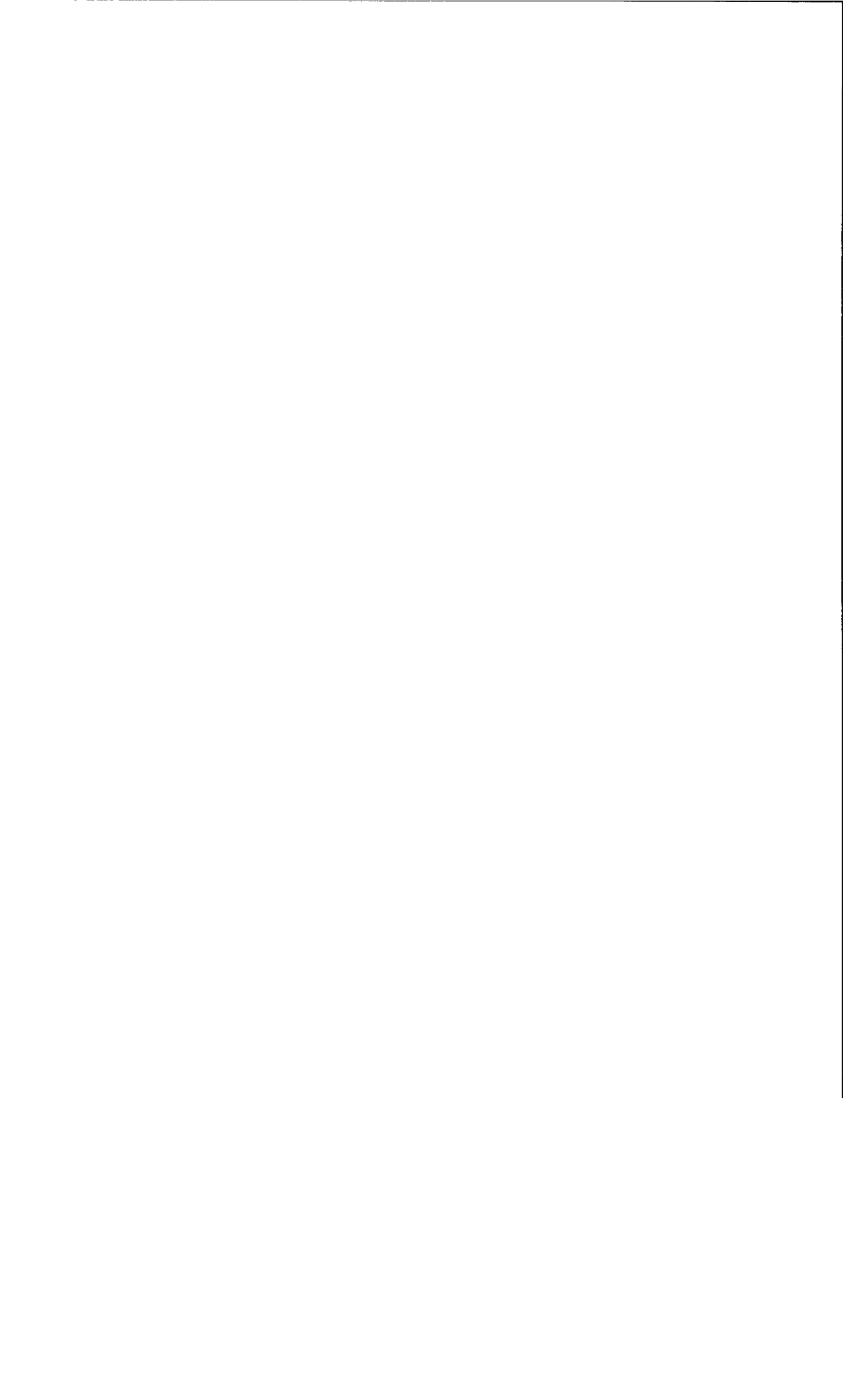
Control Number: 43002



Item Number: 10

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*



43002

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UTILITY COMMISSION
FILING CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 10, 2014

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. 12919 held by W.R. Coffey dba Moody Land Company in Freestone County; Application No. 37827-S

CN: 604520619: RN: 107111874 (Curtis D. Logan L and T Waterworks, LLC)
CNL 600708051: RN: 101240976 (W.R. Coffey dba Moody Land Company)

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 documents:

- 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, 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 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.

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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, 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,



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

CM/DRT/mmg