



Control Number: 43030

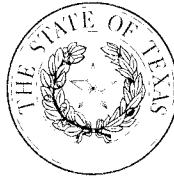


Item Number: 2

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*



43030

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 14, 2014

**BY FAX TO 903/785-0308 AND BY
BY CERTIFIED MAIL**

Mr. Michael J. Donnan, P.E.
4445 S.E. Loop 286
Paris, TX 75460

NOTICE OF DEFICIENCY

Re: Application from the City of East Tawakoni, P0513, to Obtain a Certificate of Convenience and Necessity (CCN) in Hunt and Rains counties; Application No. 37784-C

CN: pending; RN: pending

Dear Mr. Donnan:

The Texas Commission on Environmental Quality (Commission) received the above referenced application on November 8, 2013. A Notice of Deficiency (NOD) letter was sent on December 13, 2013, requesting a notarized oath and a complete neighboring utility list. The deadline to submit these items was January 13, 2014. As of this date, the items requested have not been received. Therefore, the Commission is returning the application.

This letter is to notify you that the application has been administratively closed. The original application will be retained in the Commission's record services official file under Registration Number P0513 for reference purposes only. We have enclosed a copy of the application for your records.

If you have any questions, please contact Ms. Christine Mester at 512/239-2788 or by email at christine.mester@tceq.texas.gov. If by mail, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tammy Benter".

Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

TB/CM/mmg

Enclosures: as stated

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

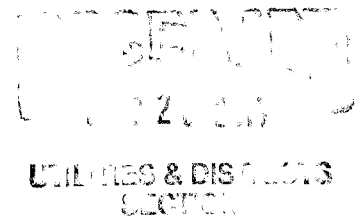
How is our customer service? tceq.texas.gov/customersurvey

printed on recycled paper using vegetable-based ink

RECEIVED
2014 SEP 11 AM 9:33
PUBLIC UTILITY COMMISSION
FILING CLERK

2

ATTACHMENT 1



2. B. Need for Service

2. B. i. The city has received three recent requests for water service in the requested CCN area. Both requests were in areas where service is currently being provided. Service has been provided to both of these properties. With East Tawakoni being located on Lake Tawakoni and being a reasonable commute to Rockwall, Mesquite, Greenville, Sulphur Springs, and other nearby cities families are relocating. The recent economic recession has significantly slowed the number of families relocating. However, this trend will reverse as the economy improves. Additionally, commercial growth will accompany the residential growth. The names and addresses of families recently relocating and requesting water service are listed below.

Christina Teel, 180 Seminole Trail, East Tawakoni, Texas 75080

Eddie Gray, 349 RCR 1605, East Tawakoni, Texas 75080

The third request was in an area where service is not currently provided. A developer is considering buying land to build residential homes. No further inquiry has been made by the developer.

2. B. ii. For each of the three requests residential home construction was creating the economic need. There are several platted but undeveloped residential areas within the requested CCN area. There is also available property proximate to developed areas. All of this property is a short distance from Lake Tawakoni. The residential growth will also bring commercial development, which will likely occur in areas that have existing water service. During the recent economic recession development has significantly slowed. However, with the economic recession fading the developers and individual land owners will return.

2. B. iii. The quality of ground water is unreliable making drilling a well undesirable. Water service in the unserved areas of the requested CCN area would eliminate the need for land owners to use well water.

2. B. iv. Copies of the two written requests are attached (Attachment 1A). The request for service in an area not currently served was a verbal request.

2. B. v. There are no known reports or market studies demonstrating existing or anticipated growth. There are factors that indicate that growth can be anticipated in the proposed service area. The "two mile bridge" across Lake Tawakoni along SH 276 from West Tawakoni to East Tawakoni is currently being replaced. The replacement of the "two mile bridge" and the associated improvements to SH 276 will make this area even more attractive for development and will be significant factors in encouraging residential and commercial growth in the requested CCN area.

**This Page Filed
Confidential**

2 pages



APPLICATION TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

*CN# 600633432

*RN# 101387058

*If known (See Instructions)

PURPOSE OF THIS APPLICATION

☒ OBTAIN ☒ New Water CCN ☐ New Sewer CCN

☐ AMEND ☐ Water CCN# (s) _____

☐ AMEND ☐ Sewer CCN#(s) _____

1. APPLICANT INFORMATION

Utility Name City of East Tawakoni

Utility Address (City/ST/ZIP/Code) 288 Briggs Blvd., East Tawakoni, Texas 75472

Utility Phone Number and Fax 903-447-2444 / 903-447-5080

Contact Person: Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant manager, or other title related to the applicant.

Name Michael J. Donnan, P. E.

Title Principal / Project Manager
Hayter Engineering, Inc.

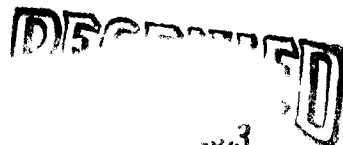
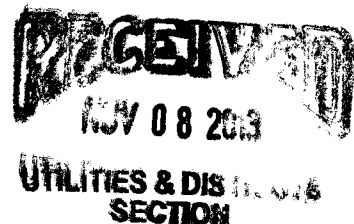
Street Address (City/ST/ZIP/Code) 4445 S.E. Loop 286, Paris, Texas 75460

Telephone and Fax 903-785-0303 / 903-785-0308

E-Mail Address mdonnan@haytereng.com

County (ies) in which service is proposed: Please list below:

Rains County
Hunt County



UTILITIES & DISTRICTS
SECTION

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

- ☐ Investor owned utility ☐ Individual ☐ Partnership
- ☐ Home or Property Owners Association ☐ For-profit corporation
- ☐ Non-profit, member-owned, member-controlled cooperative corporation
(Water Code Chapter 67, Water Supply or Sewer Service Corporation)
- ☒ Municipality ☐ District ☐ Other Please Explain:

If the applicant is a For-Profit business or corporation, please include the following information: **NA**

- i. Provide a copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts.
- ii. Provide the corporation's charter number as recorded with the Office of the Texas Secretary Of State _____
- iii. Provide a listing of all stockholders and their respective percentages of ownership.
- iv. Provide a copy of the company's organizational chart, if available.
- v. Provide a list of all directors and disclose the title of each individual.
- vi. Provide a list of all affiliated organizations (if any) and explain the relationship with the applicant.

If the applicant is a Water Code Chapter 67 water supply or sewer service corporation: **NA**

- i. Provide a copy of the Articles of Incorporation and By-Laws.
- ii. Provide the corporation's charter number as recorded with the Office of the Texas Secretary of State.
- iii. Identify all members including name, address, title, and telephone number.
- iv. Provide a copy of the corporation's Certificate of Account Status from the Texas Comptroller of Public Accounts.

2. LOCATION INFORMATION

- A. Are there people already living in the proposed area? ☒ Yes ☐ No
If YES, are any currently receiving utility service?
☒ Yes ☐ No If YES, from Whom:

City of East Tawakoni or private wells.

Demonstrate the Need for Service by providing the following:

- B. Have you received any requests for service in the requested service area?
☒ Yes ☐ No If YES, provide the following:
- Describe the service area and circumstances driving the need for service in the requested area. Indicate the name(s) and address(es) of landowner(s), prospective landowner(s), tenant(s), or resident(s) that have requested service; and/or **See Attachment 1**
 - Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, septic tank permits, hospitals, etc.); and/or **See Attachment 1**
 - Discuss in detail the environmental need(s) for service in the requested area (i.e. failing septic tanks in the requested area, fueling wells, etc.); and/or **See Attachment 1**
 - Provide copies of any written applications or requests for service in the requested area; and/or **See Attachment 1A**
 - Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area. If no, please justify the need for service in the proposed area. **See Attachment 1**
 - If none of these items exist or are available, please justify the need for service in the proposed area in writing.

Note: Failure to demonstrate a need for additional service in the proposed service area may result in the delay and /or possible denial of the application.

- C. Is any portion of the proposed service area inside an incorporated city or district? ☒ Yes ☐ No

If YES, within the corporate limits of: City of East Tawakoni

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

NA - City of East Tawakoni is applicant.

D. Is any portion of the proposed service area inside another utility's CCN area?

☐ Yes ☒ No

If YES, has the current CCN holder agreed to decertify the proposed area?

☐ Yes ☐ No

If NO, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest.

NA – No overlap of service areas.

3. MAP REQUIREMENTS:

Attach the following hard copy maps with each copy of the application:

- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
See Attachment 2
- B. A map showing only the proposed area by:
- metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or **See Attachment 3**
 - following verifiable natural and man-made landmarks; or
 - a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area. **See Attachment 4**
- D. Provide separate and additional maps of the proposed area(s) to show the following:
- all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
 - any facilities, customers or area currently being served outside the applicant's certificated area(s).

See Attachment 5A, 5B & 5C

Note: Failure to provide adequate mapping information may result in the delay or possible denial of your application. Digital data submitted in a format other than ESRI ArcGIS may result in the delay or inability to review applicant's mapping information.

4. NEW SYSTEM INFORMATION OR UTILITIES REQUESTING A CCN FOR THE FIRST TIME

- A. Please provide the following information: **See below**
- a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
 - copies of written requests seeking to obtain service from each of the public drinking water systems or sewer systems listed in #4.A.i above or documentation that it is not economically feasible to obtain service

- from each entity;
- iii. copies of written responses from each system or evidence that they did not reply; and
- iv. for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
- B. Were your requests for service denied? **See below**
 - i. If yes, please provide documentation of the denial of service and go to 4.C.
 - ii. If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separate analysis must be prepared and submitted for each utility that granted your request for service.

C. Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any: **See below**

A.i. City of West Tawakoni, Cash SUD, South Rains WSC, and City of Point.

A. ii. NA – Existing water system requesting a CCN for first time.

A.iii. NA – Existing water system requesting a CCN for first time.

A.iv. NA – Water system.

B.i. NA – Existing water system requesting a CCN for first time.

B.ii. NA – Existing water system requesting a CCN for first time.

C. Water service is available in a majority of the proposed CCN area. In those remaining areas where service is not available system expansion/construction would take place on a case by case basis as residential or commercial developers or individual property owners request service. The requesting party would be required to participate in the capital cost of the expansion.

D. Date of plat approval, if required: NA – Existing water system requesting a CCN for first time.

Approved by: _____

E. Date Plans & Specifications submitted for approval: NA – Existing water system requesting a CCN for first time.

Log # _____ Attach copy of approval letter if available.

F. Date construction is scheduled to commence: NA – Existing water system requesting a CCN for first time.

G. Date service is scheduled to commence: Service is currently being provided.

5. EXISTING SYSTEM INFORMATION

A. Please provide the following information for each water and/or sewer system, attach

additional sheets if necessary.

i. Water system's TCEQ Public Water System identification number(s):

1 9 0 0 0 1 1 ; 1 1 6 0 0 4 8 ;

ii. Sewer system's TCEQ Discharge Permit number(s)

W Q 1 1 4 2 8 - 0 0 1 ; W Q -

W Q - ; W Q -

W Q - ; W Q -

iii Date of last inspection: 9-9-2013

iv Attach a copy of the most recent inspection report letter.

See Attachment 6

v For each system deficiency listed in the inspection report letter; attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates.

NA

B. Provide the following information about the utility's certified operators

Name	Classes	License Number
Robert White	C - Surface	WS0000113

- Attach additional sheet(s) if necessary -

C. Using the current number of customers, is any facility component in systems named in #5A above operating at 85% or greater of minimum standard capacity?

☐ Yes ☒ No

Attach an explanation listing the actions to be taken to make system improvements including proposed completion dates (See 291.93(3)(A) of TCEQ Rules). **NA – Not at 85% or greater of minimum standard capacity.**

D. In the table below, the number of existing and/or proposed metered and non-metered connections (by size). The proposed number should reflect the information presented in the business plan or financial documentation and reflect the number of service requests identified in Question 2.b in the application.

Water System	Sewer System - NA
--------------	-------------------

Water System			Sewer System - NA		
Connection	Existing	Proposed	Connection	Existing	Proposed
5/8" or 3/4" meter	850		Residential		
1" meter or larger	3		Commercial		
Non-Metered	0		Industrial		
Other:	0		Other:		
Total Water	853	0	Total Sewer		

- E. If this application is for a water CCN only, please explain how sewer service is or will be provided:

The City of East Tawakoni provides sewer service within the city limits. Sewer service outside the city limits is provided on an individual basis by each property owner.

- F. If this application is for a sewer CCN only, please explain how water service is or will be provided:

NA - Application is not for a sewer CCN.

- G Effect of Granting a Certificate Amendment.
Explain in detail the effect of granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following:
- i the applicant,
 - ii any retail public utility of the same kind already serving the proximate area; and
 - iii any landowner(s) in the requested area.

See Attachment 7

- H. Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?

- i ☐ No, (skip the rest of this question and go to #6)
- ii ☒ Yes, Water

Purchased on a ☒ Regular ☐ Seasonal ☐ Emergency basis?

Source	% of Total Treatment
City of Emory Water Plant	25

- iii Sewer treatment capacity,

- iv ☐ Yes

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Source	% of Total Treatment
NA - East Tawakoni has sewer plant	

- vi Provide a signed and dated copy of the most current water or sewer treatment capacity purchase agreement or contract.

See Attachment 8

I. Ability to Provide Adequate Service. See Attachment 9

Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration:

- i. the current and projected density, and
- ii. the land use of the requested area.

J. Effect on the Land.

Explain the effect on the land to be included in the certificated area.

There is no significant anticipated impact on land use in the proposed certified area. Waterlines have been sized to support existing customers and the modest projected growth, but not sized to encourage subdivisions or to induce development. Therefore, other than in the established residential additions, low to moderate customer densities are anticipated, with much of the land remaining agricultural.

6. FINANCIAL INFORMATION

A. For new systems and for applicants with existing CCNs who are constructing a new stand alone system:

- i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system, and the source of that capital (such as a financial statement for the developing entity) for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from

- the existing system for the same period.
 - ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates should correlate to the projected growth in connections, shown on the projected profit and loss statement.
 - iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets. **NA – See Attachment 10**
 - B. For existing systems:
 - i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
 - ii. Attach a proposed rate schedule or tariff.
★NOTE: An existing system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application. **See Attachment 10**
 - C. Identify any funds you are required to accumulate and restrict by lenders or capital providers. **See Attachment 10**
 - D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.
Financial Audit attached - See Attachment 10

Note: Failure to provide adequate financial information may result in the delay or possible denial of your application.

7. NOTICE REQUIREMENTS

- A. All proposed notice forms must be completed and submitted with the application. However, do not mail or publish them until you receive written approval from the Commission to do so.
- B. The Commission cannot grant a CCN until proper notice of the application has been given. **Commission rules do not allow a waiver of these notice requirements for CCN applicants.**
- C. **It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.**
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more, and customers are included with this application to use in preparing your proposed notices. (These notice forms are also available in Spanish upon request.) **See Attachment 11 for list of land owners**
- E. After reviewing and, if necessary, modifying the proposed notice, the Commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully and note any additional neighboring utilities which may be included in the acceptance letter.
- F. Notice For Publication:
The applicant shall publish the notice in a newspaper having general circulation in

the county or counties where a CCN is being requested, once each week for two consecutive weeks beginning with the week after the notice is received from the Commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the Commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.

G. Notice To Neighboring Utilities:

- i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area.
- ii. For applications for the issuance of a **NEW** CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **five (5) miles** of the requested service area.

See Attachment 12 for list of entities

- iii. For applications for the **AMENDMENT** of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **two (2) miles** of the requested service area. **NA**

H. Notice to Customers

Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application. The notice must also list all zip codes affected by the application. **NA**

- I. The Commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the Commission. Wait until you receive written authorization to do so. This will occur after the Commission has reviewed the notices for completeness, and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public. It is the applicant's burden to ensure that correct and accurate notice is provided.

OATH

STATE OF TEXAS
COUNTY OF HUNT & RAINS

I, Johnnie LaPrade, being duly sworn, file this application as Mayor (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Commission on Environmental Quality.

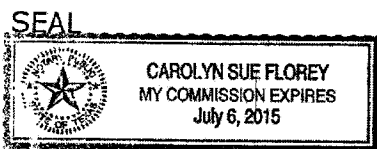
I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.

Johnnie LaPrade, Mayor
AFFIANT
(Utility's Authorized Representative)

If the Affiant 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, a Notary Public in and for the State of Texas,
This day 21 of JANUARY 20 14



Carolyn Sue Florey
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

CAROLYN SUE FLOREY
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES 7-6-2015

Notice for Publication

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

Name of Applicant The City of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hunt and Rains County(ies).

The proposed utility service area is located approximately 3 & 2 miles North & east
[direction] of downtown East Tawakoni, Texas, and is
generally bounded on the north by the Cash SUD CCN boundary; on the east by
Cedar Cove; on the south by Lake Tawakoni; and on the west by Lake Tawakoni

See enclosed map of the proposed service area.

The total area being requested includes approximately 332 acres and 853
current customers.

The proposed amendment affects customers and/or areas located in the following zip
code(s):

75472

(List All Affected Zip Codes)

A copy of the proposed service area map is available at (Utility Address and Phone
Number): City Hall, 288 Briggs Blvd., East Tawakoni 75472 / 903-447-2444

A request for a public hearing must be in writing. You must state (1) your name, mailing
address, and daytime telephone number; (2) the applicant's name, application number or
another recognizable reference to this application; (3) the statement, "I/we request a
public hearing"; (4) a brief description of how you or the persons you represent, would be
adversely affected by the granting of the application for a CCN; and (5) your proposed
adjustment to the application or CCN which would satisfy your concerns and cause you to
withdraw your request for a hearing.

Persons who wish to intervene or comment 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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

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

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

To: Cash SUD Date Notice Mailed 20
(Neighboring System, Landowner or City)

P.O. Box 8129
(Address)
Greenville, Texas 75404
City State Zip

Name of Applicant City Of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hunt and Rains County(ies).

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Cedar Cove; on the south by Lake Tawakoni; and on the west by Lake Tawakoni

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75472

(List All Affected Zip Codes)

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

To: City of Point Date Notice Mailed 20
(Neighboring System, Landowner or City)

365 North Locust Street
(Address)
Point, Texas 75472
City State Zip

Name of Applicant City Of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hunt and Rains County(ies).

The proposed utility service area is located approximately 3 & 2 miles North & east
[direction] of downtown East Tawakoni, Texas, and is
generally bounded on the north by the Cash SUD CCN boundary; on the east by
Cedar Cove; on the south by Lake Tawakoni; and on the west by Lake Tawakoni

See enclosed map of the proposed service area.

The total area being requested includes approximately 332 acres and 853
current customers.

The proposed amendment affects customers and/or areas located in the following zip
code(s):
75472

(List All Affected Zip Codes)

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

To: City of West Tawakoni Date Notice Mailed 20
(Neighboring System, Landowner or City)

1533 E. Hwy 276
(Address)
West Tawakoni, Texas
75474
City State Zip

Name of Applicant City Of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
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Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

To: Combined Consumers SUD Date Notice Mailed 20
(Neighboring System, Landowner or City)

P.O. Box 2829
(Address)
Quinlan, Texas 75474
City State Zip

Name of Applicant City Of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hunt and Rains County(ies).

The proposed utility service area is located approximately 3 & 2 miles North & east
[direction] of downtown East Tawakoni, Texas, and is
generally bounded on the north by the Cash SUD CCN boundary; on the east by
Cedar Cove; on the south by Lake Tawakoni; and on the west by Lake Tawakoni

See enclosed map of the proposed service area.

The total area being requested includes approximately 332 acres and 853
current customers.

The proposed amendment affects customers and/or areas located in the following zip
code(s):
75472

(List All Affected Zip Codes)

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

To: Macbee SUD Date Notice Mailed 20
(Neighboring System, Landowner or City)

P.O. Box 780

(Address)
Wills Point, Texas 75169

City State Zip

Name of Applicant City Of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the

(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hunt and Rains County(ies).

The proposed utility service area is located approximately 3 & 2 miles North & east
[direction] of downtown East Tawakoni, Texas, and is
generally bounded on the north by the Cash SUD CCN boundary; on the east by
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The proposed amendment affects customers and/or areas located in the following zip
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75472

(List All Affected Zip Codes)

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Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

To: South Rains SUD Date Notice Mailed 20
(Neighboring System, Landowner or City)

P.O. Box 95
(Address)
Emory, Texas 75440
City State Zip

Name of Applicant City Of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hunt and Rains County(ies).

The proposed utility service area is located approximately 3 & 2 miles North & east
[direction] of downtown East Tawakoni, Texas, and is
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Cedar Cove; on the south by Lake Tawakoni; and on the west by Lake Tawakoni

See enclosed map of the proposed service area.

The total area being requested includes approximately 332 acres and 853
current customers.

The proposed amendment affects customers and/or areas located in the following zip
code(s):
75472

(List All Affected Zip Codes)

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO
PROVIDE WATER/SEWER UTILITY SERVICE IN
HUNT AND RAINS COUNTY(IES), TEXAS

To: South Tawakoni WSC Date Notice Mailed 20
(Neighboring System, Landowner or City)

P.O. Box 485
(Address)
Wills Point, Texas 75169
City State Zip

Name of Applicant City Of East Tawakoni has filed an application
to obtain a water utility service CCN. NA and to
decertify a portion(s) of NA with the
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Hunt and Rains County(ies).

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(List All Affected Zip Codes)

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Persons who wish to intervene or comment 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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

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

Checklist for Obtaining or Amending a CCN

Name of Application City of East Tawakoni

Administrative Review #A - 028 - 14

Application Number (s) 37869-C

Date TCEQ Received Application 2/26/14

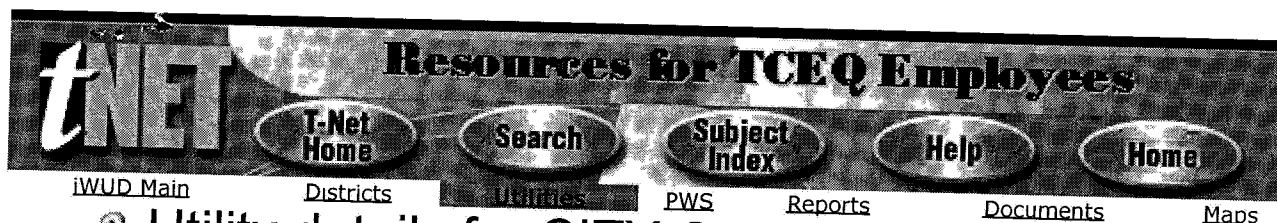
Date Assigned to program area 3/17/14

County(s) Rains & Hunt

Purpose of Application:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Obtain New Water CCN
Temporary CCN# A <u>2184</u> | <input type="checkbox"/> Obtain New Sewer CCN
Temporary CCN# A _____ |
| <input type="checkbox"/> Amend Water CCN # _____ | <input type="checkbox"/> Amend Sewer CCN # _____ |
| <input checked="" type="checkbox"/> Account Fees due <u>no</u> | <input checked="" type="checkbox"/> Regulatory Assessment Fees due <u>no</u> |
| <input type="checkbox"/> Attach a copy of CN and RN from WUD | |
| <input checked="" type="checkbox"/> Not on file with Central Registry. Core Data Form Needed. | |
| <input type="checkbox"/> Original and three copies of application received | |

J:\UDS\Utilities Forms and Checklists Admin Review\CCN.doc



? Utility details for CITY OF EAST TAWAKONI (A2184)


Affiliations


Documents


Site Visits


Schedules

Responsible Party

Organization: CITY OF EAST TAWAKONI

Address: 288 BRIGGS BLVD

POINT , TX 75472-7140

Customers

Reference Number

CN600633432

Name

CITY OF EAST TAWAKONI

Role

RESPONSIBLE PARTY

Official Address / Phone

Address: 288 BRIGGS BLVD

EAST TAWAKONI , TEXAS 75472-7140

Telephone: (903) 447-2444

Properties

CR Regulated Entity Number: RN101186575

CCEDS Status: NO ACTIVE NOE EXISTS

Utility Type: WATER UTILITY

Ownership Type: MUNICIPALITY

Primary County: RAINS

County Code: 190

Comments

**Comment
Date**

Text

**Staff
Name**

04/30/2008

TO OBTAIN A PORTION OF COMMUNITY WATER COMPANY, CCN 10534. THE CITY DOES NOT WISH TO OBTAIN A CCN FOR THIS AREA, BUT WILL BE PROVIDING SERVICE TO THE TRANSFERRED PORTION AS A RESULT OF THIS TRANSACTION

Occurrences retrieved.

PWS for this Utility

PWS Name

PWS ID

Status

District(Number)

CITY OF EAST TAWAKONI
ROLLING HILLS CEDAR COVE

1900011
1160048

A
M

Water System occurrences retrieved.

Counties

Code	County Name	Primary
116	HUNT	N
190	RAINS	Y

Activity

Activity Status: **ACTIVE**

Start Date: **02/02/2007**

End Date: **12/31/9999**

Activity Date: **02/02/2007**

[Run Utility Cases Report](#)
[Run Utility Summary Report](#)
[Show Map](#)

Utility successfully retrieved.

For questions or comments regarding information on this page, contact the
[TCEQ iWUD Web Manager](#)

Version V2.7.0

HAYTER ENGINEERING, INC.
TBPE #F000315 ; P: 903-785-0303; F: 903-785-0308
TO: Christine Mester
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087, Austin, Texas 78711-3087

LETTER OF TRANSMITTAL
DATE: February 24, 2014
RE: CCN Application - City of East Tawakoni
TDA No.: na
HEI Project No.: 228015-720

WE ARE SENDING YOU

☒ Attached

☐ Under separate cover via _____ the following items:

☐ Submittals

☐ Blueprints

☐ Samples

☐ Report

☐ Change Order

☐ Letter

☐ Drawings

☐ Literature

☐ Cost Estimates

☐ Test Reports

☐ Contracts

☐ Specifications

☐ O & M Manual

☐ Contractors Pay Request

☒ Other See below

COPIES	DESCRIPTION
1	Original CCN Application

THESE ARE BEING SENT:

☐ At your request

☒ Per our conversation

☐ At request of _____

☐ Per contract

☐ For review and comment

☐ For _____

☐ For your information

☐ For your signature

☐ For further action as noted

☐ For your approval

☒ For your use

REMARKS: Christine – Per our phone conversation on Friday I'm returning the original application so you can insert the requested information that I previously emailed you so that the application process can be re-opened.

I very much appreciate your cooperation in re-opening the application process.

Please let me know if you need anything else from me.

Copy to:

Signed:

Michael J. Donnan

Michael J. Donnan, P.E.

Project Manager/Principal

OATH

STATE OF TEXAS
COUNTY OF HUNT & RAINS

I, Johnnie LaPrade, being duly sworn, file this application as Mayor (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Commission on Environmental Quality.

I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.

AFFIANT
(Utility's Authorized Representative)

If the Affiant 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, a Notary Public in and for the State of Texas,
This day _____ of _____ 20 13

SEAL

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES _____

OVERSIZED DOCUMENT(S)

TO VIEW

OVERSIZED DOCUMENT(S)

PLEASE GO TO

CENTRAL RECORDS

(512) 936-7180

Attachment 3

OVERSIZED DOCUMENT(S)

TO VIEW

OVERSIZED DOCUMENT(S)

PLEASE GO TO

CENTRAL RECORDS

(512) 936-7180

Attachment 4

ATTACHMENT 4

3. C. WRITTEN DESCRIPTION OF PROPOSED SERVICE AREA

The proposed service area begins on FM 513 2.67 miles north of the intersection of SH 276 and FM 513 following FM 513. From this point the boundary extends west to Lake Tawakoni and then proceeds south along FM 513 taking in the area between FM 513 and Lake Tawakoni. Next following FM 513 to a point 0.33 miles north of the intersection of SH 276 and FM 513 the area continues between FM 513 and Lake Tawakoni but the boundary also extends east from FM 513 to County Road (CR) 1605, taking in the area to the south. Next the boundary extends along CR 1605 south to a point 0.05 miles north of the intersection of CR 1605 and SH 276 taking in the area west of CR 1605. From this point the boundary extends east to Lake Tawakoni then following the water's edge of Lake Tawakoni north and east to a property line directly across from the previous property line following this property line east taking in the area south to Lake Tawakoni. Then the boundary follows a property line south 2,779 feet, taking in the area west until it intersects with another property line running east. Then the boundary follows this property line east until it intersects with FM 2737, taking in the area south to SH 276. Then the boundary follows FM 2737 south to SH 276, taking in the area west of FM 2737. Next the boundary follows SH 276 west taking in the area north, then down CR 1530 (Freebridge Rd) to a property line 2,873 feet south of the intersection of SH 276 and CR 1530 (Freebridge Rd), taking in the area west to Lake Tawakoni. Then the boundary follows this property line east to Schoolhouse Branch, then following Schoolhouse Branch south to Lake Tawakoni. Next the boundary follows the water's edge of Lake Tawakoni back to the northwestern most point of the boundary.

LAKE TAWAKONI
11/20/2011
UTILITIES & DIST.
CLERK

Attachment 5A

OVERSIZED DOCUMENT(S)

TO VIEW

OVERSIZED DOCUMENT(S)

PLEASE GO TO

CENTRAL RECORDS

(512) 936-7180

Attachment 5B

OVERSIZED DOCUMENT(S)

TO VIEW

OVERSIZED DOCUMENT(S)

PLEASE GO TO

CENTRAL RECORDS

(512) 936-7180

Attachment 5C

Attachment 6

September 25, 2013

The Honorable Johnnie LaPrade, Mayor
City of East Tawakoni
288 Briggs Blvd.
East Tawakoni, TX 75472-71470

Re: Notice of Compliance for Comprehensive Compliance Investigation at:
City of East Tawakoni Public Water Supply, 288 Briggs Blvd., East Tawakoni
(Rains County), Texas, RN101387058, TCEQ ID No.: 1900011, Investigation No.:
1120329

Dear Mayor LaPrade:

On September 09, 2013, Jennifer King of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation.

The TCEQ 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 regarding these matters, please feel free to contact Ms. Jennifer King in the Tyler Region Office at (903) 535-5150.

Sincerely,

William Gibson
PWS Work Leader
Tyler Region Office

WDG/JCK

Enclosures: Summary of Investigation Findings

Texas Commission on Environmental Quality
Investigation Report
City of East Tawakoni
CN600633432

CITY OF EAST TAWAKONI

RN101387058

Investigation # 1120329

Incident #

Investigator: JENNIFER KING

Site Classification

P 251-1K CONNECTION

Conducted: 09/09/2013 -- 09/09/2013

SIC Code: 4941

Program(s): PUBLIC WATER
SYSTEM/SUPPLY

Investigation Type : Compliance Investigation

Location : SH 276 on the East side of
Lake Tawakoni, in Rains County

Additional ID(s) : 1900011

Address: ; ,

Activity Type : REGION 05 - TYLER
PWSCCIGWCM - CCI GW PURCHASE -
COMMUNITY MANDATORYPrincipal(s) :

Role	Name
RESPONDENT	CITY OF EAST TAWAKONI

Contact(s) :

Role	Title	Name	Phone
Participated in Investigation	OPERATOR	MR ROBERT WHITE	Work (903) 447-2444
Notified	OPERATOR	MR ROBERT WHITE	Work (903) 447-2444
			Cell (903) 355-8282
Regulated Entity Mail Contact	MAYOR	HON JOHNNIE LAPRADE	Fax (903) 447-5080
			Work (903) 447-2444

Other Staff Member(s) :

Role	Name
QA Reviewer	WILLIAM GIBSON
Supervisor	WILLIAM GIBSON

Associated Check List

Checklist NamePWS INVESTIGATION - EQUIPMENT MONITORING
AND SAMPLING revised 06/2013
PWS STANDARD FIELDUnit NameEQUIPMENT

CITY OF EAST TAWAKONIInvestigation Comments :

INTRODUCTION:

SYSTEM NAME: City of East Tawakoni, PWS ID No. 1900011, CCN # P0513

Status: N/A

CITY OF EAST TAWAKONI - CITY OF EAST TAWAKONI

9/9/2013 Inv. # - 1120329

Page 2 of 4

Type of System: Community (Purchase Water)
Retail Service Connections: 893

Note: 870 (residential connections) + 23 (1 apt., 1 RV park and 2 marinas) = 893
331 of the 870 from Rolling Hills Distribution

Population: 894 (2011 Census Estimation) + 993 (Rolling Hills) = 1,827

Wholesale Service Connections: none

Number of Interconnections: one air gapped connection with the City of Emory.

Participants: Mr. Robert White, Operator, Phone # (903)447 2444
Mailing Address: 288 Briggs Blvd., East Tawakoni, TX 75472

Date: Investigation was conducted on 09/09/2013

Location of Investigation: City Hall, 288 Briggs Blvd., East Tawakoni, TX 75472

Investigation Announcement: Mr. Robert White, Chief Operator, received prior notification by telephone and facsimile of the investigation by Jennifer King on August 26, 2013. An exit interview form was provided to Mr. White at the conclusion of the investigation on September 09, 2013.

PROCESS AND FACILITIES INFORMATION:

System Description: The system consists of one air gapped interconnection with the City of Emory, one master meter, two elevated storage tanks 1 X (0.075 MG) and 1 X (0.150 MG), fencing, and a distribution system with 893 retail service connections. Supply source Lake Tawakoni

BACKGROUND INFORMATION:

Note:

The City of East Tawakoni has a purchase water contract with the City of Emory for 21,000,000 gallons/month or a maximum of 0.700 MGD per day.

ADDITIONAL INFORMATION:

Service Pumping Capacity: N/A

Service Pump Peaking Factor: N/A

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 338504

Resolution Status Date: 9/11/2013

Violation Start Date: 6/3/2008

Violation End Date: 9/9/2013

30 TAC Chapter 290.46(I)

Alleged Violation:

Investigation: 657177

Comment Date: 07/01/2008

Failure to flush all dead-end mains monthly, or more often if required, to maintain water quality.

The investigator documented during the investigation by reviewing facility records that the City of East Tawakoni is not flushing all dead end mains at least once per month.

Investigation: 784292

Comment Date: 12/03/2009

Failure to flush all dead-end mains monthly, or more often if required, to maintain water quality.

The investigator documented during the investigation by reviewing facility records that the City of East Tawakoni is not flushing at all dead end mains at least once per month.

Investigation: 1120329

Comment Date: 09/11/2013

Failure to flush at all dead end mains at least once per month.

During the investigation, the investigator noted all dead end mains are being flushed monthly. This alleged violation is noted and resolved.

Resolution: During the investigation, the investigator noted all dead end mains are being flushed monthly. This alleged violation is noted and resolved.

Track No: 338510

Resolution Status Date: 9/11/2013

Violation Start Date: 6/3/2008

Violation End Date: 9/9/2013

30 TAC Chapter 290.121(a)

Alleged Violation:

Investigation: 657177

Comment Date: 07/01/2008

Failure by the regulated entity to develop and maintain an up to date system monitoring plan. The plan shall identify all bacteriological and chemical sampling locations, describe the sampling frequency, and specify the analytical procedures and laboratories to be used to comply with monitoring requirements. The completed plan must be retained at each water plant, and made available to agency personnel for review during succeeding sanitary surveys.

The investigator documented during the investigation by reviewing facility records that the water system has not established an adequate monitoring plan. Items missing from the monitoring plan are the following:

- 1) All sample locations except for bacteriological
- 2) Descriptions of sampling frequency for each sample
- 3) Analytical procedures for each sample
- 4) Laboratory approval form

Investigation: 784292

Comment Date: 12/03/2009

Failure by the regulated entity to develop and maintain an up to date system monitoring plan. The plan shall identify all bacteriological and chemical sampling locations, describe the sampling frequency, and specify the analytical procedures and laboratories to be used to comply with monitoring requirements. The completed plan must be retained at each water plant, and made available to agency personnel for review during succeeding sanitary surveys.

The investigator documented during the investigation by reviewing facility records that the water system has not established an adequate monitoring plan. Items missing from the monitoring plan are the following:

- 1) All sample locations except for bacteriological
- 2) Descriptions of sampling frequency for each sample
- 3) Analytical procedures for each sample
- 4) Laboratory approval form

Investigation: 1120329

Comment Date: 09/11/2013

Resolution: During the investigation, the investigator noted the system had an adequate monitoring plan. This alleged violation is noted and resolved.

Description	Item 3
-------------	--------

During the investigation, the investigator learned the operator was using a color wheel to calibrate his HACH Pocket Colorimeter. The investigator suggested the water system purchase a set of gel standards for more accurate calibrations.

Date _____

Date _____

Attachment 7

ATTACHMENT 7

5. G. EFFECT OF GRANTING A CERTIFICATE

The applicant, the City of East Tawakoni is an existing entity. The requested area is either within the City Limits or in close proximity to the City. Therefore, the goal of regionalization would be met by this provider serving the area rather than a new provider. The City has operated its water system for decades, and is familiar with the workings of a water system. East Tawakoni's compliance history is acceptable. As the system is expanded, costs will be incurred in maintaining the lines and supporting facilities, but income from the additional customers will defray this cost.

Nearby Public Utilities include the City of West Tawakoni (10968), Cash SUD (10824), City of Point, and South Rains WSC (10487). The City of West Tawakoni is located to the west two miles across Lake Tawakoni; Cash SUD is located to the north, the City of Point to the northeast, and South Rains WSC to the east. Lake Tawakoni is on the west and south sides of East Tawakoni. None of these water entities serves any customers in the requested CCN area and East Tawakoni does not serve any customers in their service areas. Granting this certificate will have no negative economic impact on these water entities.

Landowners in the Area receiving water service are served by East Tawakoni. In 2007 East Tawakoni purchased the Rolling Hills Cedar Cove WSC which is located north of East Tawakoni along FM 513. This area primarily consists of four residential housing additions – Holiday Hills, Highland Acres, Kiowa Village, and Rolling Hills. These customers are served by direct pressure connections to East Tawakoni's original distribution system. Through a Texas Department of Agriculture grant and a Texas Water Development Board low interest loan in the past three years almost all of the lines in these additions have been replaced. Granting this certificate will have no negative water service or economic impact to these customers.

Landowners of the requested CCN area not currently served may incur costs from East Tawakoni for water service, in-lieu of well water currently used. However, the availability of good quality water from a reliable and adequate source should be a positive impact on property values. Additionally, in many locations within the area currently available groundwater supplies may not be of adequate quality or quantity to meet desired standards for human consumption.

Attachment 8

EAST TAWAKONI WHOLESALE WATER SERVICE AGREEMENT

THE STATE OF TEXAS §

COUNTY OF RAINS §

This Agreement is entered into on this 25 day of July, 2012, by and between the **CITY OF EMORY** (hereinafter called the "City") and the **CITY OF EAST TAWAKONI**, (hereinafter called "Purchaser").

Recitals

- A. Whereas, the City is a political subdivision duly organized under the laws of the State of Texas, and having its principal place of business in Rains County;
- B. Whereas, Purchaser, is a political subdivision duly organized under the laws of the State of Texas, and having its principal place of business in Rains County;
- C. Whereas, the City owns and operates water supply, treatment, storage, pumping, transmission, and distribution facilities that it utilizes to provide retail water service to its customers, within its certified service territory, and wholesale water service to certain adjacent retail public utilities;
- D. Whereas, Purchaser owns and operates pumping, storage, transmission and distribution systems for delivery of water to its citizens and customers;
- E. Whereas, Purchaser desires to secure a wholesale supply of potable water from the City; and
- F. Whereas, the City desires to provide a wholesale supply of potable water to Purchaser.

Agreement

For and in consideration of the mutual promises, covenants, obligations and benefits of this Agreement, the sufficiency of which are hereby acknowledged, the Parties contract and agree as follows:

ARTICLE I
Definitions

Section 1.1 Definitions. Unless otherwise provided or unless the context otherwise requires, the terms defined in this Agreement shall have the respective meanings specified below: