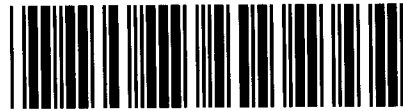


Control Number: 43112



Item Number: 11

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.

Transmittal Letter

August 26, 2013

RECEIVED

Corix Utilities (Texas) INC.

6836 Bee Caves Road
Suite 209
Austin, Texas 78749
P:512.306.4000 F:512.306.4009

2014 SEP 15 AM 9:05

PUBLIC UTILITY COMMISSION
FILING CLERK

To:

Texas Commission on Environmental Quality

PO BOX 13087
Mail Code 153
Austin, Texas 78711-3087

Attention:

Tammy Benter

Re:

Application Number:

**REVISED: 37602 - S & 37603 - S
Matagorda Water & Wastewater**

We are sending you

| | | | |
|--|--|--|---|
| <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> Under Separate Cover via: [Type text here] the following: | | |
| <input type="checkbox"/> Shop Drawings | <input type="checkbox"/> Prints | <input type="checkbox"/> Plans | <input checked="" type="checkbox"/> Other: Affidavits RE: Notice |
| <input type="checkbox"/> Copy of Letter | <input type="checkbox"/> Change Order | <input type="checkbox"/> Samples | |
| <input type="checkbox"/> Total Quantity | <input type="checkbox"/> Reproducible | <input type="checkbox"/> Specification | |

| Submittal | Quantity | Date | DWG. # | Description |
|-----------|------------------------|----------|--------|---|
| Affidavit | 1 Original 2 Copies | 08/23/13 | | Publisher's Affidavit |
| Affidavit | 1 Original 2 Copies | 08/23/13 | | Affidavit of Notice to Customers |
| Affidavit | 1 Original 2 Copies | 08/23/13 | | Affidavit of Neighboring Utilities and Affected Parties |
| Affidavit | 1 Original 2 Copies | 08/23/13 | | Affidavit of Neighboring Utilities and Affected Parties |
| Affidavit | 1 Original 2 Copies | 08/23/13 | | Affidavit of Neighboring Utilities and Affected Parties |
| Affidavit | 5 Copies | 11/01/12 | | Incumbency Certificate |

These are transmitted as checked below


- | | | |
|--|---|---|
| <input type="checkbox"/> For Approval | <input type="checkbox"/> Approved as Submitted | <input type="checkbox"/> Resubmit copies for approval |
| <input type="checkbox"/> For Your Use | <input type="checkbox"/> Approved as Noted | <input type="checkbox"/> Submit [#] copies for distribution |
| <input checked="" type="checkbox"/> As Requested | <input type="checkbox"/> Returned for Corrections | <input type="checkbox"/> Return [#] corrected prints |

Comments:

2013 AUG 26 PM 1 55

Copy to:

RECEIVED
TECO
WATER SUPPLY DIV.


Signature

Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37602-5

STATE OF TEXAS
COUNTY OF Matagorda

Before me, the undersigned authority, on this day personally appeared
Susanne Phillips, who being by me
duly sworn, deposes and says that (s)he is the Administrative Assistant
(TITLE)
of the The Bay City Tribune;
(NAME OF NEWSPAPER)
that said newspaper is regularly published in Matagorda
(COUNTY/COUNTIES)
and generally circulated in Matagorda, Texas; and
(COUNTY/COUNTIES)

that the attached notice was published in said newspaper on the following date(s), to wit:
4th and 11th of August
(DATES)

Susanne Phillips
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 13th day of August, 2011,
to certify which witness my hand and seal of office.

Jessica Ann Wright
Notary Public in and for the State of Texas

Jessica Ann Wright
Print or Type Name of Notary Public
Commission Expires 10-26-15



2013 AUG 21 PM 3 38
RECEIVED
TOED
WATER SUPPLY DIV.

Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37602-5

STATE OF TEXAS
COUNTY OF Matagorda

RECEIVED
TOEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 3 39

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Susanne Phillips, who being by me
duly sworn, deposes and says that (s)he is the Administrative Assistant
(TITLE)
of the The Bay City Tribune
(NAME OF NEWSPAPER);

that said newspaper is regularly published in Matagorda
(COUNTY/COUNTIES)
and generally circulated in Matagorda, Texas; and
(COUNTY/COUNTIES)

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4th and 11th of August
(DATES)
Susanne Phillips
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

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Jessica Ann Wright
Notary Public in and for the State of Texas

Jessica Ann Wright
Print or Type Name of Notary Public
Commission Expires 10-26-15



Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37602-5

STATE OF TEXAS
COUNTY OF Matagorda

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 3 39

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(COUNTY/COUNTIES)
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(DATES)

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Jessica Ann Wright
Notary Public in and for the State of Texas

Jessica Ann Wright
Print or Type Name of Notary Public
Commission Expires 10-26-15



Application No. 37602-S and 37603-S

Notice for Publication

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

Corix Utilities (Texas) Inc. has filed applications with the Texas Commission on Environmental Quality to obtain and amend a water CCN, and to obtain a sewer CCN to provide water and sewer utility service in Matagorda County.

The area subject to this transaction is located approximately 6.5 miles south of downtown Matagorda, Texas, and is generally bounded on the north by a distance of 1.5 miles off the edge of Matagorda Bay; on the east by Driftwood Drive; on the south by edge of the Matagorda Bay; and on the west by the edge of the Colorado River. The area includes the **Matagorda Dunes Condos** and the areas within zip code **77457**. The total water and wastewater service area being requested includes approximately 459 acres and currently serves 135 water and 40 wastewater customers.

A copy of the proposed service area map and questions concerning the proposed service area can be directed to Corix Utilities at 6836 Bee Cave Road, Ste. 209, Austin TX 78746, phone number: 512/306-4000.

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 request 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.

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



Matagorda Dunes - Proposed Water CCN Boundary

Matagorda Dunes - Proposed Wastewater CCN Boundary

- 40 x 60 Metal Building with restrooms, shower area, office space, loft storage area, electricity, water \$800/mo., \$800/dep.

Contact Bill
Bell Realty at
979-245-5589

The T R I B U N E C L A S S I F I E D S

Friday
8am-5pm
245-5555

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Para obtener infor-

245-5555

Application No. 37602-S and 37603-S

Notice for Publication

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Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37602-S

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas Inc)

individual notice to the following entities:

Beach Road Utilities Inc

Beach Road MUD

Hubert Watson Subdivision Water System

Matagorda Waste Disposal & WSC

Riverbend Water Services

Matagorda County

Matagorda County Navigation District #1

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 5:48
DATE
7/26/13
7/26/13
7/26/13
7/26/13
7/26/13
7/26/13
7/26/13

OATH

I, Edward Yanoshita, being duly sworn, file this form as
General Manager (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.

[Signature]
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 26 day of July, 2013,
to certify which witness my hand and seal of office.



[Signature]
Notary Public in and for the State of Texas

Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 7, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37602-S

RECEIVED
TCEQ
WATER SUPPLY DIV
2013 AUG 21 PM 3 48

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas Inc) has provided individual notice to the following entities:

| | DATE |
|--|----------------|
| <u>Beach Road Utilities Inc</u> | <u>7/26/13</u> |
| <u>Beach Road MUD</u> | <u>7/26/13</u> |
| <u>Hubert Watson Subdivision Water System</u> | <u>7/26/13</u> |
| <u>Matagorda Waste Disposal & WSC</u> | <u>7/26/13</u> |
| <u>Riverbend Water Services</u> | <u>7/26/13</u> |
| <u>Matagorda County</u> | <u>7/26/13</u> |
| <u>Matagorda County Navigation District #1</u> | <u>7/26/13</u> |

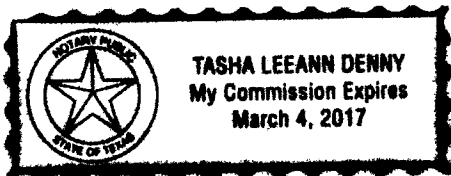
OATH

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General Manager (indicate relationship to applicant,
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Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 7, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37602-5

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 3 40

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas Inc)

has provided

individual notice to the following entities:

Beach Road Utilities Inc

DATE
7/26/13

Beach Road MUD

7/26/13

Hubert Watson Subdivision Water System

7/26/13

Matagorda Waste Disposal & WSC

7/26/13

Riverbend Water Services

7/26/13

Matagorda County

7/26/13

Matagorda County Navigation District #1

7/26/13

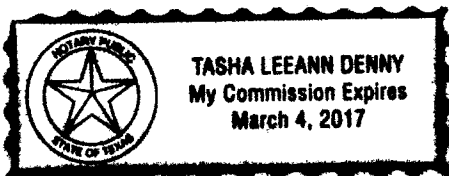
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Commission Expires March 7, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37602-5

STATE OF TEXAS

COUNTY OF Travis

Coria Utilities (Texas Inc)

individual notice to the following entities:

Coastal Plains GCD

City of Matagorda

RECEIVED
TCEQ
WATER SUPPLY DIV
2013 AUG 21 PM 3 40
has provided

DATE

7/26/13

7/26/13

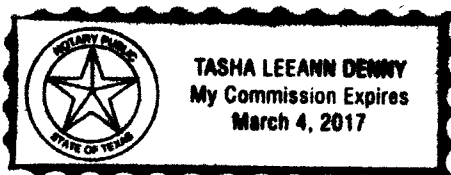
OATH

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Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37602-5

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 3:40

STATE OF TEXAS

COUNTY OF Travis

Coria Utilities (Texas Inc)

individual notice to the following entities:

Coastal Plains GCD

City of Matagorda

DATE
7/26/13

7/26/13

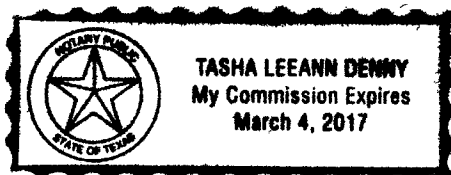
OATH

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General Manager (indicate relationship to applicant,
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Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37602-5

STATE OF TEXAS

COUNTY OF Travis

Coria Utilities (Texas Inc)

individual notice to the following entities:

Coastal Plains GCD

City of Matagorda

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 3:03
has provided

DATE
7/26/13

7/26/13

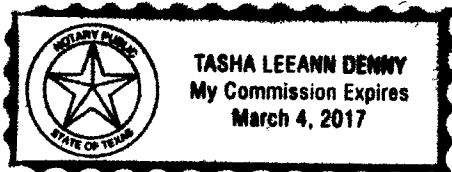
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[Signature]
Notary Public in and for the State of Texas

Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO LANDOWNERS
APPLICATION NO. 37602-5

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 3:10
DATE

STATE OF TEXAS
COUNTY OF Travis

Conix Utilities (Texas Inc) has provided individual notice to the following entities:
(NAME OF UTILITY)

NONE

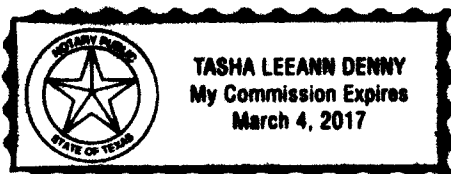
OATH

I, Edward Yanoshita, being duly sworn, file this form as
General Manager (indicate relationship to applicant, that is,
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[Signature]
Notary Public in and for the State of Texas

Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO LANDOWNERS
APPLICATION NO. 37602-S

RECEIVED
TCEQ
WATER SUPPLY DIV.
2013 AUG 21 PM 3 40

STATE OF TEXAS
COUNTY OF Travis

Conix Utilities (Texas Inc) has provided individual notice to the following entities:
(NAME OF UTILITY)

NONE

DATE

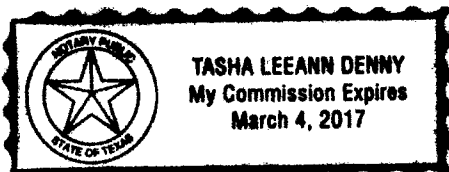
OATH

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Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO LANDOWNERS
APPLICATION NO. 37602-5

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas Inc) has provided individual notice to the following entities:
(NAME OF UTILITY)

NONE

DATE

2013 AUG 21 PM 3 40

WATER SUPPLY DIV.

RECEIVED

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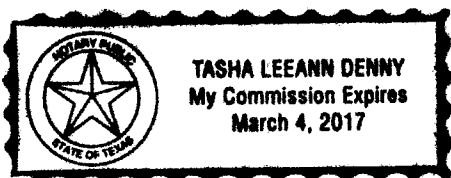
OATH

I, Edward Yanosuta, being duly sworn, file this form as
General Manager (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.

[Signature]
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 26 day of July, 2013, to
certify which witness my hand and seal of office.



[Signature]
Notary Public in and for the State of Texas

Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

Notice to Current Customers, Neighboring Systems, Landowners and Cities

NOTICE OF INTENT FOR LOWER COLORADO RIVER AUTHORITY (LCRA) TO SELL WATER AND SEWER FACILITIES, TO TRANSFER A PORTION OF THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11670, AND TO TRANSFER UNCERTIFICATED SEWER SERVICE AREA TO CORIX UTILITIES (TEXAS) INC., AND FOR CORIX UTILITIES (TEXAS) INC. TO OBTAIN AND AMEND A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) AND TO OBTAIN A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN MATAGORDA COUNTY, TEXAS

To: _____ Date Notice Mailed: July 26, 2013
(Name of Customer, Neighboring System, Landowner or City)
(Address)

(City) State Zip)

Corix Utilities (Texas) Inc. 6836 Bee Cave Road, Ste. 209 Austin, TX 78746
(Purchaser's or Transferee's Name) (Address) (City) (State) (Zip Code)

has submitted applications with the Texas Commission on Environmental Quality to obtain CCNs and to acquire facilities in Burnet County held by:

LCRA PO Box 220 Austin TX 78767
(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.O .A., Water Code §13.301).

The area subject to this transaction is located approximately 6.5 miles south of downtown Matagorda, Texas, and is generally bounded on the north by a distance of 1.5 miles off the edge of Matagorda Bay; on the east by Driftwood Drive; on the south by edge of the Matagorda Bay; and on the west by the edge of the Colorado River. The area includes the **Matagorda Dunes Condos** and the areas within zip code **77457**. The total water and wastewater service area being requested includes approximately 459 acres and currently serves 135 water and 40 wastewater customers.

Questions concerning the proposed service area can be directed to Corix Utilities (Texas) Inc. at 6836 Bee Cave Road, Ste. 209, Austin TX 78747, phone number: 512/306-4000

This transaction will have the following effect on the current customers' rates and services: Corix proposes to adopt the existing rates currently charged by LCRA and maintain those rates for a 12 month period following our acquisition of the utilities. During this 12 month period Corix will undertake detailed, cost of service studies, After the 12 month period and based on the results of the cost of service studies, Corix will be better able to determine any required rate adjustments.

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 your concerns and cause you to withdraw your request for a hearing.

(5) state your proposed adjustment to the application or CCN which would satisfy 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

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 request 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:

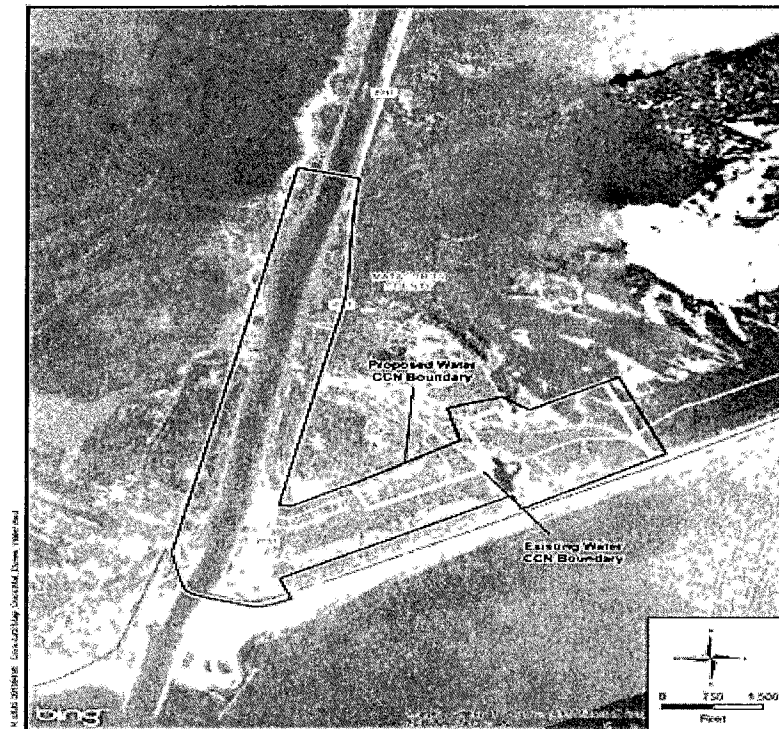
Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

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.

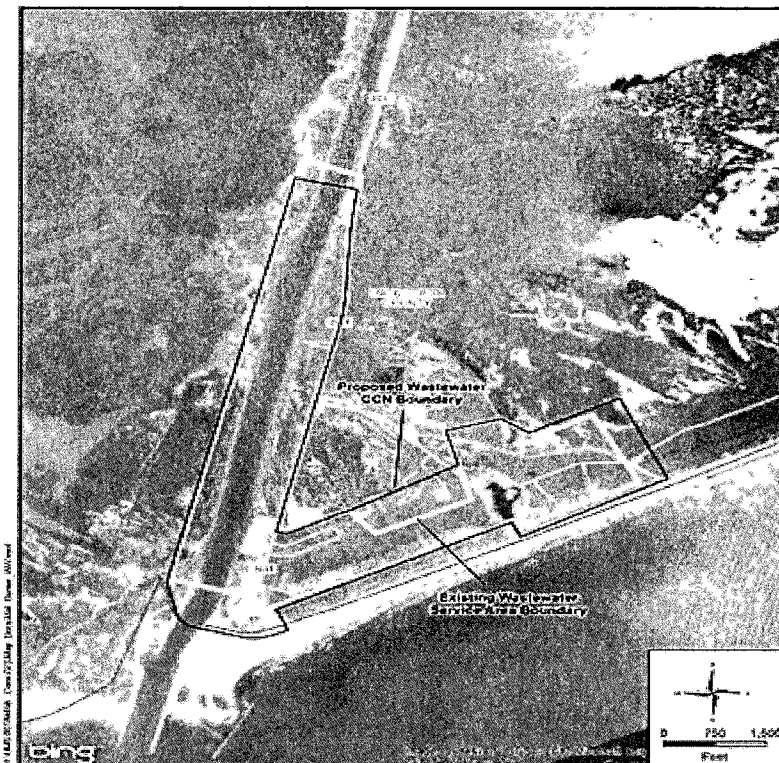
Se desea informacion en Espanol, puede Hamar al 1-512-239-0200.

Darrin Barker, Operations Manager
Utility Representative

Corix Utilities, Texas, Inc.
Utility Name



Matagorda Dunes - Proposed Water CCN Boundary



Matagorda Dunes - Proposed Wastewater CCN Boundary

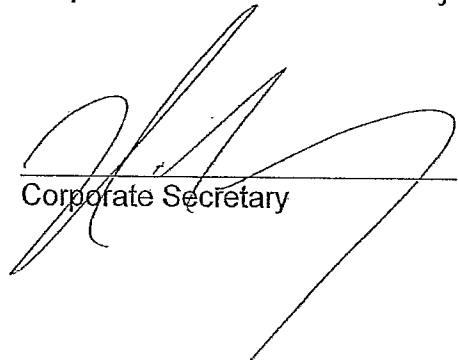
CORIX UTILITIES (TEXAS) INC.

INCUMBENCY CERTIFICATE

I, HAMISH CUMMING, HEREBY CERTIFY THAT:

1. I am the duly appointed Corporate Secretary of Corix Utilities (Texas) Inc. (the "Corporation"), a corporation organized under the laws of Delaware, and as such have access to its corporate records and am familiar with the matters herein certified.
2. Edward Yanoshita, General Manager of the Corporation, has authority to file the application on behalf of the Corporation with the Texas Commission on Environmental Quality and in connection therewith to swear the Oath of Purchaser for the Corporation.

IN WITNESS WHEREOF I have set my hand in the name and on behalf of the Corporation effective this 1st day of November, 2012.



Corporate Secretary