



Control Number: 43113



Item Number: 2

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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*



91 7199 9991 7031 8235 7039

LG

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

RECEIVED

2014 SEP 15 AM 10:00

PUBLIC UTILITY COMMISSION  
FILING CLERK

July 24, 2014

**BY EMAIL TO droberts@lonestarlandpartners.com AND  
BY CERTIFIED MAIL**

Mr. Davy Roberts, President  
NLP Summit Springs, LLC  
9508 E. Hwy 71  
Spicewood, TX 78669

Re: Application from NLP Summit Springs, LLC, A2103, to Obtain a Certificate of Convenience and Necessity (CCN) in Burnet County; Application No. 37914-C

CN: pending; RN: pending

Dear Mr. Roberts:

Your application for NLP Summit Springs, LLC, has been accepted for filing and assigned Application No. 37914-C. Ms. Leila Guerrero has been assigned to perform the technical review.

Your next step is to provide the **revised** public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Burnet County. **It is the responsibility of the applicant to provide correct notice** of the application to:

- any districts, counties, groundwater conservation districts, utilities, cities, cities with an extraterritorial jurisdiction within two (2) miles of your proposed service area, and
- any city with an extraterritorial jurisdiction which overlaps the proposed service area or other affected parties in your requested area, and
- all landowners with more than 25 acres in your proposed CCN. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN lies.

**Check the notices carefully before mailing or publishing.**

Information related to utilities and districts including addresses can be obtained from the TCEQ web site located at [www10.tceq.tx.us/iwud/](http://www10.tceq.tx.us/iwud/).

As proof that notice was provided, you are required to send us the following:

- a) an original and three copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
- b) four copies of each individual notice and map sent to neighboring utilities and affected parties;

Mr. Davy Roberts, President Page 2  
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July 24, 2014

- c) one copy of the landowner notice and map sent to **each landowner**; and
- d) an original and three copies of the signed affidavits that individual notice to neighboring utilities, affected individuals **and each landowner** has been given. Copies of the Affidavit forms are enclosed with this letter.

Please be sure to include a map showing the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner. It is the applicant's burden to provide an accurate map delineating the proposed area with each individual notice.

These items must be completed and returned to our office by **August 25, 2014**. Processing of this application cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

If you have any questions, please contact Ms. Leila Guerrero at 512/239-2286, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

CML/LG/mmg

Enclosures: as stated

To: Administrative Reviewer

Updated: July 2, 2014

Date Revised: July 17, 2014

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Admin. Review No. / Appl. No. **A-051-C/**  
**37914-C NLP Summit Springs, LLC to Obtain New Water CCN in Blanco and**  
**Burnet Counties**

- X 1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
9. Utility notice was sufficient.
- X 10. Utility notice was insufficient. See 2 & 5 mile utilities to notice

In addition to those systems listed in the application, they also need to notify the following:

**TWO MILES:**

Double Horn WSC (12913)

Lower Colorado River Authority (11670)

Sunset Water Utilities (13083)

Blanco-Pedernales GCD

Central Texas GCD

Blanco & Burnet Counties

\*All cities and ETJ's within 2 miles of proposed service area

\* Any other utility, district, county or entity that would be required to receive notice

**FIVE MILES:**

Capstone Water System (13073)

City of Marble Falls (11137)

Colibri Ranches Water System (13155)

Double Horn WSC (12913)

Lower Colorado River Authority (11670)

Sunset Water Utilities (13083)

Burnet and Blanco Counties

Blanco-Pedernales GCD

Central Texas GCD

\*All cities and ETJ's within 5 miles of proposed service area

\* Any other utility, district, county or entity that would be required to receive notice

X #11. - See page 2 - JmHarr

X *Tracy Harbour*  
11. **Notice:** Revise notice as follows

approximately 5 miles **southeast** of downtown **Marble Falls**, Texas  
on the north by **State Highway 71 (TX-71)**  
on the east by **Little Cypress Creek**  
on the south by **Fall Creek**  
on the west by **County Road 401 (CR 401)**

12. Other comments:

Tracy Harbour

To: Administrative Reviewer

Date Complete: June 4, 2014

Updated: July 2, 2014

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Admin. Review No. / Appl. No. **A-051-C/**  
**37914-C NLP Summit Springs, LLC to Obtain New Water CCN in Burnet Co.**

- X 1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
9. Utility notice was sufficient.
- X 10. **Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:**

**TWO MILES:**

Double Horn WSC (12913)

**Lower Colorado River Authority (11670)**

Sunset Water Utilities (13083)

**FIVE MILES:**

Capstone Water System (13073)

City of Marble Falls (11137)

Colibri Ranches Water System (13155)

Double Horn WSC (12913)

**Lower Colorado River Authority (11670)**

Sunset Water Utilities (13083)

**Burnet and Blanco Counties**

**Blanco-Pedernales GCD**

**Central Texas GCD**

- X 11. Notice: DO NOT NOTICE
12. Other comments:
- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
- B. A map showing ONLY the proposed area by:
- i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
- ii. 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
- iii. following verifiable natural and man-made landmarks; or

- iv. a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area.
- D. Provide separate and additional maps of the proposed area(s) to show the
  - 1. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
  - 2. any facilities, customers or area currently being served outside the applicant's certificated area(s).

**Applicant should not notice until providing the TCEQ a complete list of utilities, districts, ground water conservation districts (GCDs), counties and other entities within two and five miles of the proposed area which are required to receive notice.**

Tracy Harbour