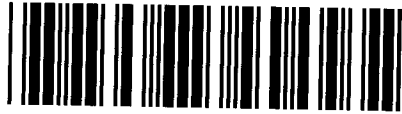


Control Number: 43114



Item Number: 9

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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.

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 4, 2009

Mr. David A. Miller, Attorney  
Miller Mentzer, P.C.  
P.O. Box 130  
Palmer, Texas 75152

### NOTICE OF DEFICIENCY

Re: Contract Service Agreement Pursuant to Texas Water Code, Section 13.248, from Mountain Peak Special Utility District (SUD), Certificate of Convenience and Necessity (CCN) No. 10908, to Transfer a Portion of CCN No. 11706 from the City of Midlothian and to Decertify a Portion of CCN No. 10908, in Ellis County; Application No. 36233-C

CN: 602721979; RN: 104424601 (Mountain Peak SUD)  
CN: 600488373; RN: 101403350 (City of Midlothian)

Dear Mr. Miller:

From a review of the information presented in the agreement noticed above we need to verify whether the parties want to process this as a Sale, Transfer or Merger or a Texas Water Code, 13.248 application. If the parties decide to proceed as a Texas Water Code, 13.248 application please provide financial information for Mountain Peak SUD, as well as revised hard copy maps and new digital data showing the exact intent of this application.

These items must be completed and returned by **August 31, 2009**. If we do not receive the requested information by this date, your application may be returned for failure to prosecute.

If you have any questions, please contact me at 512/239-3654, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Sheresia Perryman".

Sheresia Perryman  
Utilities & Districts Section  
Water Supply Division

SP/ln

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