



Control Number: 43117



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43117

**B & D ENVIRONMENTAL, INC.**

P.O. BOX 500264

AUSTIN, TEXAS 78750

PHONE NO. (512) 264-9124

FAX NO. (512) 692-1967

EMAIL: [bretfenner@yahoo.com](mailto:bretfenner@yahoo.com)

September 10, 2014

Public Utility Commission  
Central Records  
1701 N. Congress P.O. Box 13326  
Austin, Texas 78711-3326  
Attn: George Gogonas


Re: A Sale/Merger/Transfer Application from Nerro Supply, LLC (Nerro) Certificate of Convenience and Necessity (CCN) No. 12252 to Obtain a Portion of CCN No. 13094 held by Brazos Valley Septic & Water, Inc. (Brazos Valley) in Brazos, Burleson and Robertson Counties; Application No. 37948

Dear Mr. Gogonas:

Enclosed please find an original and ten copies of the signed and notarized affidavits of notice and notices as mailed to all current customers, neighboring systems and other affected parties for this application. No notice was required to any landowners as we determined that no landowner affected by this application owned more than 25 acres.

Should you have any further questions concerning this application, please do not hesitate to contact me at (512) 264-9124.

Sincerely,



Bret W. Fenner, P.E.  
B & D Environmental, Inc.

Enclosures

Texas Commission on Environmental Quality



43117  
RECEIVED  
2014 SEP 15 AM 9:05  
FILED

AFFIDAVIT OF NOTICE TO CUSTOMERS AND OTHER AFFECTED PARTIES  
APPLICATION NO. 37948-S

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

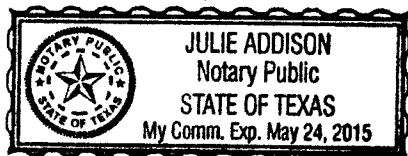
Before me, the undersigned authority, on this day personally appeared  
Charlie Guaper, who being by me  
duly sworn, deposes and that (s)he is the PARTNER  
(TITLE)  
of the NERRO  
(NAME OF UTILITY)

that the attached notice was provided to customers and other affected parties by  
U.S. MAIL  
(METHOD USED TO PROVIDE NOTICE)

on or about the following date, to wit: Aug 2014  
(DATE)

James R. Guaper  
(SIGNATURE OF UTILITY OFFICIAL)

Subscribed and sworn to before me this 3RD day of SEPTEMBER, 2014,  
to certify which witness my hand and seal of office.



Julie Addison  
Notary Public in and for the State of Texas  
JULIE ADDISON  
Print or Type Name of Notary Public

Commission Expires 5-24-2015

**Notice to Current Customers, Neighboring Systems,  
Landowners and Cities**

BRAZOS VALLEY SEPTIC & WATER, INC.'S, NOTICE OF INTENT TO SELL  
FACILITIES TO NERRO SUPPLY, LLC, AND FOR NERRO SUPPLY, LLC, TO AMEND A  
CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN BRAZOS, BURLESON  
AND ROBERTSON COUNTIES, TEXAS

To: \_\_\_\_\_ Date Notice Mailed: August, 2014  
(Name of Customer, Neighboring System, Landowner or City)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City State Zip)

Brazos Valley Septic and Water, Inc. 3303 Cain Road College Station TX 77845  
(Sellers or Transferor's Name) (Address) (City) (State) (Zip Code)

has submitted an application with the Texas Commission on Environmental Quality to  
sell facilities in Brazos, Burleson and Robertson counties to:

Nerro Supply, LLC 25003 Pitkin Road, Suite A400 Spring TX 77386  
(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.C.A.,  
Water Code §13.301). The transaction and proposed service area include the following  
subdivision(s) and zip code(s): Apache Hills, Benchley Oaks, Lakeview North, Lakeway  
Manor, Lakewood Estates, Little Oak Forest, Marshal Oaks, Oak Forest, Smetana Forest,  
Somerville Place, Whispering Woods, 77807, 77879.

**Apache Hills**

The area subject to this transaction is located approximately 3.75 miles northwest of  
downtown Somerville, Texas and is **generally** bounded on the north by County Road  
460; on the east by County Road 460; on the south by Somerville Lake; and on the  
west by Farm to Markey Road 60.

The total area being requested includes approximately 89 acres and serves 43 current  
customers.

**Benchley Oaks Subdivision**

The area subject to this transaction is located approximately 7 miles northwest of  
downtown Bryan, Texas and is **generally** bounded on the north by West OSR; on the  
east by Redbud Drive/IH 190; on the south by Mumford Drive; and on the west by West  
OSR.

The total area being requested includes approximately 161 acres and serves 120 current  
customers.

### **Marshall Oaks Sommerville Place**

The area subject to this transaction is located approximately 5 miles west of downtown Sommerville, Texas and is **generally** bounded on the north by Recreation Road 4; on the east by Recreation Road 4; on the south by Sommerville Lake; and on the west by Farm to Market Road 60.

The total area being requested includes approximately 162 acres and serves 152 current customers.

### **Lakewood Estates**

The area subject to this transaction is located approximately 7 miles northwest of downtown Bryan, Texas and is **generally** bounded on the north by West OSR; on the east by Redbud Drive/IH 190; on the south by Mumford Drive; and on the west by West OSR.

The total area being requested includes approximately 135 acres and serves 55 current customers.

### **Little Oak Forest Subdivision**

The area subject to this transaction is located approximately 7 miles west of downtown Sommerville, Texas and is **generally** bounded on the north by Whispering Drive; on the east by Giebel Lane/Birch Creek; on the south by State Park Road 57; and on the west by State Park Road 57.

The total area being requested includes approximately 222 acres and serves 17 current customers.

### **Oak Forest Lakeway Manor**

The area subject to this transaction is located approximately 9 miles southwest of downtown Hearne, Texas and is **generally** bounded on the north by Union Pacific RR; on the east by Union Pacific RR; on the south by US Highway 190; and on the west by US Highway 190.

The total area being requested includes approximately 81 acres and serves 44 current customers.

### **Smetana Forest**

The area subject to this transaction is located approximately 6.25 miles northwest of downtown Bryan, Texas and is **generally** bounded on the north by Smetana Road; on the east by Smetana Road; on the south by State Highway 21; and on the west by Union Pacific RR.

The total area being requested includes approximately 62 acres and serves 52 current customers.

### **Whispering Woods**

The area subject to this transaction is located approximately 6.5 miles northwest of downtown Sommerville, Texas and is **generally** bounded on the north by Farm to Market Road 2774; on the east by County Road 410; on the south by Farm to Market Road 60; and on the west by Farm to Market Road 60.

The total area being requested includes approximately 35 acres and serves 10 current

customers.

This transaction will have the following effect on the current customers' rates and services: No change in rates.

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
- (5) state your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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

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

  
Utility Representative

NERRO SUPPLY, LLC  
Utility Name

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES  
APPLICATION NO. 37948-S

STATE OF TEXAS

COUNTY OF Williamson

Nerro Supply, LLC has provided  
individual notice to the following entities:

See Attached List

DATE

August 1, 2014

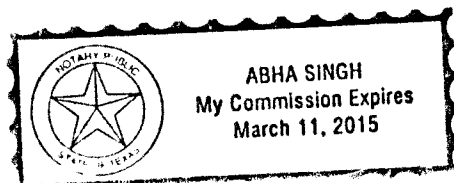
OATH

I, Bret W. Fenner, authorized representative, being duly sworn, file this form as  
(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 25<sup>th</sup> day of August, 2014,  
to certify which witness my hand and seal of office.



Notary Public in and for the State of Texas

ABHA SINGH

Print or Type Name of Notary Public  
Commission Expires 03/11/2015

## List of Neighboring Utilities

CCN NO. 11340 & 21045 WELLBORN SUD PO BOX 250 WELLBORN, TX 77881	CCN NO. 11461 BIRCH CREEK RECREATION WSC 107 LAKE DR STE 200 SOMERVILLE, TX 77879-6382
CCN NO. 11544 WICKSON CREEK SUD PO BOX 4756 BRYAN, TX 77805-4756	CCN NO. 11738 CLARA HILLS CIVIC ASSOCIATION PO BOX 358 LYONS, TX 77863
CCN NO. 10187 & 20136 CITY OF BRYAN PO BOX 1000 BRYAN, TX 77805-1000	CCN NO. 20127 CITY OF SOMERVILLE P.O. BOX 159 SOMERVILLE, TX 77879
CCN NO. 20740 SYED HYDER (DBA) RIVER SIDE WWTP 717B UNIVERSITY DR COLLEGE STATION, TX 77840	CCN NO. 10011 MILANO WSC PO BOX 181 MILANO, TX 76556
CCN NO. 10177 DEANVILLE WSC PO BOX 153 DEANVILLE, TX 77852-0153	CCN NO. 11329 TUNIS WSC RT 2 BOX 253 CALDWELL, TX 77836
CCN NO. 12686 POST OAK HILL WSC RR 1 BOX 924 SOMERVILLE, TX 77879	CCN NO. 10330 BETHANY HEARNE WSC 5454 FM 2549 HEARNE, TX 77859
CCN NO. 11699 WILDERNESS SOUND 2714 FINFEATHER BRYAN, TX 77801	CCN NO. 10189 LYONS WSC PO BOX 407 LYONS, TX 77863
CCN NO. 12254 CURTIS J SHUPAK 7575 FM 60 W SOMERVILLE, TX 77879-4000	N0055 WOODLANDS WEST WATER SYSTEM PO BOX 317 LYONS, TX 77863-0017
CCN NO. 13144 BURLESON COUNTY MUD 1 RT 1 BOX 319 SOMERVILLE, TX 77879	BRAZOS RIVER AUTHORITY P.O. BOX 7555 WACO, TX 76714



COUNTY OF BRAZOS  
300 E. 26TH STREET  
SUITE 120  
BRYAN, TEXAS 77801

COUNTY OF BURLESON  
100 WEST BUCK  
CALDWELL, TX 77836

COUNTY OF ROBERTSON  
P. O. BOX 1029  
FRANKLIN, TX 77856

BRAZOS VALLEY GCD  
112 W 3RD ST  
HEARNE, TX 77859

POST OAK SAVANNAH GCD  
310 EAST AVENUE C  
MILANO, TEXAS 76556

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\_\_\_\_\_  
(Address)

\_\_\_\_\_  
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Charlie Gasper  
Utility Representative

Nerro Supply, LLC  
Utility Name