



Control Number: 43119



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*



43119

K9

91 7199 9991 7031 8277 8049

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 18, 2014

RECEIVED
2014 SEP 19 AM 9:24
PUBLIC UTILITY COMMISSION
FILING CLERK

**BY EMAIL TO behler@ljaengineering.com AND
BY CERTIFIED MAIL**

Mr. William T. Ehler, District Engineer
LJA Engineering, Inc.
2929 Briarpark Drive, Suite 600
Houston, Texas 77042

Re: Application from Brazoria County Municipal Utility District (MUD) No. 22, A2107, to Obtain a Water Certificate of Convenience and Necessity (CCN) and to Obtain Dual Certification with CCN No. 11008 held by the City of Pearland and with CCN No. 13042 held by Brazoria County MUD 21 in Brazoria and Fort Bend Counties; Application No. 37946-C

Application from Brazoria County Municipal Utility District (MUD) No. 22, A2108, to Obtain a Sewer Certificate of Convenience and Necessity (CCN) and to Obtain Dual Certification with CCN No. 20403 held by the City of Pearland and with CCN No. 20945 held by Brazoria County MUD 21 in Brazoria and Fort Bend Counties; Application No. 37947-C

CN: pending; RN: pending (Brazoria County MUD 22)
CN: 600595052; RN: 101424190 (water) RN: 101188753 (City of Pearland)
CN: 600736367; RN: 102686516 (water) RN: 104344551 (sewer) (Brazoria County MUD 21)

Dear Mr. Ehler:

Your applications from Brazoria County MUD 22, received on June 9, 2014, have been accepted for filing and assigned Application Nos. 37946-C and 37947-C. Please refer to the application numbers in future correspondence. Ms. Heidi Graham 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 Brazoria and Fort Bend counties. **It is the responsibility of the applicant to provide correct notice** of the application to any utilities, cities, cities with an extraterritorial jurisdiction within two (2) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the

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proposed service area or other affected parties in your requested area. **You will also be required to provide mailed notice to all landowners with more than 25 acres in your proposed CCN area pursuant to TCEQ 30 TAC Chapter 291 Rules adopted on January 5, 2006. 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 www.14.tceq.texas.gov/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;
- 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.

Additional financial or technical information may also be requested through future correspondence.

These items must be completed and returned by **September 30, 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.

Effective September 1, 2014, responsibility for regulating water and wastewater rates and CCNs will transfer to the Public Utility Commission of Texas (PUC). If responding **before September 1, 2014**, please submit your information to the TCEQ at the address shown on the letterhead. After September 1, 2014, please submit your written response to the address below:

Public Utility Commission
Water Utilities Division
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326

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If you have any questions, please contact Ms. Heidi Graham at 512/239-0844 or by email at Heidi.graham@tceq.texas.gov. Ms. Graham will continue processing the application at the PUC after September 1, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Cari-Michel La Caille". The signature is fluid and cursive, with a large initial "C" and "M".

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

CM/CML/mmg

Enclosures: as stated

Christine Mester

From: Mark Swanson <mswanson@ljaengineering.com>
Sent: Friday, July 25, 2014 3:47 PM
To: Christine Mester
Subject: RE: Brazoria County MUD 22 CCN Application

Ms. Mester,

I received the list of neighboring utilities and we will notify that as required. Thank you.

Mark Swanson, P.E.
LJA Engineering, Inc.
2929 Briarpark Drive, Suite 600
Houston, Texas 77042
Direct: (713) 953-5205
Fax: (713) 953-5026
Cell: (713) 249-2394

-----Original Message-----

From: Christine Mester [<mailto:christine.mester@tceq.texas.gov>]
Sent: Thursday, July 24, 2014 4:08 PM
To: Mark Swanson
Subject: Brazoria County MUD 22 CCN Application

Mr. Swanson,

Per our conversation this afternoon, I have attached the list of neighboring utilities that will need to be noticed once you receive our acceptance letter.

Please let me know if you have any additional questions.

Thank you,
Christine Mester
Natural Resource Specialist
Utilities Financial Review
Water Supply Division
Texas Commission on Environmental Quality University of Texas - Arlington Contractor
Work: (512) 239-2788
Fax: (512) 239-6145

-----Original Message-----

From: irgw55@tceq.state.tx.us [<mailto:irgw55@tceq.state.tx.us>]
Sent: Thursday, July 24, 2014 4:24 PM
To: Christine Mester
Subject: Scanned image from MX-M453N

Reply to: irgw55@tceq.state.tx.us <irgw55@tceq.state.tx.us> Device Name: Not Set Device Model: MX-M453N
Location: Not Set

File Format: PDF MMR(G4)
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are registered trademarks or trademarks of Adobe Systems Incorporated in the United States and other countries.

<http://www.adobe.com/>

To: Administrative Reviewer Date Complete: June 13, 2014

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-076-14/37946&7
Brazoria County MUD 22 to obtain water and sewer CCN and partial dual certification with
City of Pearland (11008 & 20403) and Brazoria County MUD 21 (13042 & 20945) in Brazoria
and Fort Bend counties.

1. No new overlap of service areas exists.
- X 2. An overlap: City of Pearland (11008 & 20403) and Brazoria County MUD 21 (13042 & 20945) as stated in the application
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: (request for service)

- ✓ City of Pearland (11008 & 20403)
- ✓ Orbit Systems (11982)
- ✓ Johnson's Water Service (12004)
- Gulf Coast Utility Co. (12904 & 20688)
- ✓ Turner Water Service (12195)
- ✓ Houston Southwest Airport (12903)
- Brazoria County MUD 21 (13042 & 20945)
- Aqua Texas (13203 & 21065)
- Brazoria-Fort Bend County MUD 1
- Brazoria County MUD 25
- Brazoria County MUD 29
- Brazoria County MUD 34
- Brazoria County MUD 39
- Brazoria County MUD 40

Brazoria County MUD 57
Brazoria County MUD 6
Brazoria County MUD 61
Brazoria County MUD 7
Briar Ridge MUD
Fort Bend County FWSD 1
Fort Bend County MUD 141
Fort Bend County MUD 23
Fort Bend County 131
Fort Bend County 168
Fort Bend County 183
Fort Bend County 189
Fort Bend County 24
Fort Bend County 45
Fort Bend County 47
Fort Bend County 48
Fort Bend County 56
Sedona Lakes MUD 1 of Brazoria county
Sienna Plantation Management District
Sienna Plantation MUD 7
Sienna Plantation MUD 1
Sienna Plantation MUD 10
Sienna Plantation MUD 12
Sienna Plantation MUD 13
Sienna Plantation MUD 2
Sienna Plantation MUD 3
Sienna Plantation MUD 4
Sienna Plantation MUD 5
Sienna Plantation MUD 6
Brazoria county
Fort Bend county
Brazoria County GCD
Fort Bend Subsidence District
All cities and etj's within 5 miles of proposed area
Any other Utility, District or entity that would be required to receive notice

11. Notice:

On the West by FM521

Checklist for Obtaining or Amending a CCN

Name of Application Brazoria County MUD NO. 22

Administrative Review #A - 076-14

Application Number (s) 37946-C, 37947-C

Date TCEQ Received Application 6-9-14

Date Assigned to program area 6-10-14

County(s) Brazoria + Ft Bend

Purpose of Application:

Obtain New Water CCN
Temporary CCN# A 2107

Obtain New Sewer CCN
Temporary CCN# A 2108

Amend Water CCN # _____

Amend Sewer CCN # _____

Account Fees due

Regulatory Assessment Fees due

Attach a copy of CN and RN from WUD

Not on file with Central Registry. Core Data Form Needed.

Original and three copies of application received

Copies somehow were returned to

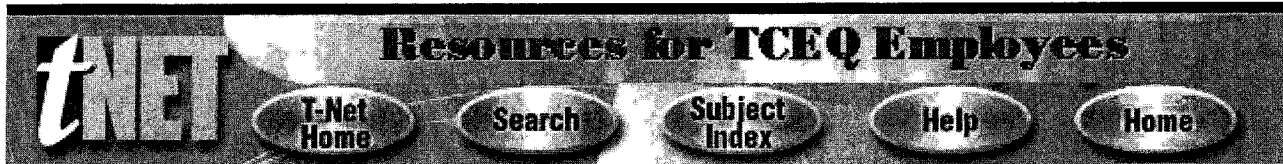
*A Request has been made
they will send to me
today 6-11-14.*

*then they are sending other
Copies too.*

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

*~~I don't want 30 days
to keep as hold.~~*

*I will enter in WUD
as soon as I get
Core data forms.*



[iWUD Main](#) [Districts](#) [Utilities](#) [PWS](#) [Reports](#) [Documents](#) [Maps](#)

Utility details for BRAZORIA COUNTY MUD 22 (A2107)

Affiliations
 Documents
 Site Visits
 Schedules

Water

Responsible Party

Organization: BRAZORIA COUNTY MUD 22
 Address: 3200 SOUTHWEST FWY STE 2600
 HOUSTON , TX 77027-7537

Official Address / Phone

Address: 3200 SOUTHWEST FWY STE 2600
 HOUSTON , TEXAS 77027-7537
 Telephone: (713) 953-5028

Properties

CR Regulated Entity Number:
 CCEDS Status: NO ACTIVE NOE EXISTS
 Utility Type: WATER UTILITY
 Ownership Type: DISTRICT \ AUTHORITY
 Primary County: HARRIS
 County Code: 101

Counties

Code	County Name	Primary
101	HARRIS	Y

Activity

Activity Status: ACTIVE
 Start Date: 06/11/2014
 06/11/2014

Activity Date:

[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



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Utility details for BRAZORIA COUNTY MUD 22 (A2108)

Affiliations
 Documents
 Site Visits
 Schedules

Sewer

Responsible Party

Organization: BRAZORIA COUNTY MUD 22
 Address: 3200 SOUTHWEST FWY STE 2600
 HOUSTON , TX 77027-7537

Official Address / Phone

Address: 3200 SOUTHWEST FWY STE 2600
 HOUSTON , TEXAS 77027-7537
 Telephone: (713) 953-5028

Properties

CR Regulated Entity Number:
 CCEDS Status: NO ACTIVE NOE EXISTS
 Utility Type: SEWER UTILITY
 Ownership Type: DISTRICT \ AUTHORITY
 Primary County: HARRIS
 County Code: 101

Counties

Code	County Name	Primary
101	HARRIS	Y

Activity

Activity Status: ACTIVE
 Start Date: 06/11/2014
 06/11/2014

Activity Date:

[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



TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided)		
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other	
2. Attachments Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.)		
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Certificate of Convenience Application (submitted under separate cover)
3. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	4. Regulated Entity Reference Number (if issued)
CN 600736250		RN 101395069

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy)		6/11/2014	
6. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check only one of the following:			
<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Operator	<input type="checkbox"/> Owner & Operator	
<input type="checkbox"/> Occupational Licensee	<input type="checkbox"/> Responsible Party	<input type="checkbox"/> Voluntary Cleanup Applicant	<input type="checkbox"/> Other: _____
7. General Customer Information			
<input type="checkbox"/> New Customer	<input checked="" type="checkbox"/> Update to Customer Information	<input type="checkbox"/> Change in Regulated Entity Ownership	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State)		<input type="checkbox"/> No Change**	
**If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.			
8. Type of Customer:			
<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship- D.B.A	
<input type="checkbox"/> City Government	<input checked="" type="checkbox"/> County Government	<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government
<input type="checkbox"/> Other Government	<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Other: _____
9. Customer Legal Name (If an individual, print last name first: ex: Doe, John)		If new Customer, enter previous Customer below	
Brazoria County Municipal Utility District		End Date:	
10. Mailing Address:			
c/o Tim Austin, Allen Boone Humphries Robinson LLP			
3200 Southwest Freeway, Suite 2600			
City	Houston	State	TX
ZIP	77027	ZIP + 4	
11. Country Mailing Information (if outside USA)		12. E-Mail Address (if applicable)	
		behler@ljaengineering.com	
13. Telephone Number		14. Extension or Code	15. Fax Number (if applicable)
(713) 953-5028			(713) 953-5026
16. Federal Tax ID (9 digits)	17. TX State Franchise Tax ID (11 digits)	18. DUNS Number (if applicable)	19. TX SOS Filing Number (if applicable)
76-068535			
20. Number of Employees			21. Independently Owned and Operated?
<input checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION III: Regulated Entity Information

22. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)			
<input type="checkbox"/> New Regulated Entity	<input type="checkbox"/> Update to Regulated Entity Name	<input type="checkbox"/> Update to Regulated Entity Information	<input checked="" type="checkbox"/> No Change** (See below)
**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.			
23. Regulated Entity Name (name of the site where the regulated action is taking place)			

24. Street Address of the Regulated Entity: <i>(No P.O. Boxes)</i>							
	City		State		ZIP		ZIP + 4
25. Mailing Address:							
	City		State		ZIP		ZIP + 4
26. E-Mail Address:							
27. Telephone Number	28. Extension or Code		29. Fax Number <i>(if applicable)</i>				
() -			() -				
30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)		33. Secondary NAICS Code (5 or 6 digits)			
34. What is the Primary Business of this entity? <i>(Please do not repeat the SIC or NAICS description.)</i>							

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:							
36. Nearest City	County		State		Nearest ZIP Code		
37. Latitude (N) In Decimal:	38. Longitude (W) In Decimal:						
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Industrial Hazardous Waste	<input type="checkbox"/> Municipal Solid Waste
<input type="checkbox"/> New Source Review – Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS	<input type="checkbox"/> Sludge
<input type="checkbox"/> Stormwater	<input type="checkbox"/> Title V – Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil	<input type="checkbox"/> Utilities
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

SECTION IV: Preparer Information

40. Name:	Janice Shafer, PE		41. Title:	Project Engineer	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address		
(713) 953-8814		(713) 953-5026	jshafer@ljaengineering.com		

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	LJA Engineering		Job Title:	Project Engineer	
Name <i>(In Print)</i> :	Janice Shafer			Phone:	(713) 358-8814
Signature:	<i>Janice Shafer</i>			Date:	6/11/2014