



Control Number: 43175



Item Number: 18

Addendum StartPage: 0



RECEIVED
2015 JAN 20 PM 2:14
CITY OF RED OAK

January 15, 2015

Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, TX 78711-3326

Public Utility Commission,

Please accept this letter as the City of Red Oak's written protest to the sale of Community Water Service, Inc. and transfer of dual CCN 10091 to the Walter J. Carroll Water Company, Inc. The application/docket number for this proposed transaction is 43175. The current dual CCN 10091 is held by Community Water Service, Inc., but is entirely within the city limits of Red Oak and the water system provides drinking water to its citizens within the Beckley Pikes Estates area.

At the regularly scheduled meeting on December 8, 2014, the Red Oak City Council considered and denied the request for dual CCN certification from the Walter J. Carroll Water Company, Inc. City Council is concerned with improving the quality of service, infrastructure and fire protection for our residents and feels that the City of Red Oak is better suited to provide the resources needed to implement these improvements if Community Water Services, Inc. is prepared to cease operations.

Also, the City of Red Oak would like clarification on the descriptive boundaries of the area subject to this proposed transaction. The notification letter received by the City states that the area is generally bounded on the south by W. Red Oak Rd. and on the west by Hillcrest. However, the CCN location map provided with the notification letter shows the boundaries of the subject area to be much closer to Baldwin on the South and Overlook on the west. The location map appears to be much more accurate than the written description because the water system and its customers only extend to Baldwin on the south and Overlook on the west.

It is the goal of the City of Red Oak to ensure that its residents have suitable infrastructure and water utility service, as well as, fire protection.

Please contact me with any questions or responses by mail at P.O. Box 393, Red Oak, TX 75154, by email at alawrence@redoaktx.org or by phone at 469-218-7723.

Sincerely,

Albert E. Lawrence Jr.
Assistant City Manager

186

Notice to Current Customers, Neighboring Systems and Cities

Community Water Service, Inc 'S
(Seller's or Transferor's Name)

NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO 10091 **TO** Water J. Carroll Water Company, Inc.
(Purchaser's or Transferee's Name)
IN Ellis COUNTY, TEXAS

To: City of Red Oak PWS Date Notice Mailed December 19, 20 14
(Name of Customer, Neighboring System or City)

411 W. Red Oak Road
(Address)

Red Oak, Texas 75154-4405
City State Zip

<u>Community Water Service, Inc.</u>	<u>P.O. Box 850155</u>	<u>Mesquite, Texas 75185</u>
Sellers or Transferors' Name	Address	City/State/Zip Code

has submitted an application with the Public Utility Commission of Texas to sell facilities and transfer a portion water CCN No. 10091 in Ellis [County Name]

County to:

<u>Water J. Carroll Water Company, Inc.</u>	<u>513 Winding Creek Trail</u>	<u>Red Oak, Texas 75154</u>
Purchasers or Transferee's Name	Address	City/State/Zip Code

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code §13.301). The transaction and the transfer of the CCN include the following subdivision(s):

Beckley Pike Estates, 75154

The area subject to this transaction is located approximately 0.75 miles North [direction] of downtown Red Oak, [City or Town] Texas, and is generally bounded on the north by FM-844; on the east by I-35 East; on the south by W. Red Oak Rd; and on the west by Hillcrest

The total area being requested includes approximately 83 acres and serves 338 current customers. This transaction will have the following effect on the current customer's rates and services:

Customer's rates will be charged from Community Water Service, Inc. until such time as Water J. Carroll Water Company, Inc. has been notified. Water J. Carroll Water Company will be liable subject to various conditions and adequate notice for Red Oak customers.

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) include 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 Commission 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 Commission 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:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Se desea informacion en Espanol, puede llamar al
1-888-782-8477

Walter J. Carroll

Utility Representative

Walter J. Carroll Water Company, Inc.

Utility Name

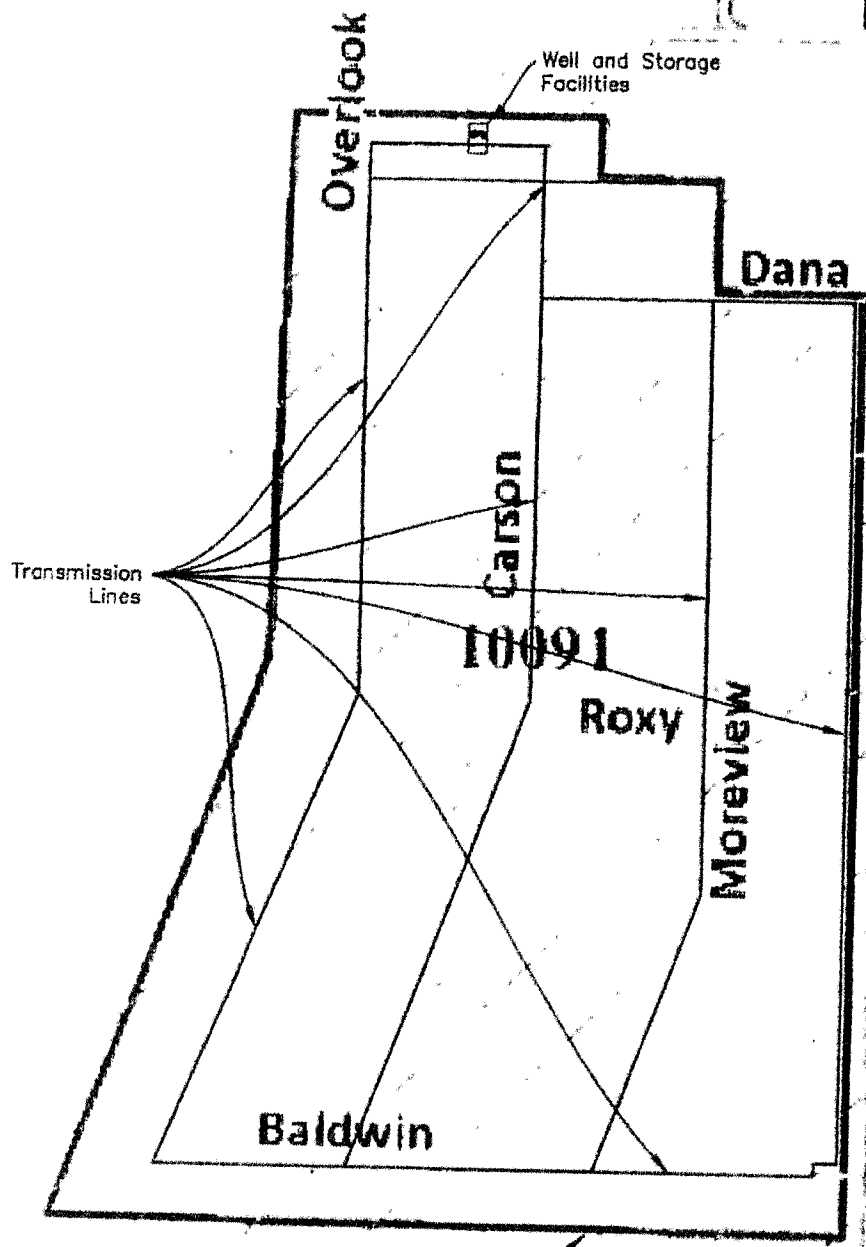
Blue

Indi

664

Norton

Ha



eeekside

Centu

Date
December 15, 2014

Drawn By
DD

Scale
NTS

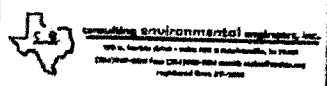


EXHIBIT IX

Existing Rate Schedule for Red Oak System

Outside City Customers

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Base Rate</u>	<u>Gallage Charge</u>
5/8" or 3/4"	\$ <u>21.00</u> (INCLUDING 0 GALLONS)	\$ <u>3.50</u> per 1000 gallons
1"	\$ <u>27.47</u>	
1 1/2"	\$ <u>45.82</u>	
2"	\$ <u>67.93</u>	

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card _____, Other (specify) _____
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
A REGULATORY ASSESSMENT, EQUAL TO ONE PERCENT OF THE CHARGE FOR RETAIL WATER SERVICE ONLY, SHALL BE COLLECTED FROM EACH RETAIL CUSTOMER.

Section 1.02 - Miscellaneous Fees

TAP FEE \$ 600.00
THE TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8" or 3/4" METER.

RECONNECTION FEE
THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:
a) Non payment of bill (Maximum \$25.00) \$ 25.00
b) Customer's request \$ 0.00
OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF

TRANSFER FEE \$ 0.00
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHERE THE SERVICE IS NOT DISCONNECTED.

LATE CHARGE 1.0%
A ONE TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$ 17.50

RATES LISTED ARE EFFECTIVE ONLY IF THIS PAGE HAS TCEQ APPROVAL STAMP

TEXAS COMM. ON ENVIRONMENTAL QUALITY
34687K CCN 10091 OCT 01'04
APPROVED TARIFF BY SP/BD

EXHIBIT X

Proposed Rate Schedule for Walter J. Carroll Water Company

**WATER UTILITY TARIFF
FOR**

Waiter J. Carroll Water Company, Inc.
dba Carroll Water Company
(Utility Name)

513 Winding Creek
(Business Address)

Red Oak, Texas 75154
(City, State, Zip Code)

(972) 617-0817
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

11543

This tariff is effective in the following county:

Ellis

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

Emerald Forest (PWS #0700058), Grande Casa Ranchitos (PWS #0700063),
Lakeview Ranchettes Estates (PWS #0700057), Spanish Grant (PWS #0700064)

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION 1.0 -- RATE SCHEDULE.....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES	3
SECTION 3.0 -- EXTENSION POLICY	8
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN	10
APPENDIX A -- SAMPLE SERVICE AGREEMENT	
APPENDIX B -- APPLICATION FOR SERVICE	

TEXAS COMM. ON ENVIRONMENTAL QUALITY
37105-R, CCN 11543, NOVEMBER 28, 2011
APPROVED TARIFF BY SPLG

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

Meter Size	Monthly Minimum Rate	Gallage Charge
5/8" x 3/4"	\$29.00 (Includes 0- gallons)	\$2.65 per 1,000 gallons 0 - 10,000 gallons
1"	\$29.00 (Includes 0- gallons)	\$2.90 per 1,000 gallons 10,001-15,000 gallons \$4.00 per 1,000 gallons 15,001 gallons thereafter

Additional Charge:

PrairieLands Groundwater Conservation District (PGCD) water production fee \$0.24 per 1,000 gallons (Effective November 28, 2011)

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card , Other (specify)
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS

REGULATORY ASSESSMENT 1.0%
TCEQ RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.

Section 1.02 - Miscellaneous Fees

TAP FEE \$1,000.00
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00)..... \$25.00
- b) Customer's request that service be disconnected \$40.00
or other reason listed under section 2.0 of this tariff.

RATES LISTED ARE EFFECTIVE ONLY IF
THIS PAGE HAS TCEQ APPROVAL STAMP

SECTION 1.0 -- RATE SCHEDULE (Continued)

TRANSFER FEE.....\$25.00
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL).....\$5.00
TCEQ RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE.....\$20.00
RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50).....\$50.00

METER TEST FEE.....\$25.00
THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE:
WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [30 TAC 291.21(K)(2)]

LINE EXTENSION AND CONSTRUCTION CHARGES:
REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE:

Changes in fees imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through as an adjustment to the water gallonage charge according to the following formula:

Adjusted Gallonage Rate (AG) = G + [B/(1 - L)], Where:

- AG = adjusted gallonage charge, rounded to nearest one cent;
- G = approved gallonage charge, per 1,000 gallons;
- B = change in fee (per 1,000 gallons);
- L = water or sewer line loss for preceding 12 months, not to exceed 0.15 (15%)

RATES LISTED ARE EFFECTIVE ONLY IF
THIS PAGE HAS TCEQ APPROVAL STAMP