



Control Number: 43253



Item Number: 16

Addendum StartPage: 0

RECEIVED

APPLICATION OF THE CITY OF
SCHERTZ TO AMEND ITS SEWER
CERTIFICATE OF CONVENIENCE
NECESSITY IN BEXAR COUNTY
(37913-C)

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§

PUBLIC UTILITY

2015 MAR 3 PM 3:28
PUBLIC UTILITY COMMISSION
FILING CLERK

CITY OF SCHERTZ'S RESPONSE TO ORDER NO. 5 AND REQUEST FOR EXTENSION AND CLARIFICATION OF APPLICATION DEFICIENCIES

City of Schertz, Texas (the "City") files this Response to Order No. 5. In support of its Response, the City states the following:

I. BACKGROUND

On May 9, 2014, the City filed an application to amend its sewer certificate of convenience and necessity ("CCN") No. 20271 in Bexar County, Texas with the Texas Commission on Environmental Quality ("TCEQ"). The City requests to amend its CCN to obtain the Retail or Collection portion of the sewer CCN that is currently held by the San Antonio River Authority ("SARA"). SARA, which has the sole CCN for this area, only requires the Wholesale or Treatment CCN and has agreed to allow the City to request the Retail or Collection CCN for this area within the City's corporate limits. The area is currently being served with septic systems.

The economic regulation of water and wastewater utilities was transferred from TCEQ to the Public Utility Commission (the "Commission") effective September 1, 2014. On September 24, 2014, the Commission issued Order No. 2, requiring the Commission Staff to file comments on the administrative completeness of the City's application. On October 8, 2014, the Commission Staff filed its response with the Commission, noting certain deficiencies in the City's application (the "Original Staff Response"). On October 9, 2014, the Commission issued Order No. 3 Finding Application Deficient, Establishing Deadlines and Opportunity to Cure ("Order No. 3"). On November 25, 2014, the City filed a Response to Order No. 3, requesting an extension to cure certain deficiencies delineated in the Original Staff Response. On December 9, 2014, the Commission issued Order No. 4, extending the City's deadline to cure

deficiencies noted in Order No. 3 to January 31, 2015 ("Order No. 4"). On January 29, 2015, the City filed a Response to Order No. 4, submitting drafts of items 1 and 2 of the Original Staff Response and requesting an extension for items 3 and 4 of the Original Staff Response. On January 30, 2015, the Commission issued Order No. 5, permitting the City (i) to submit a final, approved copy of the Interlocal Agreement relating to items 1 and 2 of the Original Staff Response to the Commission by February 27, 2015, and (ii) to provide a status update in connection with items 3 and 4 of the Original Staff Response to the Commission by March 3, 2015 ("Order No. 5"). On February 10, 2015, the Commission Staff filed a Response to Order No. 5, requesting the Commission to grant the extension the City requested and outlining the remaining deficiencies in the City's application (the "Amended Staff Response"). On February 25, the City filed a Response to Order No. 5, requesting (i) an extension for items 1 and 2 of the Original Staff Response and (2) clarification of the deficient items the City must submit to the Commission Staff to complete the City's application (the "City's First Response to Order No. 5"). The City files this Response in connection with Order No. 5 to submit documentation for item 3 and item 4 of the Original Staff Response.

II. RESPONSE

The Original Staff Response requests the City to provide the following items before its application can be deemed complete in accordance with P.U.C. SUBST. R. 24.105:

1. Pursuant to P.U.C. SUBST. R. 24.105(13), a copy of the agreement between the City and SARA for dual certification.
2. A copy of the contract between the City and SARA for SARA to continue to provide the treatment portion of the wastewater, pursuant to P.U.C. SUBST. R. 24.105(15). This rule requires a sewer CCN to provide information that the City is in compliance with P.U.C. SUBST. R. 24.94 relating to the adequacy of sewer service.
3. Pursuant to P.U.C. SUBST. R. 24.105(14)(A), a copy of the approval letter for the plans approved by the TCEQ and specifications for the system or proof that the City has submitted either a preliminary engineering report or plans and specifications for the first phase of the system.
4. Pursuant to P.U.C. SUBST. R. 24.105(15), a copy of SARA's most recent sewer inspection report, and pursuant to P.U.C. SUBST. R. 24.105(14), the City's most recent water inspection report. For each system deficiency listed, if any, attached

should be a brief explanation listing the actions taken or being taken to correct the listed deficiencies, including the proposed completion dates. This information would ensure that the City is in compliance with P.U.C. SUBST. R. 24.94, relating to the adequacy of sewer service, and P.U.C. SUBST. R. 24.93, relating to the adequacy of water utility service.

5. The general location map and detailed hard copy map provided by the City do not appear to delineate the same proposed sewer CCN service area with CCN No. 20271. Therefore, the City should resubmit both hard copy maps showing the same proposed sewer service area, or retract the "Overall Location Map." Additionally, the City must submit digital data delineating the same proposed sewer CCN service area displayed on the remaining hard copy map titled, "Amended Sewer CCN 20271 Addition City of Schertz."

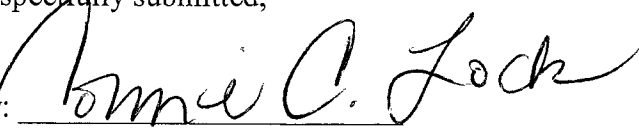
In connection with item 3 of the Original Staff Response, the City submits (i) a preliminary engineering report from Ford Engineering, Inc. and (ii) letters from four property owners requesting wastewater utility service from the City in the area for which the City seeks amendment of its CCN. The preliminary engineering report and the letters from the four property owners are attached as Exhibit A and Exhibit B, respectively.

In connection with item 4 of the Original Staff Response, the City submits SARA's most recent sewer inspection report and the City's most recent water inspection report. These letters do not include the area for which the City is requesting the CCN amendment, but the reports indicate that SARA and the City are in compliance with applicable sewer and wastewater requirements. The sewer inspection report and the water inspection report are attached as Exhibit C and Exhibit D, respectively.

III. CONCLUSION

The City respectfully requests the Commission to accept (1) the preliminary engineering report from Ford Engineering, Inc. and the letters from four property owners requesting wastewater utility service from the City in connection with item 3 of the Original Staff Response and (2) SARA's most recent sewer inspection report and the City's most recent water report in connection with item 4 of the Original Staff Response.

Respectfully submitted,

By: 

Connie C. Lock

State Bar No. 24007191

Denton Navarro Rocha Bernal Hyde & Zech, P.C.

2517 N. Main Avenue

San Antonio, Texas 78212-4685

(210) 227-3243, Fax (210) 225-4481


connie.lock@rampage-sa.com

ATTORNEY FOR CITY OF SCHERTZ, TEXAS

Dated: March 3, 2015

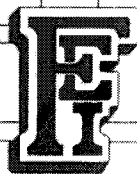
CERTIFICATE OF SERVICE

I, Connie C. Lock, Attorney for the City, certify that a copy of this document was served on all parties of record in this proceeding on March 3, 2015, in accordance with P.U.C. Procedural Rule 22.74 in the following manner: electronic facsimile transmission.



Connie C. Lock

EXHIBIT A—ITEM 3
(PRELIMINARY ENGINEERING REPORT)
OF
THE ORIGINAL STAFF RESPONSE



FORD ENGINEERING, INC.

February 24, 2015
Project 1124.86

Mr. Sam Willoughby
City of Schertz
Public Works Director
10 Commercial Place, Bldg 2
Schertz, Texas 78154

RE: Sanitary Sewer Master Plan – Salitrillo Sewershed

Mr. Willoughby,

Ford Engineering, Inc. prepared a preliminary sanitary sewer study in 2013 to determine appropriate sizing of sewer mains for master planned and capital improvements projects. Attached is an exhibit of the Salitrillo Sewershed and estimated sizes for sewer in that area; see Exhibit 1. The San Antonio River Authority (SARA) has completed segment 11 and 12 of the master planned Graytown Wastewater Collection System for the Salitrillo Sewershed within the City of Schertz, and has additional segments planned for the City of Schertz; see Exhibit 2.

All sizing was based on ultimate development within the city limits based on the Future Land Use Plan developed for the City of Schertz Comprehensive Land Plans as adopted in July 2013, Ordinance 13-S-21; see Exhibit 3.

Land Uses were ascribed a comparable living unit equivalent, based on the following criteria: the City requires all new development to be connected to a public sanitary sewer system, anticipated growth projected in the Comprehensive Land Use Plan, and the Table 1, below.

Table 1 Future Land Use and Living Unit Equivalent

LU Code	LU Description	Peaking Factor	LUE/AC	I/I (gpd) per AC
1	Neighborhood	3	3.25	700
2	Estate Neighborhood	3	1.5	700
3	Highway Commercial	3	1	1000
4	Campus Commercial	3	1	1000
5	Mixed Use Core	3	4	850
6	Light Industrial	3	1	1000
7	School	3	4	750
8	Ag-conservation	3	0.2	140
9	Open Park	0	0	0
10	Floodplain	0	0	0
11	Air Installation Impact	0	0	0
12	Air Installation Comp	0	0	0
13	Transition	3	1	1000

The calculation of sewer flow is per acre. One living unit equivalent (LUE) is equal 245 gallons per day for the Average Daily flow. The Peak Dry Weather flow is increases the Average by a factor of three (3). The Peak Wet Weather flow is the Peak Dry with an addition of infiltration and inflow, based on acreage per Table 1.

Table 2 Calculated Sewer Flow

SEWERSHED SALTRILLO CRK						Total Sewage Flow	3,962,096.4
SS_ID	LANDUSE DESCRIPTION	AREA	LUE/ACR E	LUE	Average, gpd	Peak Dry, gpd	Peak Wet, gpd
60		142.3		94.3	23,107.6	69,322.8	118,839.6
	Highway Commercial	10.3	1	10.3	2,527.6	7,582.8	
	Estate Neighborhood	56.0	1.5	84.0	20,580.0	61,740.0	
	Floodplain	76.0	0	0.0	0.0	0.0	
61		300.2		381.6	93,491.7	280,475.0	459,033.7
	Highway Commercial	0.9	1	0.9	220.2	660.5	
	Air Installation Impact	11.5	0	0.0	0.0	0.0	
	Estate Neighborhood	253.8	1.5	380.7	93,271.5	279,814.5	
	Floodplain	34.0	0	0.0	0.0	0.0	
62		261.0		269.6	66,052.0	198,156.0	361,196.0
	Highway Commercial	46.2	1	46.2	11,319.0	33,957.0	
	Estate Neighborhood	133.2	1.5	199.8	48,951.0	146,853.0	
	Transition	23.6	1	23.6	5,782.0	17,346.0	
	Floodplain	58.0	0	0.0	0.0	0.0	
63		658.5		811.2	198,737.7	596,213.1	1,129,471.0
	Highway Commercial	73.1	1	73.1	17,909.5	53,728.5	
	Campus Commercial	147.5	1	147.5	36,137.5	108,412.5	
	Estate Neighborhood	347.4	1.5	521.1	127,667.8	383,003.3	
	Transition	69.5	1	69.5	17,022.9	51,068.7	
	Floodplain	21.0	0	0.0	0.0	0.0	
64		419.1		313.7	78,844.3	230,532.8	376,902.8
	Estate Neighborhood	209.1	1.5	313.7	78,844.3	230,532.8	
	Floodplain	210.0	0	0.0	0.0	0.0	
65		354.5		346.7	84,929.3	254,787.8	416,557.8
	Air Installation Impact	1.4	0	0.0	0.0	0.0	
	Estate Neighborhood	231.1	1.5	346.7	84,929.3	254,787.8	
	Floodplain	122.0	0	0.0	0.0	0.0	
66		652.4		784.5	192,210.4	576,631.2	971,358.0
	Highway Commercial	10.7	1	10.7	2,628.0	7,883.9	
	Ag-conservation	19.4	0.2	3.9	951.7	2,855.0	
	Air Installation Impact	64.3	0	0.0	0.0	0.0	
	Estate Neighborhood	485.8	1.5	728.7	178,531.5	535,594.5	
	Transition	41.2	1	41.2	10,099.2	30,297.7	
	Floodplain	31.0	0	0.0	0.0	0.0	
67		274.9		110.7	27,109.9	81,329.7	128,737.6
	Ag-conservation	0.1	0.2	0.0	3.9	11.8	
	Air Installation Impact	213.0	0	0.0	0.0	0.0	
	Campus Commercial	30.0	1	30.0	7,359.0	22,076.9	
	Neighborhood	24.8	3.25	80.6	19,747.0	59,241.0	
	Floodplain	7.0	0	0.0	0.0	0.0	

Estimated sewer main sizing for the collection by the City of Schertz is based on the contributing sewage values above and upon the minimum slopes and full flow capacities allowed by the Texas Commission on Environmental Quality; see Table 3.

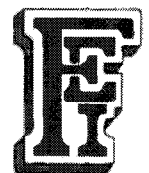


Table 3 Allowable Sewer Main Diameter Calculations

Pipe In	1.49/n	a	p	Rh	Min S (ft/ft)	Max S (ft/ft)	Min V fps	Max V fps	Max Q, Min Slope gpd	Max Q, Max Slope gpd
6	114.6	0.20	1.57	0.12	0.005	0.1235	2.0	10.0	255,132.09	1,267,983.36
8	114.6	0.35	2.10	0.17	0.0033	0.084	2.0	10.0	452,800.46	2,284,491.42
10	114.6	0.54	2.61	0.21	0.0025	0.0623	2.0	10.0	698,133.82	3,485,079.55
12	114.6	0.79	3.14	0.25	0.0024	0.048	2.2	9.9	1,124,956.65	5,030,959.07
15	114.6	1.23	3.93	0.31	0.0024	0.0362	2.6	10.0	2,041,199.82	7,927,462.30
18	114.6	1.77	4.71	0.37	0.0024	0.0283	2.9	10.0	3,321,233.79	11,404,783.49
21	114.6	2.40	5.50	0.44	0.0024	0.023	3.2	10.0	5,012,419.10	15,516,925.45
24	114.6	3.14	6.28	0.50	0.0024	0.0193	3.5	10.0	7,159,552.45	20,302,938.94
27	114.6	3.97	7.07	0.56	0.0024	0.0165	3.8	10.0	9,805,350.21	25,709,845.16
30	114.6	4.91	7.85	0.62	0.0024	0.0143	4.1	10.0	12,990,791.41	31,710,128.90
33	114.6	5.94	8.64	0.69	0.0024	0.0126	4.4	10.0	16,755,372.17	38,391,380.64
36	114.6	7.07	9.42	0.75	0.0024	0.0112	4.6	10.0	21,137,301.22	45,661,789.43

Anticipated sewer mains are shown in the attached Exhibit 1. The exhibit is for planning uses only, and actual alignments, and sewage capacities may vary based on development of the area.

This summarizes the preliminary study and calculations for the sanitary sewer master planning study for the Salitrillo Creek. Should there be any questions, please don't hesitate to contact me at 210-590-4777.

Sincerely,



Mark B Hill, P.E.
Ford Engineering, Inc.



CITY OF SCHERTZ MASTER SEWER PLAN SALTRILLO SEWERSHED

LEGEND

CIP = CAPITAL IMPROVEMENT PLANNED UTILITY

MP = MASTER PLAN UTILITY

EX = EXISTING SEWER TRUNKLINE

LS = SANITARY SEWER LIFTSTATION

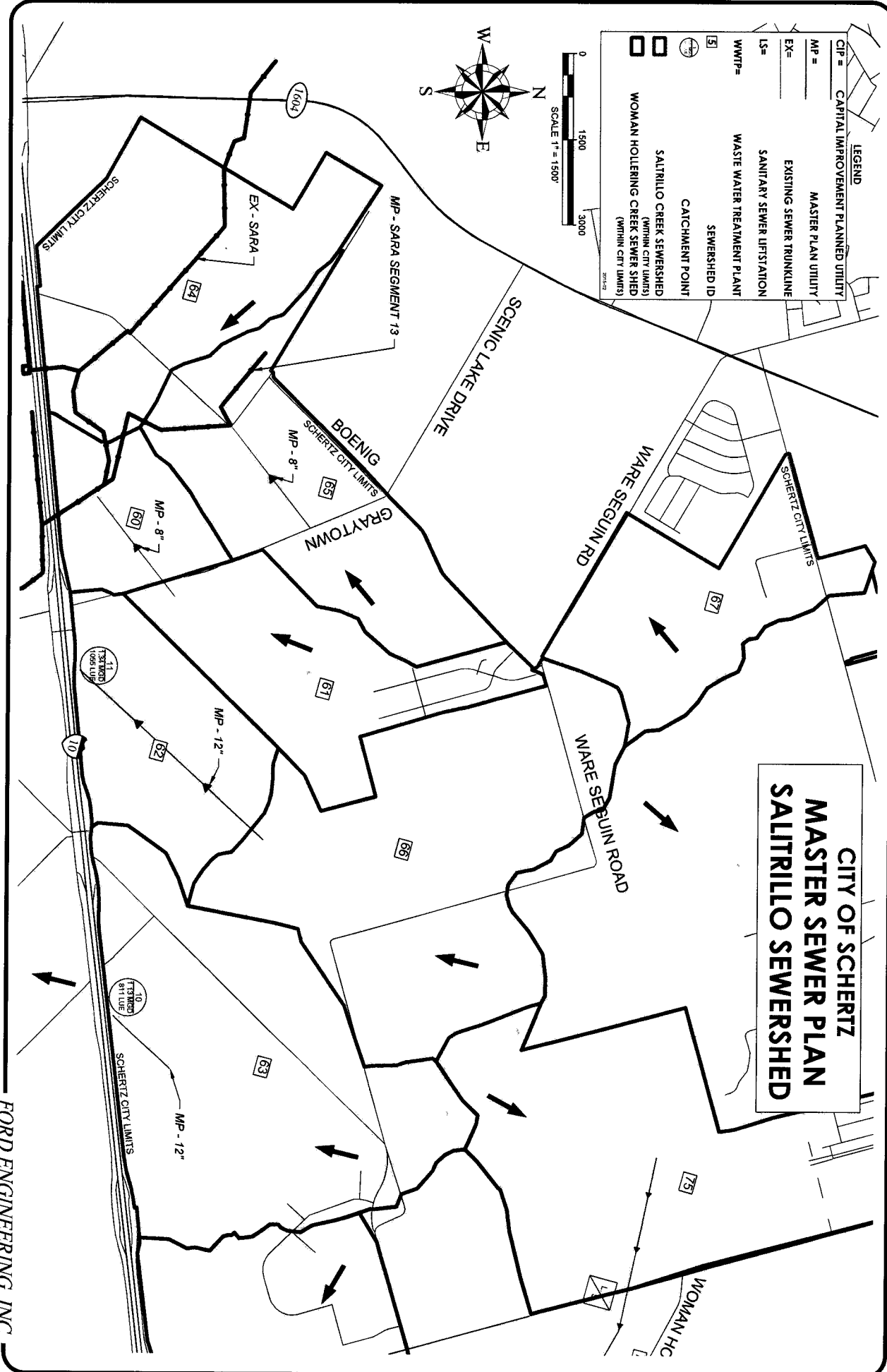
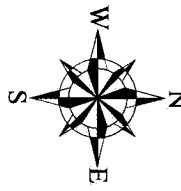
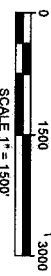
WWT = WASTE WATER TREATMENT PLANT

SEWERSHED ID

CATCHMENT POINT

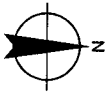
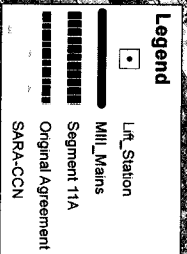
SALTRILLO CREEK SEWERSHED (WITHIN CITY LIMITS)

WOMAN HOLLENGER CREEK SEWER SHED (WITHIN CITY LIMITS)



FORD ENGINEERING, INC.

EXHIBIT 2



Disclaimer: The CDS material included with this pamphlet is made available as a public service. The media reader data are to be used for reference purposes only. The data herein shall be used and held upon only at the user's sole risk, and the user agrees to indemnify and hold harmless the San Antonio River Authority and its employees from any liability arising out of the use of the data or information provided. If there are any questions about the appropriateness of this data, please write to: arg@state.tx.gov.

EXHIBIT 3

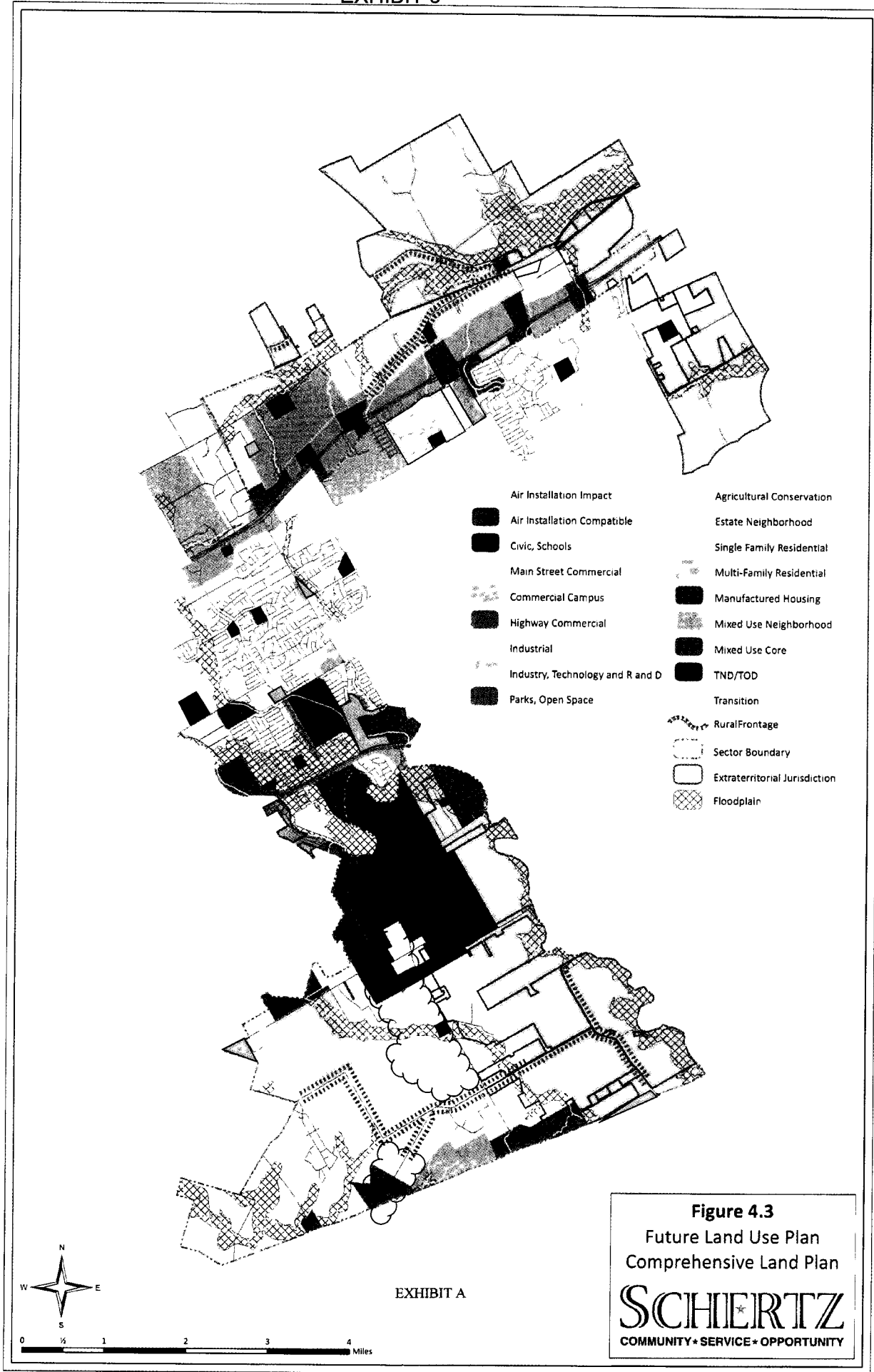


Figure 4.3
 Future Land Use Plan
 Comprehensive Land Plan
SCHIERTZ
 COMMUNITY • SERVICE • OPPORTUNITY

EXHIBIT B—ITEM 3
(LETTERS FROM PROPERTY OWNERS REQUESTING
WASTEWATER UTILITY SERVICE)
OF
THE ORIGINAL STAFF RESPONSE

Boeck Farms
c/o Marvin Boeck
4703 Scenic Lake Drive
Schertz, Texas 78154

City of Schertz
Public Works Department
10 Commercial Place, #2
Schertz, Texas 78154

Re: Request for Wastewater Utility Service

To Whom It May Concern:

My family owns approximately 381.075 acres of land in Bexar County within the City of Schertz located between Scenic Lake Drive, FM 1518 and IH10. To ensure that our property has adequate wastewater services for any future development, we hereby request that the City of Schertz provide wastewater utility service for the area.

Thank you,

Marvin Boeck

Marvin Boeck
Boeck Farms

Triple H Development, LLC
15720 Bandera Rd. Suite #103
Helotes, Texas 78023

City of Schertz
Public Works Department
10 Commercial Place
Schertz, Texas 78154

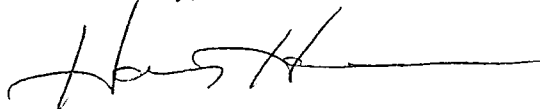
Re: Request for Wastewater Utility Service

To Whom It May Concern:

I own a 102.912 acre development known as The Reserve at Schertz II which consists of 127 lots and is in the Schertz city limits (the "Reserve II"). The City of Schertz has previously approved a master development plan for the Reserve II which we have included a copy of. To ensure that the Reserve II has an adequate wastewater service for its future residents, we hereby request that the City of Schertz provide wastewater utility service to the development. We believe that no other utility than the City of Schertz is capable of providing wastewater utility service to the Reserve II in a cost-effective manner.

Please let me know if you have any questions regarding this request or need any additional information from me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Harry Hausman', with a long horizontal flourish extending to the right.

Harry Hausman

A second handwritten signature in black ink, appearing to read 'Mayer', written below the name Harry Hausman.

Alan G. and Barbara K. Muzny
11403 E. IH 10
Schertz, Texas 78154

8/23/2015

City of Schertz
Public Works Department
10 Commercial Place, #2
Schertz, Texas 78154

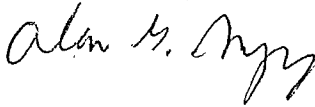
Re: Request for Wastewater Utility Service

To Whom It May Concern:

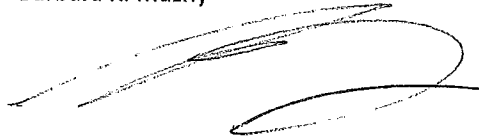
My family owns approximately 49.341 acres of land in Bexar County within the City of Schertz located between Graytown Road and IH10. To ensure that our property has adequate wastewater services for any future development, we hereby request that the City of Schertz provide wastewater utility service for the area.

Thank you,

Alan G. Muzny



Barbara K. Muzny



Cynthia A. Raleigh

Subject: FW: Sanitary Sewer Service to Stewart Tract
Attachments: EX1-150227_StewartTract2.pdf

Subject: Sanitary Sewer Service to Stewart Tract

Mr. Willoughby:

We are managing a property located on Graytown Road and Boenig Drive (please see attached exhibit). The property consists of approximately 233 acres and is all within the City of Schertz. We understand that the City of Schertz is applying for dual certification, within the SARA CCN, for sanitary sewer service within the property boundary. Please note that we are in support of the City of Schertz's application.

It is our belief that the City of Schertz will be successful in their application for the sewer CCN and, based on that condition, we are requesting a commitment from the City of Schertz for sanitary sewer service to the property. Specifically, the ultimate sewer demand for this property is estimated to be 271 EDU's of single family residential lots and 25 acres of commercial development totaling a required 471 EDU's of sewer service.

We greatly appreciate your consideration of our request.

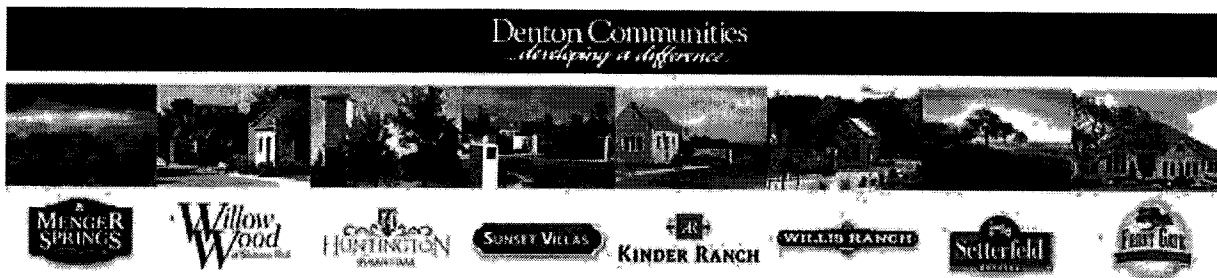
Best regards,

Dan Kossel

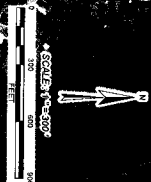
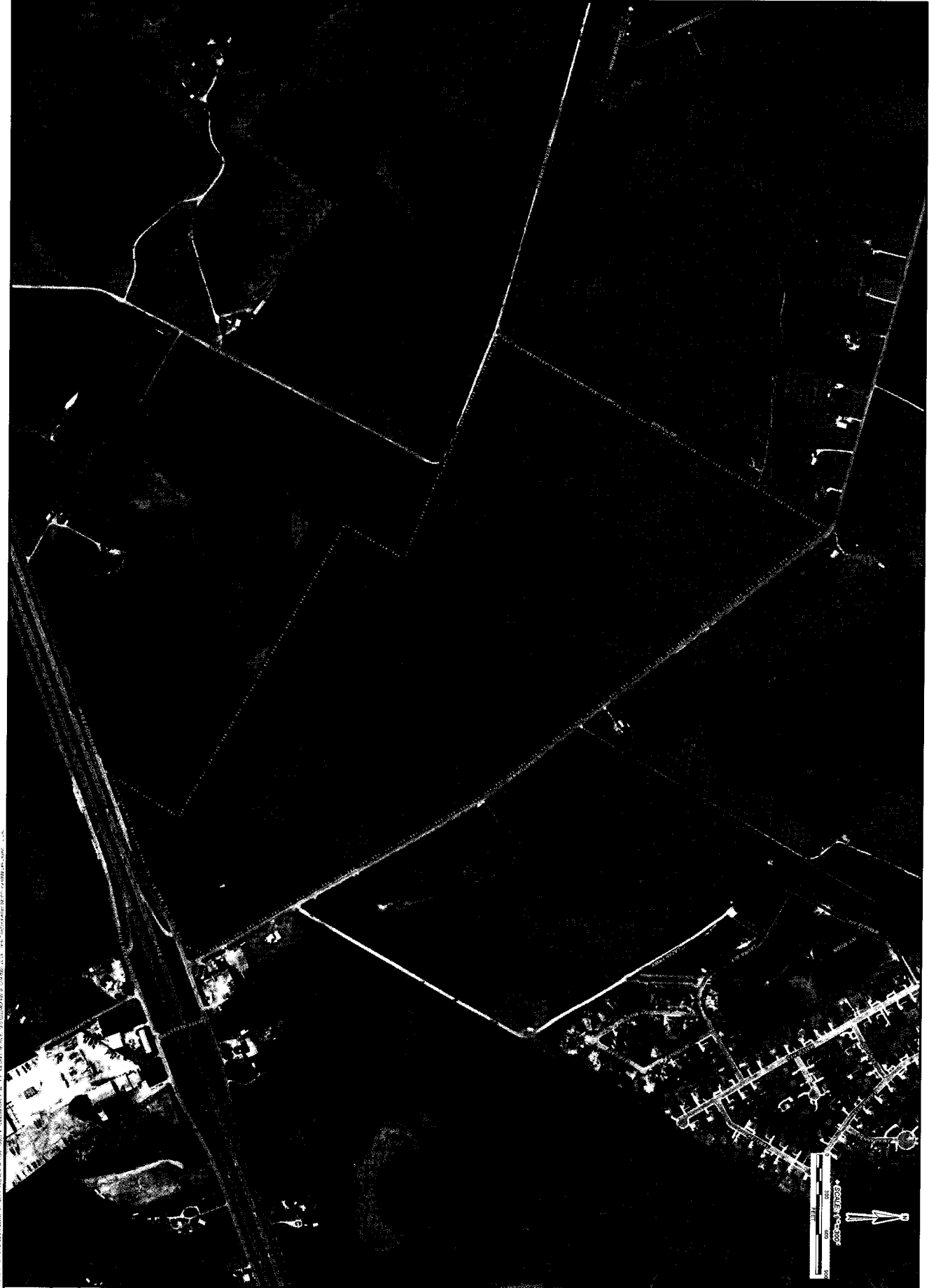
P 210.828.6131 (EXT.117) F. 210.828.0504 11 Lynn Batts Lane #100 San Antonio, TX 78218

RESIDENTIAL COMMUNITIES dentoncommunities.com

COMMERCIAL PROPERTIES thepowellcompanies.com



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STEWART TRACT
 EXISTING CONDITIONS

REVISIONS ISSUE DATE

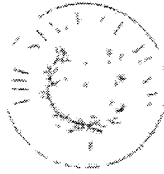
KFW
 ENGINEERS & SURVEYING
 FIRM 5513

A. J. WILSON, P.E., P.S.
 L.S. 5513-10-1 (S. 10-10-10)

DATE: 10/24/2015
 DRAWN BY: C. J. WILSON
 SHEET NUMBER
1 OF 1

EXHIBIT C—ITEM 4
(SEWER INSPECTION REPORT)
OF
THE ORIGINAL STAFF RESPONSE

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 1, 2012

Mr. Daniel Flores, Utilities Operations Superintendent
San Antonio River Authority
PO Box 839980
San Antonio, Texas 78283-9980

Re: Compliance Evaluation Investigation at:
San Antonio River Authority Martinez III Wastewater Treatment Facility, located
approximately 0.35 mile south on Loop 1604 from the intersection of Interstate Highway
10 and Loop 1604 in Bexar County, Texas
TCEQ ID No.: TPDES14042001, EPA ID No.: TX0117536

Dear Mr. Flores:

On December 6, 2011, Chris Dziuk of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater treatment. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Chris Dziuk in the San Antonio Region Office at (210) 403-4027.

Sincerely,

A handwritten signature in black ink, appearing to read "Joy Thurston-Cook", is written over a horizontal line.

Joy Thurston-Cook
Water Section Work Leader
San Antonio Region Office

JTC/CD/eg

EXHIBIT D—ITEM 4
(WATER INSPECTION REPORT)
OF
THE ORIGINAL STAFF RESPONSE

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



Copy forwarded
TO PW & mgnd
REC
R363 ID

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
March 4, 2013

The Honorable Hal Baldwin, Mayor
City of Schertz
1400 Schertz Parkway
Schertz, Texas 78154

Re: Compliance Evaluation Investigation at:
City of Schertz, Bexar County, Texas
Regulated Entity No.: RN101239168
TCEQ ID No.: 0940003, Investigation No.: 1057955

Dear Mayor Baldwin:

On December 13-18, 2012, Ms. Stacy Tanner of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation. At this time, your public water supply continues to merit recognition as a "Superior" system.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Tanner in the San Antonio Region Office at (210) 403-4078.

Sincerely,

A handwritten signature in cursive script, reading "Joy Thurston-Cook".

Joy Thurston-Cook
Water Section Work Leader
San Antonio Region Office

JTC/smt/eg