

Control Number: 43255



Item Number: 8

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*



RECEIVED

2014 SEP 15 AM 10:00

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

PUBLIC UTILITY COMMISSION
FILING CLERK

June 24, 2014

BY EMAIL TO droberts@lonestarlandpartners.com AND
BY CERTIFIED MAIL

Mr. Davy Roberts, President
NLP Summit Springs, LLC
9508 E. Hwy 71
Spicewood, TX 78669

NOTICE OF DEFICIENCY

Re: Application from NLP Summit Springs, LLC, A2103, to Obtain a Certificate of Convenience and Necessity (CCN) in Burnet County; Application No. 37914-C

CN: pending; RN: pending

Dear Mr. Roberts:

Your application for NLP Summit Springs, LLC, received on May 9, 2014, has been assigned Application No. 37914-C, but has not been accepted for filing. Please refer to the application number in future correspondence.

Additional information is necessary for your application to be accepted for filing.

Please submit four (4) copies of the following:

- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county; and
- B. A map showing **only** the proposed area by:
 - i. Metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. Projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also a data disk labeled with the applicant's name must be provided; or
 - iii. Following verifiable natural and man-made landmarks; or
 - iv. A copy of recorded plat map with metes and bounds; and
- C. A written description of the proposed service area.
- D. Provide separate and additional maps of the proposed area(s) to show the following:
 - i. all facilities, illustrating separately facilities for production, transmission and distribution of the applicant's service(s); and
 - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s).

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Mr. Davy Roberts, President

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June 24, 2014

Processing of the above referenced application cannot proceed and notices cannot be published or mailed until we receive the requested items. These items must be completed and returned to our office by **July 24, 2014**. If we do not receive the requested information by this date your application will be returned for failure to prosecute.

If you have any questions, please contact Ms. Christine Mester at 512/239-2788, or if by correspondence, include Mail Code 153 in the letterhead address.

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

CML/CM/mmg

To: Administrative Reviewer

Date Complete: June 4, 2014

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. **Application No. 37914-C**
NLP Summit Springs, LLC to Obtain a New Water in Burnet County

- X 1. No new overlap of service areas exists.
2. An overlap:
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:

Note: Applicant listed public drinking water supply systems located within 2 miles of the proposed CCN. However, they are required to provide a list of water utilities (CCNs) located within 2 and 5 miles as required of a new CCN. Instead they provided a map showing the utilities located within five miles.

TWO MILES:

Double Horn Creek WSC (12913)
Lower Colorado River Authority (11670)
Sunset Water Utilities (13083)

FIVE MILES:

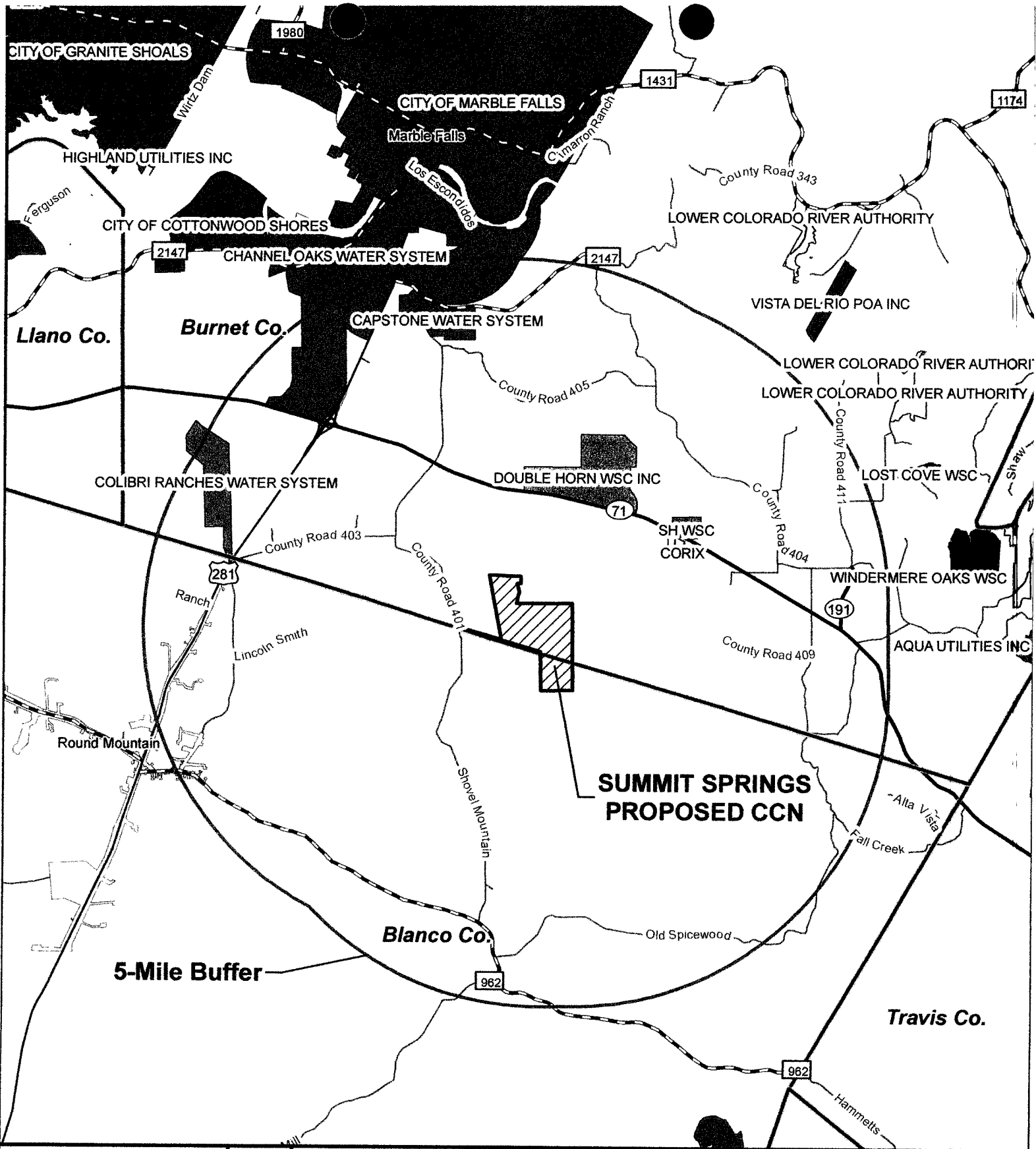
Capstone Water System (13073)
City of Marble Falls (11137)
Colibri Ranches Water System (13155)
Double Horn Creek WSC (12913)
Lower Colorado River Authority (11670)
Sunset Water Utilities (13083)

- X 11. Notice: DO NOT NOTICE
- X 12. Other comments: Please submit the following:
- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
- B. A map showing ONLY the proposed area by:
- i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
- ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with

- the applicant's name must be provided; or
- iii. following verifiable natural and man-made landmarks; or
- iv. a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area.
- D. **Provide separate and additional maps of the proposed area(s) to show the following:**
 - 1. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s);
and
 - 2. any facilities, customers or area currently being served outside the applicant's certificated area(s).

Comments: Applicant did not accurately write the location of the proposed CCN in their notice documentation. Applicant must use verifiable landmarks to describe where the proposed CCN is located as they did in the written description.

Tracy Harbour



Scale: 0 1 2 Miles

Drawn By: BB Date: 4-14

Quad Name and No:

Projection:
UTM NAD 83 Zone 14

Summit Springs Proposed CCN - Surrounding Utilities

Blanco and
Burnet Counties, Texas



Wet Rock Groundwater Services, L.L.C.
Groundwater Specialists

TBPG Firm No: 50038
311 Ranch Road 620 South, Ste. 103
Austin, Texas 78734 Ph: 512.773.3226
www.wetrockgs.com