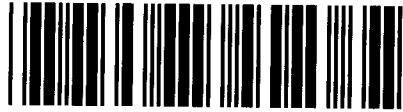


Control Number: 43368

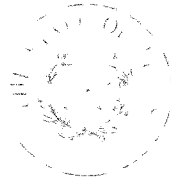


Item Number: 3

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*



43368

91 7199 9991 7031 8277 8469

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 5, 2014

**BY EMAIL TO dustinjlozano@hotmail.com AND
BY CERTIFIED MAIL**

Mr. Dustin Lozano
13193 Country Road 424
Somerville, Texas 77879

RECEIVED
2014 SEP 25 AM 10:23
PUBLIC UTILITY COMMISSION
FILING CLERK

NOTICE OF DEFICIENCY

Re: Application from HDU Services, LLC, dba Wilderness Sound dba Yegua Water System, Certificate of Convenience and Necessity (CCN) No. 11699 to Purchase and Transfer Facilities from CCN No. 12254 held by Curtis Shupak in Burleson County; Application No. 37955-S

CN: 602212599; RN: 104026968 (Curtis Shupak)
CN: 600628978; RN: 101232775 (HDU Services, LLC)

Dear Mr. Lozano:

Your application for HDU Services, LLC, has been assigned Application No. 37955-S, 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 provide four (4) copies of the following items:

- 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; and
- C. A notarized oath from the seller; and

D. The seller's most recent inspection report letter. For each system deficiency listed, if any, attach a brief explanation listing the actions taken or being taken to correct the listed deficiencies, including the proposed completion dates.

Please note, on November 14, 2012, the Commission implemented a policy change to strictly enforce the requirement that CCN related applications include a complete list of entities providing the same type of retail utility service (i.e., water and/or sewer) within 2 miles of the proposed service area. See question 15 in the application. The list should include the following:

- All retail public utilities, districts, groundwater conservation districts, counties, and
- any cities whose corporate limits and/or extra-territorial jurisdiction (ETJ) are within the same two mile area of the proposed CCN area.

Below are links that will assist you in assembling the list:

<http://www.tceq.texas.gov/gis/iwudview.html>. Please note that the iWUD Viewer only provides information on entities with registered CCN numbers.

<http://www.tceq.texas.gov/groundwater/districts/html>. This link can be used for groundwater conservation districts.

Assistance in compiling your list of entities or in using the iWUD Viewer is available through the TCEQ's Financial Managerial and Technical (FMT) contract. To request assistance, please contact the Water Supply Division at utildist@tceq.texas.gov or 512/239-4691.

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 by **September 15, 2014**. 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

Mr. Dustin Lozano

Page 2

August 5, 2014

Thank you for your assistance in this matter. Please contact Ms. Christine Mester at 512/239-2788 or Ms. Lisa Fuentes at 512/239-6117 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Cari-Michel La Caille". The signature is fluid and cursive, with the first name "Cari" being particularly prominent.

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

CML/CM/mmg