



Control Number: 43405



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.

43405

Bryan W. Shaw, Ph.D., P.E., *Chairman*
 Toby Baker, *Commissioner*
 Zak Covar, *Commissioner*
 Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 16, 2014

**BY FAX TO 956/383-2148 AND
 BY CERTIFIED MAIL**

Mr. Dario V. Guerra III
 P.O. Box 721025
 McAllen, TX 78504

NOTICE OF DEFICIENCY

Re: Application from Derby, Ing., A2029, to Acquire and Transfer Certificate of Convenience and Necessity (CCN) No. 12794 held by English Acres in Jim Wells County; Application No. 37864-S

CN: pending; RN: pending (Derby Ing.)
 CN: 602811713; RN: 101229037 (English Acres)

Dear Mr. Guerra:

Your application for Derby Ing., received on March 7, 2014, has been assigned Application No. 37864-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. The 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;
- B. A neighboring utility list which includes the county and any neighboring groundwater conservation districts;
- C. A complete and notarized oath from the seller and purchaser.

In addition, English Acres owes Water System fees for fiscal year 1996-2014 in the amount of \$3,755.79.00. Payment may be made through the following methods: cash, check, ACH (electronic check), money order, or credit card through TCEQ's electronic payment portal (e-pay). Additional information regarding payment options is available at <http://www.tceq.texas.gov/response/drought/waterfees.html>. Upon payment, please send documentation reflecting payment of all delinquent fees and penalties.

CM
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 2014 OCT -1 AM 10:35
 PUBLIC UTILITY COMMISSION
 FILING CLERK

Mr. Dario V. Guerra III
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Please be advised: Failure to pay fees/penalties within 30 days will result in additional administrative actions affecting your fee accounts and your application with TCEQ. With respect to fees and/or penalties, these actions may include enforcement and collections efforts to recover the debt owed to the state. Regarding your permit application, additional administrative actions may include return of your application (forfeiting the application fee), or a contested case hearing that may result in the denial of your application.

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 16, 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,



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

CML/CM/kn

**** Transmit Conf. Report ****

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How is our customer service? www.tceq.texas.gov/goto/customersurvey

From: Christine Mester
 Division: Water Supply Division
 Texas Commission on Environmental Quality
 Phone: 512-239-2788
 Fax: 512-239-6972