

Control Number: 43532



Item Number: 1

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.

43532

**TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY**
TRANSMITTAL OF ADMINISTRATIVE RECORD

RECEIVED

2014 OCT 14 AM 11:24

PUBLIC UTILITY COMMISSION
FILING CLERK

DATE: March 15, 2007
TO: SOAH Natural Resources Docket Clerk
FROM: *mr* Melissa Radke, TCEQ SOAH Docket Coordinator
RE: H & H Water Supply Corporation; Application No. 35544-X
SOAH Docket No. 582-07-1410; TCEQ Docket No. 2006-2166-UCR

Pursuant to 30 TAC § 80.6(b)(4) regarding referrals to SOAH, a copy of the Chief Clerk's case file is attached. Please find certified copies of the following documents:

- ✓ 1. the application;
- ✓ 2. public hearing notice and Chief Clerk's affidavit

If any of these documents are not included as enclosures with this memo, please notify Deanna Avalos, Final Documents Team Leader at (512) 239-3327.

25 8 41 21 11 10

2014 OCT 14 AM 11:24
PUBLIC UTILITY COMMISSION
FILING CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INTEROFFICE MEMORANDUM

TO: LaDonna Castanuela, Chief Clerk

DATE: December 20, 2006

THRU: ^{12/13/06}
TPB Doug Holcomb, P.E., Section Manager
Utilities and Districts Section
Water Supply Division

FROM: ^{12/13/06}
TB Tammy Benter, Team Leader
Utilities Financial Review Team
Water Supply Division

SUBJECT: Docket No. 2006-2166-UCR; Petition of Rickie Roddy to Review the Cost of Obtaining Service from H & H Water Supply Corporation, Pursuant to V.T.C.A., Water Code Section 13.043(g); Certificate of Convenience and Necessity (CCN) No. 10016 in McLennan County; Application No. 35544-X

We hereby transfer the official file for the above referenced application to the Chief Clerk's Office. Please refer this application to the State Office of Administrative Hearings and request that a hearing be scheduled.

Staff estimates 10 people to attend this hearing. Attached is a mailing list.

The staff assigned to this case are:

Financial - Elsie Pascua
Leila Guerrero-Gantioqui

Technical - Brian Dickey

Legal -

THE STATE OF TEXAS
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a Texas Commission on Environmental Quality document, which is filed in the permanent records of the Commission. Given under my hand and the seal of office on

LaDonna Castanuela **MAR 15 2007**
LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality

If we may be of further service regarding this matter, please call.

for Tammy Benter
Doug Holcomb, P.E., Section Manager

DH/LG/fg

cc: TCEQ Public Interest Counsel; ATTN: Vic McWherter
TCEQ Agency Communications; ATTN: Andy Saenz, Director
TCEQ Chief Clerk's Office; ATTN: Steve Brachel
TCEQ Legal Division; ATTN: Todd Galiga

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Martin A. Hubert, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

CERTIFIED MAIL

December 20, 2006

Mr. Ricky Roddy
702 Elm Lake
Riesel, Texas 76682

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
CHIEF CLERK'S OFFICE
2006 DEC 21 PM 2:36

Re: Petition of Ricky Roddy to Review the Cost of Obtaining Service from H & H Water Supply Corporation, Pursuant to V.T.C.A., Water Code Section 13.043(g); Certificate of Convenience and Necessity (CCN) No. 10016 in McLennan County; Application No. 35544-X

CN: 600628556; RN: 101180966

Dear Mr. Roddy:

The Texas Commission on Environmental Quality (TCEQ) received your petition to Review the Cost of Obtaining Service from Bolivar Water Supply Corporation, on November 22, 2006, and the additional information provided on November 30, 2006. The Commission's Chief Clerk has assigned Docket No. 2006-2166-UCR to this matter. Any further communications should refer to this docket number.

This matter has been referred to the State Office of Administrative Hearings to schedule a hearing. When a hearing has been scheduled, you will receive a notice of hearing which explains when and where the hearing will be held.

In order to review this application, the staff of the TCEQ may need additional information regarding your utility's service. You may be receiving Staff Requests for Information (RFI's) within a few weeks. We would appreciate your cooperation in providing the information requested.

If you have questions about this process or what material you should bring with you to the hearing, please contact Ms. Elsie Pascua at (512)239-5367, Ms. Leila Guerrero-Gantioqui at (512)239-2286 or Mr. Brian Dickey at (512)239-0963, or if by correspondence, include MC 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Benter".

Tammy Benter, Team Leader
Utilities and Districts Section
Water Supply Division

THB/EP/LG/BD/fg

cc: TCEQ Region No. 9 Office
Attached Mailing List

MAILING LIST FOR DOCKET NO. 2006-2166-UCR
(Application No. 35544-X)

The President
H & H Water Supply Corporation
192 Old Hallsburg Rd
Riesel, Texas 76682

Map

McLennan CAD

Property Search Results > Property ID 154230 RODDY RICKIE ET AL

Property Details

Account 154230
 Property ID 420023000025001
 Gac ID Real
 Type 0023 00S42
 Legal MANCHACA J A
 Description ACRES 39.27

Location TX
 Address 302
 Neighborhood 00, 08, 42, 86
 Mapscod CAD
 Jurisdictions

Owner RODDY RICKIE
 Name ET AL
 Address 702 ELM LAKE
 RD
 RIESEL, TX
 75682-3517

Property
 Appraised Value \$15,050

Map Layers

Radius Search

Zoom



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Database last updated on 11/3/2005 11:46 AM

This site only supports Internet Explorer 6+ Netscape 7+ and Firefox 1.5+

Website version 1.0.0.27

THENCE South 00 degrees 37 minutes 43 seconds West, 684.76 feet to a 3/8 inch steel rod found at the North corner of said 53 acres and the Southwest corner of said 2 401 acres,

THENCE South 79 degrees 02 minutes 23 seconds East, 532.54 feet to a 1/2 inch steel rod set in a fence line at the West corner of that called 7.81 acres described in a deed to Kathy Ellis Johnson as recorded in 1454, Page 373 of the Deed Records of McLennan County, Texas,

THENCE South 24 degrees 47 minutes 23 seconds East with the Southwest line of said 7.81 acres and part way with the center of Elm Lake Road, 718.06 feet to a 1/2 inch steel rod set for the East corner of said 53 acres;

THENCE South 61 degrees 59 minutes 26 seconds West, 1282.85 feet to a 3/8 inch steel rod found at the North corner of that called Tract 4 described in a Corrected Partition Deed to Elizabeth Cummings Brooks et al as recorded in Volume 1859, page 389 of the Deed Records of McLennan County, Texas;

THENCE South 61 degrees 17 minutes 51 seconds West, 464.86 feet to a 1/2 inch steel rod found at the South corner of said 53 acres,

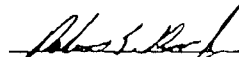
THENCE North 37 degrees 48 minutes 26 seconds West, 1084.63 feet to a 1/2 inch steel rod found in the Southeast line of said First Tract at the West corner of said 53 acres,

THENCE South 68 degrees 05 minutes 10 seconds West with the Southeast line of said First Tract, 330.45 feet to a 3/8 inch steel rod found at the South corner of said First Tract,

THENCE North 28 degrees 00 minutes 00 seconds West (Bearing Basis) with the Southwest lines of said First Tract and said Second Tract, 1531.16 feet to the Point of Beginning, containing 99.27 acres of land.

The description shown hereon was prepared from an on-the-ground survey performed under my supervision during the month of July, 2003

July 17, 2003


Robert E. Butler Jr
R.P.L.S. No 5618

0306-138
Plat Attached

Waco, Texas 76705
Phone: 254 799-2444
Fax: 254 799 0305

**Heart of Texas
Equine Clinic**

Fax

To:

ATTN: ELSIE

From: RE Edwards, DVM, Practice Limited to

Horses

Fax:

512-239-6972

Date:

11-30-06

Phone:

Pages:

5 including cover

Re:

CC:

☐ Urgent

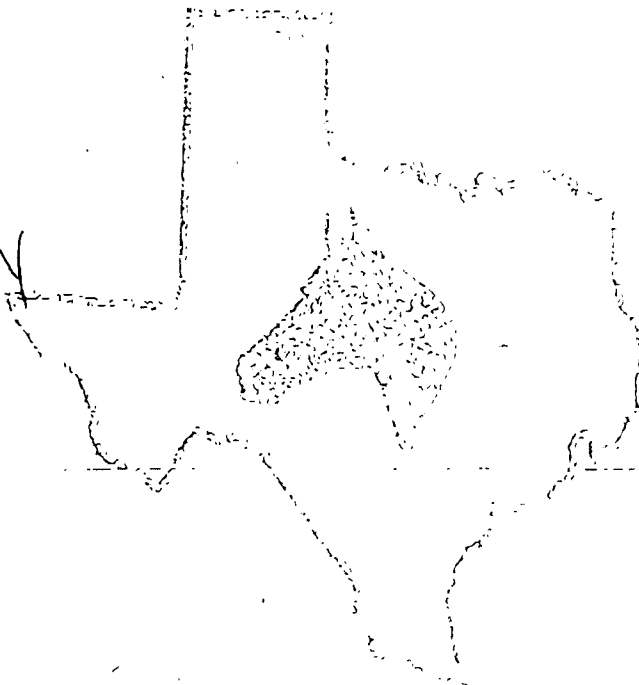
☐ For Review

☐ Please Comment

☐ Please Reply

Comments:

From
Rickie
Boody



APPEAL OF THE COST OF OBTAINING SERVICE FROM A WATER SUPPLY CORPORATION

This appeal is filed pursuant to §13.043(g) of the Texas Water Code and 30 TAC §291.85(g) of the Texas Commission on Environmental Quality Substantive Rules

Water Service Provider

Name H & H Water Supply Co. Water Supply Corporation
 Address 1920 Old Hickory Dr.
 City Frederick, TX Zip 76689 Phone 254-875-3474

Applicant

Name Rickie Roddy
 Address 702 Elm Lake
 City Piesel Zip 76682 Phone (254) 875 2131
 Cell (254) 722-6245

Cost of Obtaining Service

If a breakdown of the cost is available:

	Membership Fee	\$ <u>100.00</u>
	Tap Fee	<u>26.00</u>
<u>Installation & Inspection</u>	Extension Charges	<u>255.00</u>
<u>Engineer Fee</u>	Capital Contribution	<u>80.00</u>
	Other Charges	
Total Cost of Obtaining Service		\$ <u>301.00</u>

Additional Information

Date application for service submitted to WSC: _____

Date written estimate of charges received _____

Rickie Roddy

Signature of Applicant

- Enclose:
- ☐ Application for service submitted to WSC
 - ☐ Written estimate received from WSC
 - ☐ Map showing exact location of the place of use
 - ☐ All related correspondence.

* 30 TAC refers to Title 30 of the Texas Administrative Code

Vannoy & Assoc., Inc.

Surveyors - Planners

Ray L. Vannoy

Registered Professional Land Surveyor

Licensed State Land Surveyor

99.27 Acres

STATE OF TEXAS

COUNTY OF McLENNAN

BEING all that tract of land in McLennan County, Texas, out of the J A Manchaca Grant, being all of that called First Tract and all of that called Second Tract both described in a deed to Vivienne Malone-Mayes as recorded in Volume 1730, Page 289 of the Deed Records of McLennan County, Texas, and being all of that called 53 acres described in a deed to Vivienne Lucille Mayes as recorded in Volume 1162, Page 411 of the Deed Records of McLennan County, Texas, and being further described as follows

BEGINNING at a 1/2 inch steel rod found at the West corner of said Second Tract and the North corner of that called 27.670 acres described in a deed to Joe J Jost as recorded in Volume 1688, Page 826 of the Deed Records of McLennan County, Texas,

THENCE North 62 degrees 59 minutes 29 seconds East, with the Northwest line of said Second Tract, 132 36 feet to a 1/2 inch steel rod set for corner,

THENCE South 27 degrees 23 minutes 47 seconds East, 644 94 feet to a 1/2 inch steel rod set for corner;

THENCE North 40 degrees 43 minutes 28 seconds East, 739 05 feet to a 1/2 inch steel rod found for corner;

THENCE North 07 degrees 20 minutes 43 seconds West, 149 05 feet to a 1/2 inch steel rod found for corner;

THENCE North 19 degrees 27 minutes 49 seconds East, 305.27 feet to a 1/2 inch steel rod found in the center of Old Marlin Road at the most Northerly corner of said Second Tract,

THENCE South 79 degrees 01 minutes 32 seconds East with the center of Old Marlin Road, 1061 84 feet to a point in the center of Old Marlin Road for the East corner of said Second Tract;

THENCE South 62 degrees 41 minutes 43 seconds West with the Southeast line of said Second Tract, 42.17 feet to a 1/2 inch steel rod set in the South line of Old Marlin Road for the North corner of said First Tract;

THENCE South 78 degrees 58 minutes 22 seconds East with the South line of Old Marlin Road, 437.86 feet to a nail found near a fence corner at the Northwest corner of that called 2.401 acres described in a deed to Alice M. Cross as recorded in Volume 1072, page 53 of the Deed Records of McLennan County, Texas,

THENCE South 00 degrees 37 minutes 43 seconds West, 684.76 feet to a 3/8 inch steel rod found at the North corner of said 53 acres and the Southwest corner of said 2 401 acres,

THENCE South 79 degrees 02 minutes 23 seconds East, 532.54 feet to a 1/2 inch steel rod set in a fence line at the West corner of that called 7.81 acres described in a deed to Kathy Ellis Johnson as recorded in 1454, Page 373 of the Deed Records of McLennan County, Texas,

THENCE South 24 degrees 47 minutes 23 seconds East with the Southwest line of said 7.81 acres and part way with the center of Elm Lake Road, 718.06 feet to a 1/2 inch steel rod set for the East corner of said 53 acres;

THENCE South 61 degrees 59 minutes 26 seconds West, 1282.85 feet to a 3/8 inch steel rod found at the North corner of that called Tract 4 described in a Corrected Partition Deed to Elizabeth Cummings Brooks et al as recorded in Volume 1859, page 389 of the Deed Records of McLennan County, Texas;

THENCE South 61 degrees 17 minutes 51 seconds West, 464.86 feet to a 1/2 inch steel rod found at the South corner of said 53 acres;

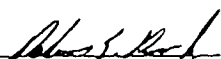
THENCE North 37 degrees 48 minutes 26 seconds West, 1084.63 feet to a 1/2 inch steel rod found in the Southeast line of said First Tract at the West corner of said 53 acres,

THENCE South 68 degrees 05 minutes 10 seconds West with the Southeast line of said First Tract, 330.45 feet to a 3/8 inch steel rod found at the South corner of said First Tract,

THENCE North 28 degrees 00 minutes 00 seconds West (Bearing Basis) with the Southwest lines of said First Tract and said Second Tract, 1531.16 feet to the Point of Beginning, containing 99.27 acres of land.

The description shown hereon was prepared from an on-the-ground survey performed under my supervision during the month of July, 2003

July 17, 2003


Robert E. Butler Jr
R.P.L.S. No 5618

0306-138
Plat Attached

Nov 29, 2006

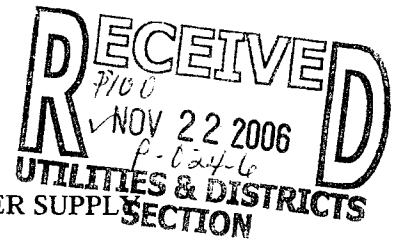
Memo to the file: **Bolivar WSC, application no. 35544-X**

Date of call: **11/29/06-11/30/06**

Call to **Mr. Roddy (254/722-6248 cell) and Ms. Detrick (254-875-2474)**

Call from: **Elsie Pascua, WSD**

- 11/29/06: I talked to Mr. Roddy and asked him to fax me application for service to WSC. I asked him to fax me copies of map showing exact location of his property for use; application for service, written estimate from WSC.
- 11/30/06: I talked to Ms. Joan Detrick, Bolivar WSC. She indicated that Mr. Roddy has not applied for service. He came in the office and list the fees that he has to pay for a total amount of \$3,015.00.



APPEAL OF THE COST OF OBTAINING SERVICE FROM A WATER SUPPLY CORPORATION

This appeal is filed pursuant to §13.043(g) of the Texas Water Code and 30 TAC* §291.85(g) of the Texas Commission on Environmental Quality Substantive Rules.

Water Service Provider

Name: H & H Water Supply Water Supply Corporation
Address: 192 Old Hallsburg Rd
City: Riesel, TX Zip: 76682-3109 Phone: 254-875-8474

Applicant

Name: Rickie Roddy
Address: 702 Elm Lake
City: Riesel Zip: 76682 Phone: (254) 875-2137
cell (254) 722-6248

Cost of Obtaining Service

If a breakdown of the cost is available:

Membership Fee	\$ <u>100.00</u>
Tap Fee	<u>2600.00</u>
Installation & Inspection Engineer Fee	<u>235.00</u>
Extension Charges	<u>80.00</u>
Capital Contribution	
Other Charges	
Total Cost of Obtaining Service	\$ <u>3015.00</u>

Additional Information

Date application for service submitted to WSC: _____

Date written estimate of charges received: _____

Rickie Roddy
Signature of Applicant

- Enclose: ☐ Application for service submitted to WSC
☐ Written estimate received from WSC.
☐ Map showing exact location of the place of use.
☐ All related correspondence.

* 30 TAC refers to Title 30 of the Texas Administrative Code



Appealing the Cost of Obtaining Service from a Water Supply Corporation Instructions for Filing TCEQ-10420

Under Section 13.043(g) of the Texas Water Code, you may appeal the cost of obtaining service from a water supply corporation (WSC) by writing to the Texas Commission On Environmental Quality (TCEQ) and paying a \$100.00 filing fee.

To obtain service during the appeal process, you must pay the cost required by the WSC. If the commission sets a lower connection cost as a result of your appeal, you will be refunded the difference. (Your filing fee may also be offset by the connection cost set by the commission if the WSC cannot justify its connection costs.)

Filing Deadlines

- Your appeal must be filed within 90 days of the date you receive a written estimate of the cost from the WSC, or
- If you paid before receiving a written estimate, your appeal must be filed within 90 days of the date you paid.

Filing Procedure

- Use the form found on the back of these instructions to provide basic information about your appeal and to see the types of enclosures you should send, if available.
- After completing the form, make a copy for your records and for the WSC.
- To file your appeal, send the completed form, enclosures, and your check for \$100 made payable to the "Texas Commission on Environmental Quality" to:

Permits Administrative Review Section, MC-161
Registration Review & Reporting Division
Texas Commission on Environmental Quality
PO Box 13087
Austin TX 78711-3087

- Send a copy of your appeal to the WSC.

Questions?

If you have any questions, please call 512/239-4691 and ask for a staff member with the Utilities Technical Review Team; or you may write to:

Utilities & Districts Section, MC-153
Texas Commission on Environmental Quality
PO Box 13087
Austin TX 78711-3087

General information about water supply corporations is contained in our two-page publication, *Water Supply Corporations, Frequently Asked Questions* (GI-047) available online by visiting www.tceq.state.tx.us, or by calling 512/239-0028.