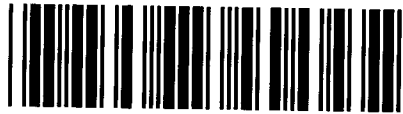




Control Number: 43547



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

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



43547

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 10, 2004

Ms. Cindy Arias, Legal Assistant
Armbrust & Brown, L.L.P.
100 Congress Avenue, Suite 1300
Austin, Texas 78701-2744

RECEIVED
2004 OCT 16 AM 9:53
FILING CLERK

Re: Application from Manville Water Supply Corporation to Decertify a Portion of Certificate of Convenience and Necessity (CCN) No. 11144 in Travis County; Application No. 34656-C

CN: 600674121; RN: 101235505

Dear Ms. Arias:

Your application has been received by the Utilities & Districts Section to begin the technical review. The technical review and the administrative review will be conducted concurrently in an effort to be more efficient in our review of your application. Ms. Lisa Mejia has been assigned to perform the technical review. The application has been assigned Application No. 34656-C. Please refer to this number in future correspondence.

Your next step is to provide the revised public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Travis County. It is the responsibility of the applicant to provide correct notice of the application to any utilities within two (2) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area or other affected parties in your requested area. Check the notices carefully before mailing or publishing.

As proof that notice was provided, you are required to send us the following:

- a) an original and three copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
- b) four copies of each individual notice and map sent to neighboring utilities and other affected parties; and
- c) an original and three copies of the signed affidavits that individual notice to neighboring utilities and affected individuals has been given. (Copies of the Affidavit forms are enclosed with this letter.)

Include the enclosed location map delineating the proposed service area to be decertified with your individual notices to neighboring utilities and other affected parties.

Z

Ms. Cindy Arias, Legal Assist

Page 2

August 10, 2004

Your application has received preliminary review of your financial and managerial capability to provide service to the requested area. No additional financial information is required at this time, but you may be asked for additional information after comprehensive review.

Your request for a waiver of the filing fee is granted.

These items must be completed and returned by **September 10, 2004**. Processing of this application cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. 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. Lisa Mejia at 512/239-6117, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Abrams".

Michelle Abrams, Team Leader
Utilities & Districts Section
Water Supply Division

MA/LM/ac

Enclosures

cc: TCEQ, Region 11 Office

Notice for Publication

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) TO PROVIDE WATER
UTILITY SERVICE IN TRAVIS COUNTY

Manville Water Supply Corporation has filed an application to decertify a portion of CCN No. 11144 with the Texas Commission on Environmental Quality to provide water utility service in Travis County.

The proposed service area to be decertified is located approximately 2 miles north of downtown Manor, Texas, and is generally bounded on the north by undeveloped land and Gregg Lane; on the east by F.M. Road 973; on the south by U.S. Highway 290 East; and on the west by Wilbarger Creek. The total area being requested includes approximately _____ acres and _____ current customers.

A copy of the proposed service area map is available at Manville Water Supply Corporation, P.O. Box 248, Coupland, Texas 78615

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Notice to Neighboring Systems and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY
(CCN)
TO PROVIDE WATER UTILITY SERVICE IN TRAVIS COUNTY

To: _____ Date Notice Mailed: _____, 2004
(Neighboring System or City)

(Address)

(City State Zip)

Manville Water Supply Corporation has filed an application to decertify a portion of CCN No. 11144 with the Texas Commission on Environmental Quality to provide water utility service in Travis County.

The proposed service area to be decertified is located approximately 2 miles north of downtown Manor, Texas, and is generally bounded on the north by undeveloped land and Gregg Lane; on the east by F.M. Road 973; on the south by U.S. Highway 290 East; and on the west by Wilbarger Creek. See enclosed map of the proposed service area.

The total area being requested includes approximately _____ acres and _____ current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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Water Supply Division
Utilities and Districts Section, MC-153
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Texas Commission on Environmental Quality

APPLICATION NO. _____

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF _____

_____ has provided individual notice to
the following entities:

DATE

OATH

I, _____, being duly sworn, file this form as
_____ (indicate relationship to applicant, that is, owner,
member of partnership, title of officer of corporation, or other authorized representative of applicant); that
in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the
notices given with this application, and have complied with all notice requirements in the application and
application acceptance letter; and that all such statements made and matters set for therein are true and
correct.

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its'
attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____, to certify
which witness my hand and seal of office.

Notary Public in and for the
State of Texas

Print or Type Name of Notary Public
Commission Expires _____



Texas Commission on Environmental Quality

APPLICATION NO. _____

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared

who being by me duly sworn, deposes and says that (s)he is the _____ of the

TITLE

_____ ; that said

NAME OF NEWSPAPER

newspaper is regularly published in _____

County(ies) and generally circulated in _____

County (Counties), Texas; and that the attached notice was published in said newspaper on the following date(s), to wit: _____

Newspaper Representative's Signature

Subscribed and sworn to before me this _____ day of _____, 2004, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____

08/05/2004
11:15:26AM

Texas Commission on Environmental Quality
Utility Summary Report

ERPT0011

Type: **WATER SUPPLY CORPORATION**
Activity Status: **ACTIVE**
Remarks:

CCN/Reg#: **11144**
District: **0**

MANVILLE WSC
PO BOX 248
COUPLAND, TX 78615

Responsible Party: **MANVILLE WSC**
Official Phone: **(512) 856-2488**

Fee Information

Report Year	Report Period	Date Due or Paid	Amount Paid	Total Receipts
2003	4	06/03/2004	\$12,818.56	\$2,545,554.38
2002	4	01/23/2003	\$12,583.57	\$2,516,714.96
2001	4	01/31/2002	\$10,601.76	\$2,120,352.72
2000	4	02/26/2001	\$10,363.80	\$1,974,059.95
1999	4	02/22/2000	\$8,775.82	\$1,671,587.25
1998	4	02/02/1999	\$1,718.08	\$381,794.36
	3	10/28/1998	\$2,525.25	\$561,167.51
	2	07/24/1998	\$1,407.21	\$312,713.97
	1	05/01/1998	\$1,326.95	\$294,877.83
1997	4	01/23/1998	\$1,833.93	\$407,538.47
	3	10/30/1997	\$1,577.73	\$350,605.72
	2	07/25/1997	\$1,223.08	\$271,795.19
	1	04/28/1997	\$1,242.61	\$276,135.10
1996	4	01/30/1997	\$1,391.15	\$309,145.43
	3	10/22/1996	\$1,879.54	\$417,675.48
	2	07/31/1996	\$1,402.48	\$311,662.46
	1	05/02/1996	\$1,184.76	\$263,278.39
1995	4	01/29/1996	\$1,494.68	\$332,151.43
	3	10/27/1995	\$1,430.50	\$317,890.89
	2	08/28/1995	\$1,205.64	\$241,128.52
	1	05/01/1995	\$1,053.92	\$234,206.81
1994	4	01/25/1995	\$1,227.30	\$272,731.90
	3	10/31/1994	\$1,622.60	\$360,577.51
	2	07/29/1994	\$1,065.18	\$236,706.13
	1	05/03/1994	\$1,017.55	\$226,122.61
1993	4	01/27/1994	\$1,411.15	\$313,588.79
	3	10/18/1993	\$1,124.83	\$24,962.74
	2	07/23/1993	\$822.47	\$182,769.55
	1	04/14/1993	\$880.97	\$195,771.15
1992	4	01/19/1993	\$1,114.23	\$247,606.61
	3	10/15/1992	\$1,011.78	\$224,838.35
	2	07/17/1992	\$843.27	\$187,394.51
	1	04/27/1992	\$844.21	\$187,602.69
1991	4	02/14/1992	\$954.00	\$212,498.00

From: Tressica Thompson
To: Blaschke, Karen
Date: 7/14/04 12:27PM
Subject: Re: Fee Account

Karen, no balance due on this account.

Tressica

>>> Karen Blaschke 07/14/04 11:48AM >>>
Is the following account current?

MANVILLE WSC 2270033

(A-104-4)

Thanks!
Karen Blaschke
TCEQ

From: Norma Kernell
To: Blaschke, Karen
Date: 7/16/04 2:40PM
Subject: Re: Manville WSC, CCN No. 11144

Nothing located.

>>> Karen Blaschke 07/14/04 11:48AM >>>

Do you show any pending enforcement or legal actions for MANVILLE WSC 2270033 ?

Thanks!

Karen Blaschke x6932

To: Administrative Reviewer

Date: July 27, 2004

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-104-4
Manville WSC to amend Water CCN No. 11144 in Travis 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?
6. Due to ☐ an inadequate map ☐ no map filed by the applicant, a determination cannot be made as to the actual location of requested service boundary.
7. Map submitted is in a digital version. Attach insert to request electronic copy with response letter.
8. Need a more detailed map, such as a subdivision plat with appropriate scale and the requested boundary clearly identified.
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:

TWO MILES:

- X 11. **Notice: (Revise notice as follows)**
The proposed utility service area to be decertified is located approximately 2 miles north of downtown Manor, Texas

on the south by U.S. Highway 290 East.

- X 12. **Other comments:**
Make the needed revisions to the location information located in the notification documents.

Tracy Harbour Tracy Harbour

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Margaret Hoffman, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 14, 2004

Ms. Cindy Arias
Armbrust & Brown, L.L.P.
100 Congress Avenue - Suite 1300
Austin, Texas 78701-2744

RE: Declaration of Administrative Completeness
Name: Manville WSC
CCN Number: 11144
CN: 600674121; RN: 101235505
Administrative Review Number: A-104-4
Type of Application: Amend Water CCN

Dear Ms. Arias:

The above referenced application was received by the Water Quality Applications Team on July 8, 2004. An administrative review of the application has been conducted and the application was declared administratively complete on July 13, 2004.

This application has been forwarded to Ms. Michelle Abrams, Utility Certification and Rate Analysis Team, Districts and Utilities Section (Mail Code 153), Water Supply Division for a technical review. If during the course of the technical review additional information is needed, you will be notified of the deficiency and be requested to supplement the application.

You may contact Ms. Abrams at (512) 239-6014 if you have questions regarding the technical evaluation of your application. If you have questions regarding the administrative review, please contact Peggy Fox at (512) 239-6168.

Sincerely,

A handwritten signature in cursive script that reads "Peggy Fox".

Peggy Fox
Water Quality Applications Team (Mail Code 156)
Permits Administrative Review Section
Registration, Review & Reporting Division

Checklist For Obtaining or Amending CCN

Purpose of Application:

Administrative Review # A - 104 - 4

☐ Obtain New Water CCN
Registration # A

☐ Obtain New Sewer CCN
Registration # A

☒ Amend Water CCN # 1144

☐ Amend Sewer CCN # _____

☒ Filing Fee \$100 (Page 4 of Instructions & Check List)

☒ Utility Name (Item 1 on page 5 of the application)

☒ Utility Address and phone number (Item 1 on page 5 of the application)

☒ Contact Person (Item 1 on page 5 of the application)

☒ Contact person Address and phone number (Item 1 on page 5 of the application)

☒ Original and ~~three~~ ^{two} copies of application received (Item 2 on page 2 of Instructions & Checklist)

☐ If the applicant is a Water Code Chapter 67 water supply or sewer service corporation or other non-profit corporation:

☐ copy of the Articles of Incorporation (1.D.i)

☐ copy of By-Laws (1.D.i)

☐ corporation's charter number as recorded with the Office of the Texas Secretary of State (1.D.ii)

☐ **Governmental Agencies:** Federal, city, or local government-type entities. Examples: I.S.D.; County; State Agencies; Federal Agencies; Water Authority.

New System Information or Utilities Requesting a CCN for the First Time:

☐ certified copy of most current water and/or sewer agreement (5.G.iv)

☐ Core Data Sheet

Existing System Information:

☒ PWS ID numbers for water system(s) (5.A.i)

☒ copy of the most recent inspection report letter (5.A.iv.)

☒ copy of response to most recent inspection report letter (5.A.v.)

☐ certified copy of most current water and/or sewer agreement (5.G.iv)

☐ proposed rate schedule or tariff (6.B.ii)

☐ Financial Information (Audit, Balance Sheet, Profit & Loss Statement, etc.) (Pages 18-24 of the application)