

Control Number: 43547



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

43547^{LISA}

ARMBRUST & BROWN, L.L.P.

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

EMILY L. PUCKETT
(512) 435-2390
epuckett@abaustin.com

FILED
SEP 15 11 09 AM
2004
FBI - AUSTIN

September 9, 2004

VIA HAND-DELIVERY

Michelle Abrams
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality –MC 153
12100 Park 35 Circle
Austin, Texas 78753

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SEP 09 2004

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

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

Dear Ms. Mejia:

In response to your August 10, 2004 letter, enclosed is the following documentation providing proof of correct notice of the above-referenced application:

1. an original and three (3) copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
2. four (4) copies of each individual notice and map sent to neighboring utilities and other affected parties; and
3. an original and three (3) copies of the signed affidavits that individual notice to neighboring utilities and affected individuals has been given.

Also, please affix your file-stamp to the enclosed copy of this letter and return it to me via our courier.

Thank you and if you have any questions please feel free to contact me or John J. Carlton at the address above.

3

ARMBRUST & BROWN, L.L.P.
Page 2

Sincerely,

ARMBRUST & BROWN, L.L.P.

A handwritten signature in cursive script that reads "Emily Puckett".

Emily Puckett
Legal Assistant to
John J. Carlton

Enclosures

cc: Lisa Mejia (*without enclosures*)



Texas Commission on Environmental Quality

APPLICATION NO. 34656-C

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF TRAVIS

Manville Water Supply Corporation has provided individual notice to the following entities:

DATE

<u>Cottonwood Creek WCID #2</u>	<u>September 8, 2004</u>
<u>Cottonwood Creek WCID #3</u>	<u>September 8, 2004</u>
<u>Cottonwood Creek MUD No. 1</u>	<u>September 8, 2004</u>
<u>City of Manor</u>	<u>September 8, 2004</u>
<u>Wilbarger Creek MUD No. 1</u>	<u>September 8, 2004</u>
<u>Wilbarger Creek MUD No. 2</u>	<u>September 8, 2004</u>
<u>Aqua Water Supply Corporation</u>	<u>September 8, 2004</u>
<u>City of Austin</u>	<u>September 8, 2004</u>

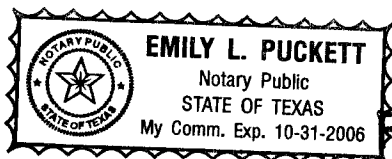
OATH

I, John J. Carlton being duly sworn, file this form as authorized agent (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.

[Signature]
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 9th day of September, 2004, to certify which witness my hand and seal of office.



Emily L. Puckett
Notary Public in and for the State of Texas

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Emily L. Puckett
Print or Type Name of Notary Public
Commission Expires 10-31-2006

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TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY



Texas Commission on Environmental Quality

APPLICATION NO. _____

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Travis

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

FRANK PUCKETTwho being by me duly sworn, deposes and says that (s)he is the
Legal Notices Rep of the

TITLE

Austin American Statesman

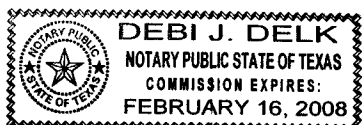
NAME OF NEWSPAPER

newspaper is regularly published in TravisCounty(ies) and generally circulated in TravisCounty (Counties), Texas; and that the attached notice was published in said newspaper on the
following date(s), to wit:August 27, 2004Frank Puckett

Newspaper Representative's Signature

Subscribed and sworn to before me this 27 day of Aug, 2004, to certify which
witness my hand and seal of office.Debi J Delk

Notary Public in and for the State of Texas



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Debi J Delk
Print or Type Name of Notary Public

SEP 09 2004

Commission Expires 2-16-08TEXAS COMMISSION
ON

ENVIRONMENTAL QUALITY

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: Cottonwood Creek MUD #1
(Neighboring System or City)
Armbrust & Brown, L.L.P.
(Address)
100 Congress Avenue, Suite 1300
Austin, Texas 78701
(City State Zip)

Date Notice Mailed: September 8, 2004

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SEP 09 2004

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

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; on the west by Wilbarger Creek. See enclosed map of the proposed service area.

The total being requested includes approximately 329.318 acres and 0 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.

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: Cottonwood Creek WCID #3
(Neighboring System or City)
c/o Armbrust & Brown, L.L.P.
(Address)
100 Congress Avenue, Suite 1300
Austin, Texas 78701
(City State Zip)

Date Notice Mailed: September 8, 2004

RECEIVED

SEP 09 2004

TEXAS COMMISSION

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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: City of Austin
(Neighboring System or City)
114 West 7th Street, 5th Floor
(Address)
P.O. Box 1088
Austin, Texas 78767
(City State Zip)

Date Notice Mailed: September 8, 2004

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

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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: Cottonwood Creek WCID #2
(Neighboring System or City)
c/o Cole & Dougherty
(Address)
5120 Bayard Lane
Houston, Texas 77006-6512
(City State Zip)

Date Notice Mailed: September 8, 2004

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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: Aqua Water Supply Corporation
(Neighboring System or City)
P.O. Drawer P
(Address)
Bastrop, Texas 78620
(City State Zip)

Date Notice Mailed: September 8, 2004

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Water Supply Division
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Austin, TX 78711-3087

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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: City of Manor
(Neighboring System or City)
P.O. Box 387
(Address)
Manor, Texas 78653
(City State Zip)

Date Notice Mailed: September 8, 2004

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Notice to Neighboring Systems and Cities

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(CCN)
TO PROVIDE WATER UTILITY SERVICE IN TRAVIS COUNTY

To: Wilbarger Creek MUD No. 2
(Neighboring System or City)
c/o Armbrust & Brown, L.L.P.
(Address)
100 Congress Avenue, Suite 1300
Austin, Texas 78701
(City State Zip)

Date Notice Mailed: September 8, 2004

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Notice to Neighboring Systems and Cities

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(CCN)
TO PROVIDE WATER UTILITY SERVICE IN TRAVIS COUNTY

To: Wilbarger Creek MUD No. 1
(Neighboring System or City)
c/o Armbrust & Brown, L.L.P.
(Address)
100 Congress Avenue, Suite 1300
Austin, Texas 78701
(City State Zip)

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OVERSIZED MAP(S)

TO VIEW OVERSIZED MAP(S)
PLEASE GO TO
CENTRAL RECORDS

FOR ANY QUESTIONS
PLEASE CALL **CR** MAIN LINE
(512) 936-7180