

Control Number: 43547



Item Number: 5

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

ARMBRUST & BROWN, L.L.P.

ATTORNEYS AND COUNSELORS

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

PUBLIC UTILITIES
FILING CLERK

FACSIMILE 512-435-2360

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

September 15, 2004

VIA HAND-DELIVERY

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

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:

Per our telephone conversation, enclosed is the following documentation that you requested providing proof of proper notice of the above-referenced application:

1. the original and three (3) copies of the publisher's affidavit of the newspaper publication with the tear sheets of the published notices for August 20, 2004 and August 27, 2004 attached;
2. four (4) copies the notice and map sent the Travis County Municipal Utility District No. 2; and
3. an original and three (3) copies of the signed affidavit that individual notice has been given to Travis County Municipal Utility District No. 2.

Please file-stamp the enclosed copy of this letter and return it to me via our courier.

Thank you and if you have any questions or need additional information please contact me at the address above.

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ARMBRUST & BROWN, L.L.P.

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Sincerely,

ARMBRUST & BROWN, L.L.P.

A handwritten signature in cursive script, reading "Emily Puckett". The signature is written in dark ink and is positioned above the printed name and title.

Emily Puckett

Legal Assistant to

John J. Carlton

Enclosures



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 RUCKETT

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

Legal Notices Rep

TITLE

Austin American - Statesman

NAME OF NEWSPAPER

newspaper is regularly published in

Travis

County(ies) and generally circulated in

Travis

County (Counties), Texas; and that the attached notice was published in said newspaper on the

following date(s), to wit:

Aug 20 + 23, 2004

Frank Ruckett

Newspaper Representative's Signature

Subscribed and sworn to before me this

15

day of

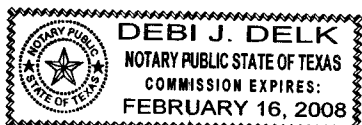
Sep

, 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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COMMISSION
ON

ENVIRONMENTAL QUALITY

Debi J Delk

Print or Type Name of Notary Public

Commission Expires

2-16-08

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: Travis County 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 15, 2004

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

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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.

OVERSIZED MAP(S)

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

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



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:

Travis County MUD No. 2

DATE
September 15, 2004

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.

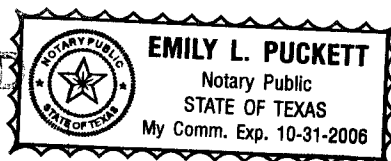
[Signature]
Applicant's Authorized Representative

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 15th day of September, 2004, to certify which witness my hand and seal of office.

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SEP 15 2004



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

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