

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

To: Cottonwood Creek MUD No. 1 Date Notice Mailed: \_\_\_\_\_, 2002  
(Neighboring System or City)  
c/o Armbrust & Brown, L.L.P  
(Address)  
100 Congress Avenue, Suite 1300  
Austin, Texas 78701  
(City State Zip)

HONRSBY BEND UTILITY COMPANY has filed an application for to

Name of Applicant

amend CCN No. 11978 and CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 6.8 miles South [direction] of downtown Manor, [City or Town] Texas, and is generally bounded on the north by Decker Creek; on the east by Dunlap Road; on the south by the Colorado River; and on the west by Gilbert Lane.

The total area being requested includes approximately 350 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 Natural Resource Conservation Commission  
Water Permits and Resource Management 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 OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)  
TO PROVIDE WATER/SEWER UTILITY SERVICE IN TRAVIS COUNTY(IES)

To: Cottonwood Creek WCID No. 2 Date Notice Mailed: \_\_\_\_\_, 2002  
(Neighboring System or City)  
c/o James Dougherty  
Cole & Dougherty  
5120 Bayard Lane  
(Address)  
Houston, Texas 77006  
(City State Zip)

HONRSBY BEND UTILITY COMPANY has filed an application for to  
Name of Applicant

amend CCN No. 11978 and CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

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

To: Cottonwood Creek WCID No. 3 Date Notice Mailed: \_\_\_\_\_, 2002  
(Neighboring System or City)  
c/o Armbrust & Brown, L.L.P.  
100 Congress Avenue, Suite 1300  
(Address)  
Austin, Texas 78701  
(City State Zip)

HONRSBY BEND UTILITY COMPANY has filed an application for to  
Name of Applicant  
amend CCN No. 11978 and CCN No. 20650 with the Texas Natural Resource Conservation Commission  
to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 6.8 miles South [direction] of downtown  
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Dunlap Road; on the south by the Colorado River; and on the west by Gilbert Lane.  
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court.

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

To: Travis County MUD No. 2 Date Notice Mailed: \_\_\_\_\_, 2002  
(Neighboring System or City)  
c/o Armbrust & Brown, L.L.P.  
100 Congress Avenue, Suite 1300  
(Address)  
Austin, Texas 78701  
(City State Zip)

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Name of Applicant

amend CCN No. 11978 and CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

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NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)  
TO PROVIDE WATER/SEWER UTILITY SERVICE IN \_\_\_\_\_ COUNTY

Dear Customer:

Date Notice Mailed \_\_\_\_\_, 2000

N/A \_\_\_\_\_ has filed an application for a CCN to/  
Name of Applicant  
amend CCN No. \_\_\_\_\_ and to decertify a portion(s) of \_\_\_\_\_ Name of Decertified Utility \_\_\_\_\_ with the Texas Natural  
Resource Conservation Commission to provide \_\_\_\_\_ (specify 1) water or 2) sewer or 3) water &  
sewer) utility service in \_\_\_\_\_ County(ies).

The proposed utility service area is located approximately \_\_\_\_\_ miles \_\_\_\_\_ [direction] of  
downtown \_\_\_\_\_, [City or Town] Texas

The current utility rates which were first effective on \_\_\_\_\_, 2000 are:

- Monthly Flat Rate of \$ \_\_\_\_\_ per connection
- OR-
- Monthly Base Rate including \_\_\_\_\_ gallons per connection for:
  - 5/8" meter \$ \_\_\_\_\_
  - 1" meter \$ \_\_\_\_\_
  - 1½" meter \$ \_\_\_\_\_
  - 2" meter \$ \_\_\_\_\_
  - Other \_\_\_\_\_ \$ \_\_\_\_\_

<u>Miscellaneous Fees</u>	
-Regulatory Assessment	1%
-Tap Fee (Average Actual Cost)	\$ _____
-Reconnection fee:	
-Non Payment (\$25.00 max)	\$ _____
-Transfer	\$ _____
-Customer's request	\$ _____
-Late fee	\$5.00 or 10%
-Returned Check charge	\$ _____
-Customer Deposit (\$50.00 max)	\$ _____
-Meter test fee (Actual Cost not exceed \$25.00)	\$ _____
-Other Fees	\$ _____

Gallonge charge of \$ \_\_\_\_\_ per 1,000 gallons above minimum (same for all meter sizes)

**Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.**

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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**IF A HEARING IS HELD**, it is important that you or your representative attend to present your concerns. Your request serves only to cause a hearing to be held and is not used during the hearing.

### Historical Profit & Loss Statement

	Current Year (a) 2001	(a) - 1 year 2000	(a) - 2 years 1999	(a) - 3 years 1998	(a) - 4 years 1997
Number of connections					--
<b>Income:</b>					
Gross Revenue	406	539	433	363	301
Fees	4	118	97	54	63
Other	13	24	26	14	26
<b>Gross Income</b>	<b>423</b>	<b>681</b>	<b>556</b>	<b>431</b>	<b>390</b>
<b>Expenses: General &amp; Administrative:</b>					
Salary Expense	20	29	23	17	15
Office Expense					
Computer Expense	2	2		9	50
Auto Expense					
Insurance Expense	2	4	5	5	5
Telephone Expense	1	2	2	2	2
Utilities Expense					
Property Tax Expense	73	21	4	4	4
Professional Fees	5	11	14	10	8
Other	4	4	11	6	6
<b>Total General &amp; Administrative</b>	<b>107</b>	<b>73</b>	<b>59</b>	<b>53</b>	<b>90</b>
<b>Expenses: Operational</b>					
Salary Expense	20	29	23	17	15
Auto Expense			5	10	9
Utilities Expense	50	59	49	46	48
Supply Expense		9	12	10	11
Maintenance & Repair Expense	85	136	69	67	72
Other Expense	55	138	136	136	136
<b>Total Operational</b>	<b>210</b>	<b>371</b>	<b>294</b>	<b>286</b>	<b>291</b>
<b>Total Expenses</b>	<b>317</b>	<b>444</b>	<b>353</b>	<b>339</b>	<b>381</b>
<b>Net Income</b>	<b>106</b>	<b>237</b>	<b>203</b>	<b>92</b>	<b>8</b>

**Historical Balance Sheets - ASSETS**

	Current Year (a) 2001	(a) - 1 year 2000	(a) - 2 years 1999	(a) - 3 years 1998	(a) - 4 years 1997
<b>CURRENT ASSETS</b>					
Cash	174	199	21	51	14
Cost Accounts Receivable	239	272	66	51	53
Inventories	2	1	1	1	1
Income Tax Receivables					
Other	50		509	135	
<b>TOTAL CURRENT ASSETS</b>	<b>465</b>	<b>472</b>	<b>597</b>	<b>238</b>	<b>68</b>
<b>FIXED ASSETS</b>					
Land					
Collection/Distribution System					
Buildings					
Equipment					
Other					
<b>TOTAL FIXED ASSETS</b>	<b>3038</b>	<b>3022</b>	<b>2317</b>	<b>2317</b>	<b>2317</b>
Less:					
Accum Depreciation/Reserve	2007	1947	1808	1672	1535
<b>NET FIXED ASSETS</b>	<b>1031</b>	<b>1075</b>	<b>509</b>	<b>645</b>	<b>782</b>
<b>TOTAL ASSETS</b>	<b>1496</b>	<b>1547</b>	<b>1106</b>	<b>883</b>	<b>850</b>



Historical Balance Sheets - LIABILITIES					
	Current Year (a) 2001	(a) - 1 year 2000	(a) - 2 years 1999	(a) - 3 years 1998	(a) - 4 years 1997
<b>CURRENT LIABILITIES</b>					
Accounts Payable	51	20	30	22	15
Notes Payable, Due < 1 Year					71
Accrued Expenses	9	8			
Customer Deposits	52	47	35	24	24
Other	<165>	23	6	5	
<b>TOTAL CURRENT LIABILITIES</b>	<53>	98	71	51	110
<b>LONG TERM LIABILITIES</b>					
Notes Payable, Due > 1 Year					
Other	165	171			
<b>TOTAL LONG TERM LIABILITIES</b>	165	171			
<b>OWNER'S EQUITY</b>					
Paid-in Capital	1240	1239	2849	2849	2849
Retained Equity	37	-	<2018>	<2110>	<2118>
Other	1	1	1	1	1
Current Period Profit or Loss	106	38	203	92	8
<b>TOTAL OWNER'S EQUITY</b>	1384	1278	1035	832	740
<b>TOTAL LIABILITIES &amp;</b>	1496	1547	1106	883	850

**Projected Profit & Loss Statement**

	Year 1 2002	Year 2 2003	Year 3 22004	Year 4 2005	Year 5 2006
Number of connections					
<b>Income:</b>					
Gross Revenue	550	580	645	700	750
Fees	200	200	200	200	200
Other	20	22	25	28	30
<b>Gross Income</b>	<b>770</b>	<b>802</b>	<b>870</b>	<b>928</b>	<b>980</b>
<b>Expenses: General &amp; Administrative:</b>					
Salary Expense	31	32	34	36	38
Office Expense					
Computer Expense	3	3	4	4	5
Auto Expense					
Insurance Expense	5	5	6	7	8
Telephone Expense	2	2	2	3	4
Utilities Expense					
Property Tax Expense	120	113	117	115	125
Professional Fees	15	15	20	20	25
Other	10	10	10	10	10
<b>Total General &amp; Administrative</b>	<b>186</b>	<b>180</b>	<b>193</b>	<b>195</b>	<b>215</b>
<b>Expenses: Operational</b>					
Salary Expense	31	32	34	36	38
Auto Expense					
Utilities Expense	70	85	100	120	140
Supply Expense	10	10	12	15	20
Maintenance & Repair Expense	150	175	200	225	250
Other Expense	140	150	155	165	175
<b>Total Operational</b>	<b>401</b>	<b>452</b>	<b>501</b>	<b>561</b>	<b>623</b>
<b>Total Expenses</b>	<b>587</b>	<b>632</b>	<b>694</b>	<b>756</b>	<b>838</b>
<b>Net Income</b>	<b>183</b>	<b>170</b>	<b>176</b>	<b>172</b>	<b>142</b>

**Projected Balance Sheets - ASSETS**

	Year 1 2002	Year 2 2003	Year 3 2004	Year 4 2005	Year 5 2006
<b>CURRENT ASSETS</b>					
Cash	375	575	775	975	1175
Cost Accounts Receivable	250	250	255	255	260
Inventories	2	2	2	2	2
Income Tax Receivables					
Other	50	-	-	-	-
<b>TOTAL CURRENT ASSETS</b>	<b>677</b>	<b>827</b>	<b>1032</b>	<b>1232</b>	<b>1437</b>
<b>FIXED ASSETS</b>					
Land					
Collection/Distribution System					
Buildings					
Equipment					
Other					
<b>TOTAL FIXED ASSETS</b>	<b>4038</b>	<b>5038</b>	<b>5538</b>	<b>5788</b>	<b>6288</b>
Less:					
Accum Depreciation/Reserve	2147	2297	2452	2617	2792
<b>NET FIXED ASSETS</b>	<b>1891</b>	<b>2741</b>	<b>3086</b>	<b>3171</b>	<b>3496</b>
<b>TOTAL ASSETS</b>	<b>2568</b>	<b>3568</b>	<b>4118</b>	<b>4403</b>	<b>4933</b>

**Projected Balance Sheets - LIABILITIES**

	Year 1 2002	Year 2 2003	Year 3 2004	Year 4 2005	Year 5 2006
<b>CURRENT LIABILITIES</b>					
Accounts Payable	60	65	70	75	80
Notes Payable, Due < 1 Year					
Accrued Expenses	10	15	15	20	20
Customer Deposits	60	65	68	72	77
Other	<294>	<449>	<53>	86	504
<b>TOTAL CURRENT LIABILITIES</b>	<164>	<304>	100	253	
<b>LONG TERM LIABILITIES</b>					
Notes Payable, Due > 1 Year					
Other CIAC	1165	2135	2105	2065	2025
<b>TOTAL LONG TERM LIABILITIES</b>	1165	2135	2105	2065	2025
<b>OWNER'S EQUITY</b>					
Paid-in Capital	1240	1240	1240	1240	1240
Retained Equity	143	326	496	672	844
Other Common Stock	1	1	1	1	1
Current Period Profit or Loss	183	170	176	172	142
<b>TOTAL OWNER'S EQUITY</b>	1567	1737	1913	2085	2227
<b>TOTAL LIABILITIES &amp;</b>	<b>2568</b>	<b>3568</b>	<b>4118</b>	<b>4403</b>	<b>4933</b>

**Projected Statements of Sources & Uses of Cash**

	Year 1 2002	Year 2 2003	Year 3 2004	Year 4 2005	Year 5 2006
<b>SOURCES OF CASH</b>					
Net Profit	183	170	176	172	142
Depreciation (if funded)	140	150	155	165	175
Loan Proceeds					
Other	200	200	200	200	200
<b>TOTAL SOURCES</b>	<b>523</b>	<b>520</b>	<b>531</b>	<b>537</b>	<b>517</b>
<b>USES OF CASH</b>					
Net Loss					
Principal portion of payments					
Fixed Asset Purchases	1000	1000	500	250	500
Reserve	<1000>	<1000>			
Other					
<b>TOTAL USES</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>250</b>	<b>500</b>
<b>NET CASH FLOW</b>	<b>523</b>	<b>520</b>	<b>31</b>	<b>287</b>	<b>17</b>
<b>AVAILABLE DEBT SERVICE COVERAGE (ADSC)</b>					
Cash Available for Debt Service	N/A				
Net Profit/Loss					
Depreciation or Reserve					
Interest					
<b>TOTAL ADSC</b>					
<b>REQUIRED DEBT SERVICE COVERAGE (RDSC)</b>					
Principal + Interest	N/A				
<b>DEBT SERVICE COVERAGE RATIO (ADSC/RDSC)</b>					



**TEXAS COMPTROLLER OF PUBLIC ACCOUNTS**  
CAROLE KEETON RYLANDER • COMPTROLLER • AUSTIN, TEXAS 78774

June 13, 2002

**CERTIFICATE OF ACCOUNT STATUS**

THE STATE OF TEXAS  
COUNTY OF TRAVIS

I, Carole Keeton Rylander, Comptroller of Public Accounts of the State of Texas,  
DO HEREBY CERTIFY that according to the records of this office

HORNSBY BEND UTILITY COMPANY INC

is, as of this date, in good standing with this office having no franchise  
tax reports or payments due at this time. This certificate is valid through  
the date that the next franchise tax report will be due May 15, 2003.

This certificate is valid for the purpose of conversion when the converted  
entity is subject to franchise tax as required by law. This certificate is  
not valid for the purpose of dissolution, merger or withdrawal.

GIVEN UNDER MY HAND AND  
SEAL OF OFFICE in the City of  
Austin, this 13th day of  
June, 2002 A.D.

CAROLE KEETON RYLANDER  
Comptroller of Public Accounts

Taxpayer number: 30009573996  
File number: 0077373700

Form 05-304 (Rev. 5-99/4)

**EXHIBIT "B"**

**List of requests for water and wastewater service**

**Hornsby Bend Utility Co.'s Application to Amend Water/Sewer  
Certificate of Convenience and Necessity**

Requests for Service

Water CCN #11978

1. Wade Shumacher
2. HBH Development - Harris Baker
3. JDBI Development, Inc.
4. Metro H2O, Ltd.

Sewer CCN #20650

1. Winding Prairie Grass Trails, Ltd.
2. Steve Stratton, Trustee
3. Pin Oak Ranch Development, Inc.
4. Austin Estates Limited Partnership
5. Steve Stratton, Individually
6. Wade Shumacher
7. Bart Timmerman/Greenview Development
8. HBH Development, Ltd.
9. JDBI Development, Inc.
10. Metro H2O, Ltd.

# HORNSBY BEND UTILITY CO., INC.

c/o ECO Resources, Inc.  
9511 RR 620 North  
AUSTIN, TEXAS 78726

June 21, 2002

Texas Natural Resources Conservation Commission  
MC 153  
CCN Application Office  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Hornsby Bend Utility Company, Inc. ("Hornsby")  
Certificate of Convenience and Necessity – Wastewater Application

Dear Sir or Madam:

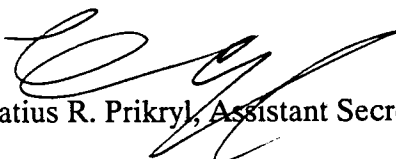
Please be advised that Hornsby Bend Utility Company has received requests for wastewater service for the landowners listed below whose land is included in the Certificate of Convenience and Necessity Application:

1. Winding Prairie Grass Trails, Ltd.
2. Steve Stratton, Trustee
3. Pin Oak Ranch Development, Inc.
4. Austin Estates Limited Partnership
5. Steve Stratton, Individually
6. Wade Shumacher
7. Bart Timmerman / Greenview Development
8. HBH Development, Ltd.
9. JDBI Development, Inc.
10. Metro H20, Ltd.

We will supply you with written confirmation upon request as well as details as to the tracts involved.

Sincerely,

**HORNSBY BEND UTILITY COMPANY, INC.**

  
Latus R. Prikryl, Assistant Secretary

LRP:nnk



# HORNSBY BEND UTILITY COMPANY

c/o ECO Resources, Inc.  
9511 Ranch Road 620 North  
AUSTIN, TEXAS 78726

June 20, 2002

Texas Natural Resources Conservation Commission  
MC 153  
CCN Application Office  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Hornsby Bend Utility Company, Inc. ("Hornsby")  
Certificate of Convenience and Necessity – Water Application

Dear Sir or Madam:

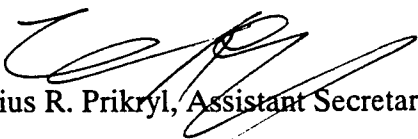
Please be advised that Hornsby Bend Utility Company has received requests for water service for the landowners listed below whose land is included in the Certificate of Convenience and Necessity Application:

1. Wade Shumacher
2. HBH Development – Harris Baker
3. JDBI Development, Inc.
4. Metro H20, Ltd.

We will supply you with written confirmation upon request as well as details as to the tracts involved.

Sincerely,

**HORNSBY BEND UTILITY COMPANY, INC.**

  
Latus R. Prikryl, Assistant Secretary

LRP:nk

**Austin Estates Limited Partnership  
c/o Larry Beard  
6200 Gilbert Road  
Austin, Texas 78724  
(tel) 512-276-7200, (fax) 512-276-7700**

September 2, 1999

Mr. Thom W. Farrell  
Hornsby Bend Utility Co., Inc.  
P.O. Box 161173  
Austin, Texas 78716

Re: Wastewater utility service availability to 549.5 acres, more or less, out of the O. Buckman Survey, Abstract 60, and out of the Gordon C. Jennings Survey, Abstract 438, Travis County, Texas

Dear Mr. Farrell:

Please allow this letter to serve as a request to Hornsby Bend Utility Co., Inc. ("Hornsby") for wastewater utility service to the above-referenced property, which is being developed by Austin Estates Limited Partnership ("AELP"). As its planning and development process continues, AELP will be consulting with you and Hornsby's manager in order to coordinate the timing of the development with the construction of the utility lines and infrastructure.

Austin Estates Limited Partnership is looking forward to working with Hornsby in providing wastewater service to this tract. If you have any questions about this, do not hesitate to call.

Sincerely,

**AUSTIN ESTATES LIMITED  
PARTNERSHIP**

  
Larry R. Beard, Partner

**Austin Estates Limited Partnership  
c/o Larry Beard  
6200 Gilbert Road  
Austin, Texas 78724  
(tel) 512-276-7200, (fax) 512-276-7700**

September 2, 1999

Mr. Thom W. Farrell  
Hornby Bend Utility Co., Inc.  
P.O. Box 161173  
Austin, Texas 78716

Re: Wastewater utility service availability to 72.5 acres out of the O. Buckman Survey, Abstract 60, and out of the Gordon C. Jennings Survey, Abstract 438, Travis County, Texas

Dear Mr. Farrell:

Please allow this letter to serve as a request to Hornby Bend Utility Co., Inc. ("Hornby") for wastewater utility service to the above-referenced property, which is being developed by Austin Estates Limited Partnership ("AELP"). As its planning and development process continues, AELP will be consulting with you and Hornby's manager in order to coordinate the timing of the development with the construction of the utility lines and infrastructure.

Austin Estates Limited Partnership is looking forward to working with Hornby in providing wastewater service to this tract. If you have any questions about this, do not hesitate to call.

Sincerely,

**AUSTIN ESTATES LIMITED  
PARTNERSHIP**

  
Larry R. Beard, Partner

Austin Estates Limited Partnership  
c/o Larry Beard  
6200 Gilbert Road  
Austin, Texas 78724  
(tel) 512-276-7200, (fax) 512-276-7700

September 2, 1999

Mr. Thom W. Farrell  
Hornsby Bend Utility Co., Inc.  
P.O. Box 161173  
Austin, Texas 78716

Re: Wastewater utility service availability to 164.70 acres out of the O.  
Buckman Survey, Abstract 60, Survey No. 40, Travis County, Texas

Dear Mr. Farrell:

Please allow this letter to serve as a request to Hornsby Bend Utility Co., Inc. ("Hornsby") for wastewater utility service to the above-referenced property, which is being developed by Austin Estates Limited Partnership ("AELP"). As its planning and development process continues, AELP will be consulting with you and Hornsby's manager in order to coordinate the timing of the development with the construction of the utility lines and infrastructure.

Austin Estates Limited Partnership is looking forward to working with Hornsby in providing wastewater service to this tract. If you have any questions about this, do not hesitate to call.

Sincerely,

AUSTIN ESTATES LIMITED  
PARTNERSHIP

  
Larry R. Beard, Partner

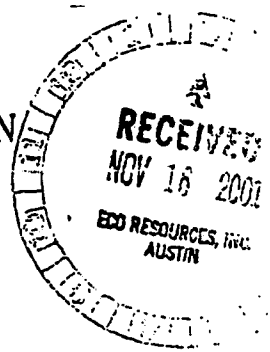
Robert J. Huston, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
John M. Baker, *Commissioner*  
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

November 5, 2001



Mr. Bill Jasura, Vice-President  
Austin's Colony  
2700 Pecan Street West, #423  
Pflugerville, Texas 78660

COPY

Re: Modified Comprehensive Compliance Investigation at:  
Austin's Colony Water Supply System, FM 969 (Travis County), Texas  
PWS ID No.: 2270255

Dear Mr. Jasura:

On October 23, 2001, Mr. Jason Brian and Ms. Joy Thurston of the Texas Natural Resource Conservation Commission (TNRCC) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable public water supply requirements. During the investigation, the investigator verbally notified you of some apparent instances of noncompliance. You have provided us with information which appears to indicate that these problems have been corrected. No further response from you is necessary concerning this investigation.

The TNRCC appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Jason Brian or Ms. Joy Thurston in our Austin region Office at 512/339-2929

Sincerely,

Carolyn Ruryon  
Team Leader: Water Section  
Austin Region Office

CDR/jcb

cc: Mr. David Yohe, Regulatory Manager, ECO Resources, Inc., 9511 RR 620 North, Austin, Texas 78726

## SUMMARY OF INVESTIGATION FINDINGS

Regulated Entity Name: AUSTIN'S COLONY	PWS ID: 2270255	Investigation Date: 10-23-2001
--	-----------------	--------------------------------

### ALLEGED NONCOMPLIANCES NOTED AND RESOLVED

No.	Requirement(s) Cited	Description of Alleged Noncompliance, Corrective Action Taken, and Compliance Documentation
1.	30 TAC §290.41(c)(3)(K)  Well Casing Vent	<p>A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well.</p> <p><u>During the investigation, the casing vent did not terminate in a downward direction.</u></p> <p><u>On October 31, 2001, Mr. David Yohe provided adequate documentation to resolve this alleged violation.</u></p>
2.	30 TAC §290.46(s)(1)  Meter Calibration	<p>Flow measuring devices and rate-of-flow controllers shall be calibrated at least once every 12-months.</p> <p><u>During the investigation, the systems two well meters had not been calibrated on an annual basis.</u></p> <p><u>On October 31, 2001, Mr. David Yohe provided adequate documentation to resolve this alleged violation.</u></p>
3.	30 TAC §290.41(c)(3)(O)  Facility Fencing	<p>All completed well units shall be protected by intruder-resistant fences, the gates of which are provided with locks or shall be enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers. The gates or well houses shall be locked during periods of darkness and when the plant is unattended.</p> <p><u>During the investigation, the intruder resistant fence at Well B-2/Pump Station No. 2 had loose wires at top of fence. The three strand barb wire needed to be tightened.</u></p> <p><u>On October 31, 2001, Mr. David Yohe provided adequate documentation to resolve this alleged violation.</u></p>

Robert J. Huston, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
John M. Baker, *Commissioner*  
Jeffrey A. Saitas, *Executive Director*



## TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

August 24, 2001

Mr. David Goodrum, President  
Hornsby Bend Utility Company  
3223 Parkhills Drive  
Austin, Texas 78746

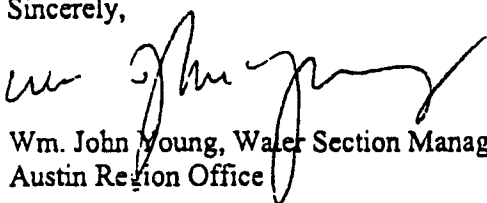
Re: Comprehensive Compliance Investigation at:  
Hornsby Bend WWTF, Austin (Travis County), Texas  
TNRCC ID No.: WQ0013138-001, EPA ID No.: TX0098612

Dear Mr. Goodrum:

On August 14, 2001, Tim Blackmon of the Texas Natural Resource Conservation Commission (TNRCC) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater treatment. No violations were documented during the investigation.

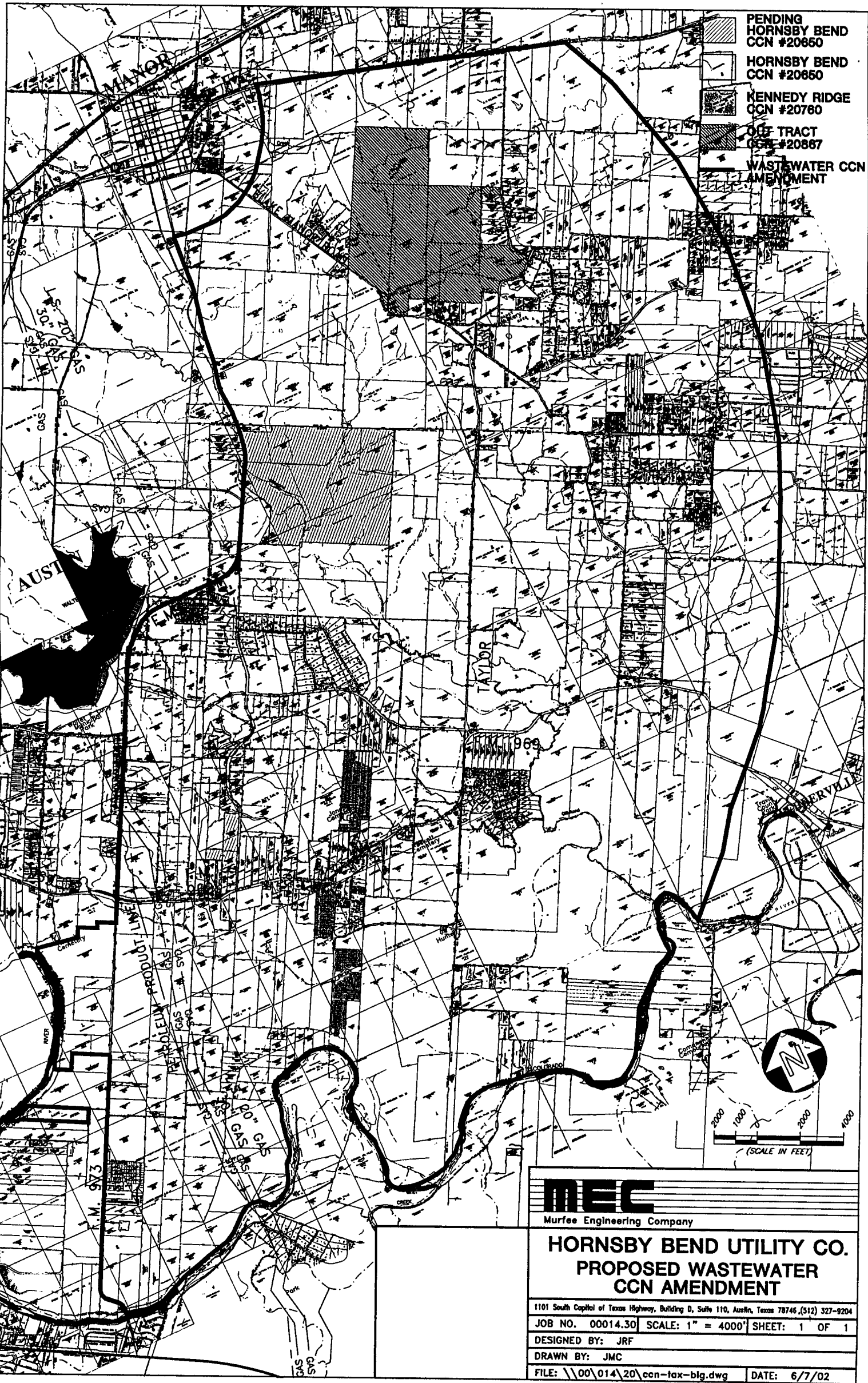
The TNRCC appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Tim Blackmon in the Austin Region Office at (512)339-2929.






Sincerely,

  
Wm. John Young, Water Section Manager  
Austin Region Office

WJY/tb

cc: David Yohe, Manager, Environmental Affairs, ECO Resources, Inc.  
9511 Ranch Road 620 North, Austin, Texas 78726



-  PENDING HORNSBY BEND CCN #20650
-  HORNSBY BEND CCN #20650
-  KENNEDY RIDGE CCN #20780
-  OFF TRACT CCN #20867
-  WASTEWATER CCN AMENDMENT



Murfee Engineering Company

**HORNSBY BEND UTILITY CO.  
PROPOSED WASTEWATER  
CCN AMENDMENT**

1101 South Capital of Texas Highway, Building D, Suite 110, Austin, Texas 78746, (512) 327-9204

JOB NO. 00014.30 SCALE: 1" = 4000' SHEET: 1 OF 1






DESIGNED BY: JRF

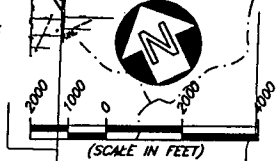
DRAWN BY: JMC

FILE: \\00\014\20\ccn-tax-big.dwg DATE: 6/7/02





-  PENDING HORNSBY BEND CCN AMENDMENT #11978
-  MANVILLE W.S.C. CCN #11144
-  KENNEDY RIDGE CCN #12643
-  HORNSBY BEND CCN #11978
-  WATER CCN AMENDMENT



**MEC**  
Murfee Engineering Company

**HORNSBY BEND UTILITY CO.  
WATER  
CCN AMENDMENT**

1101 South Capital of Texas Highway, Building D, Suite 110, Austin, Texas 78746, (512) 327-9204  
 JOB NO. 00014.30 SCALE: 1" = 4000' SHEET: 1 OF 1  
 DESIGNED BY: JRF  
 DRAWN BY: JMC  
 FILE: \\00\014\20\wtr-ccn-tax-blg DATE: 6/7/02

**ARMBRUST & BROWN, L.L.P.**

ATTORNEYS AND COUNSELORS

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

TELECOPIER (512) 435-2360

JOHN J. CARLTON  
(512) 435-2308  
jcarlton@abaustin.com

September 11, 2002

**RECEIVED**  
SEP 12 2002  
UTILITY OVERSIGHT GROUP

**Via Certified Mail RRR**

Mr. Kamal Adhikari  
Mail Code 153, Utility and District Section  
Texas Natural Resource Conservation Commission  
P.O. Box 13087  
Austin, Texas 78711-3087

RE: Application from Hornsby Bend Utility Company, Inc. Certificates of Convenience and Necessity Nos. 11978 and 20706 in Travis County; Application Nos. 33988-C and 33989-C

Dear Mr. Adhikari:

I have enclosed copies of the following information requested in the letter of August 1, 2002 from Victoria R. Harkins:

- 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, customers, and affected individuals has been given.

As I indicated in my letter to you dated September 6, 2002, an affidavit to customers does not need to be delivered because there are no existing customers within the proposed service area. If you have any questions, please contact me at your convenience.

Sincerely,

**ARMBRUST & BROWN, L.L.P.**

  
JOHN J. CARLTON

enclosures

cc: \_ Dave Goodrum



Texas Natural Resource

Conservation Commission

APPLICATION NO. 33988-C and 33989-C

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Travis

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

FRANK PUCKETT

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:

8/16/02 + 8/23/02

Frank Puckett

Newspaper Representative's Signature

Subscribed and sworn to before me this

23

day of

Aug

, 2002, to certify which

witness my hand and seal of office.

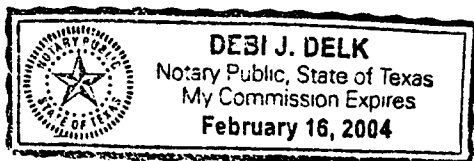
Debi J Delk

Notary Public in and for the State of Texas

Debi J Delk

Print or Type Name of Notary Public

Commission Expires 2-16-04





Texas Natural Resource Conservation Commission

APPLICATION NO. 33988-C and 33989-C

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF TRAVIS

John J. Carlton has provided individual notice to the following entities:

See attached

DATE August 15, 2002

OATH

I, John J. Carlton, being duly sworn, file this form as attorney (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 16th day of August, 2002, to certify which witness my hand and seal of office.



Jill S. Orr Notary Public in and for the State of Texas

Jill S. Orr Print or Type Name of Notary Public Commission Expires April 27, 2004

**Attachment 1 to  
Affidavit of Notice to Neighboring Utilities and Affected  
Parties  
Application Nos. 33988-C and 33989-C**

	<u><b>Date</b></u>
Manville WSC	8/15/02
Kennedy Ridge WSC	8/15/02
City of Austin	8/15/02
Garfield WSC	8/15/02
City of Manor	8/15/02
Nighthawk WSC	8/15/02
Aquasource Development Corporation	8/15/02
Cap View Utility Company	8/15/02
Cottonwood Creek MUD No. 1	8/15/02
Cottonwood Creek WCID No. 2	8/15/02
Cottonwood Creek WCID No. 3	8/15/02
Travis County MUD No. 2	8/15/02
River Timber Water Supply	8/15/02
Aqua Water Supply Corporation	8/15/02

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

To: Manville WSC  
(Neighboring System or City)  
P.O. Box 248  
(Address)  
Coupland, Texas 78615  
(City State Zip)

Date Notice Mailed: August 15, 2002

HORNSBY BEND UTILITY COMPANY has filed an application to amend CCN No. 11978 and  
Name of Applicant  
CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 15 miles east of downtown Austin, Texas, and is generally bounded on the north by Old Hwy. 20; on the east by a line approximately 7,000 feet east of Burleson Manor Road; on the south and west by the Colorado River.

The total area being requested includes approximately 350 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.

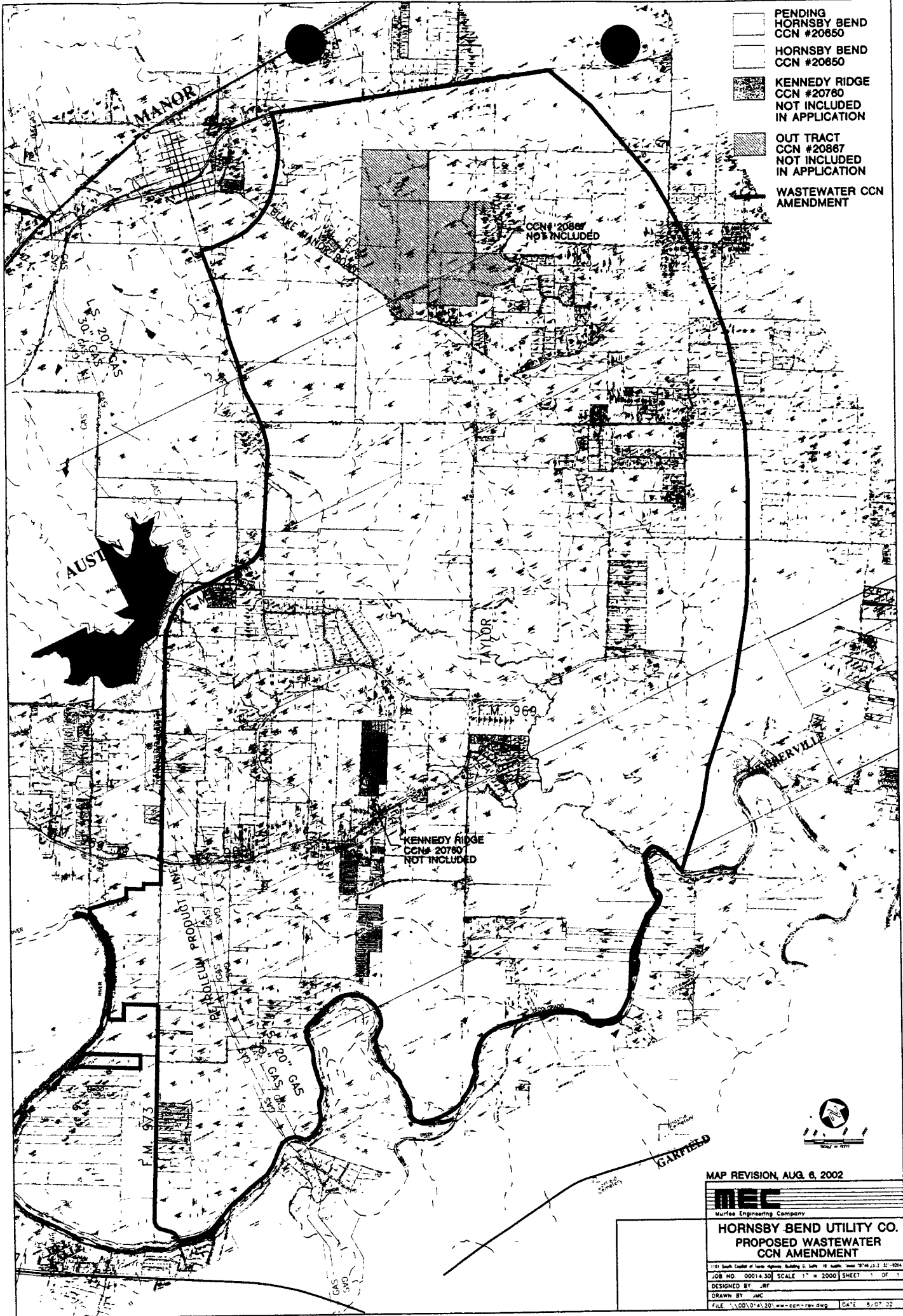
Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission  
Water Permits and Resource Management 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.

-  PENDING HORNSBY BEND CCN #20650
-  HORNSBY BEND CCN #20650
-  KENNEDY RIDGE CCN #20760 NOT INCLUDED IN APPLICATION
-  OUT TRACT CCN #20867 NOT INCLUDED IN APPLICATION
-  WASTEWATER CCN AMENDMENT








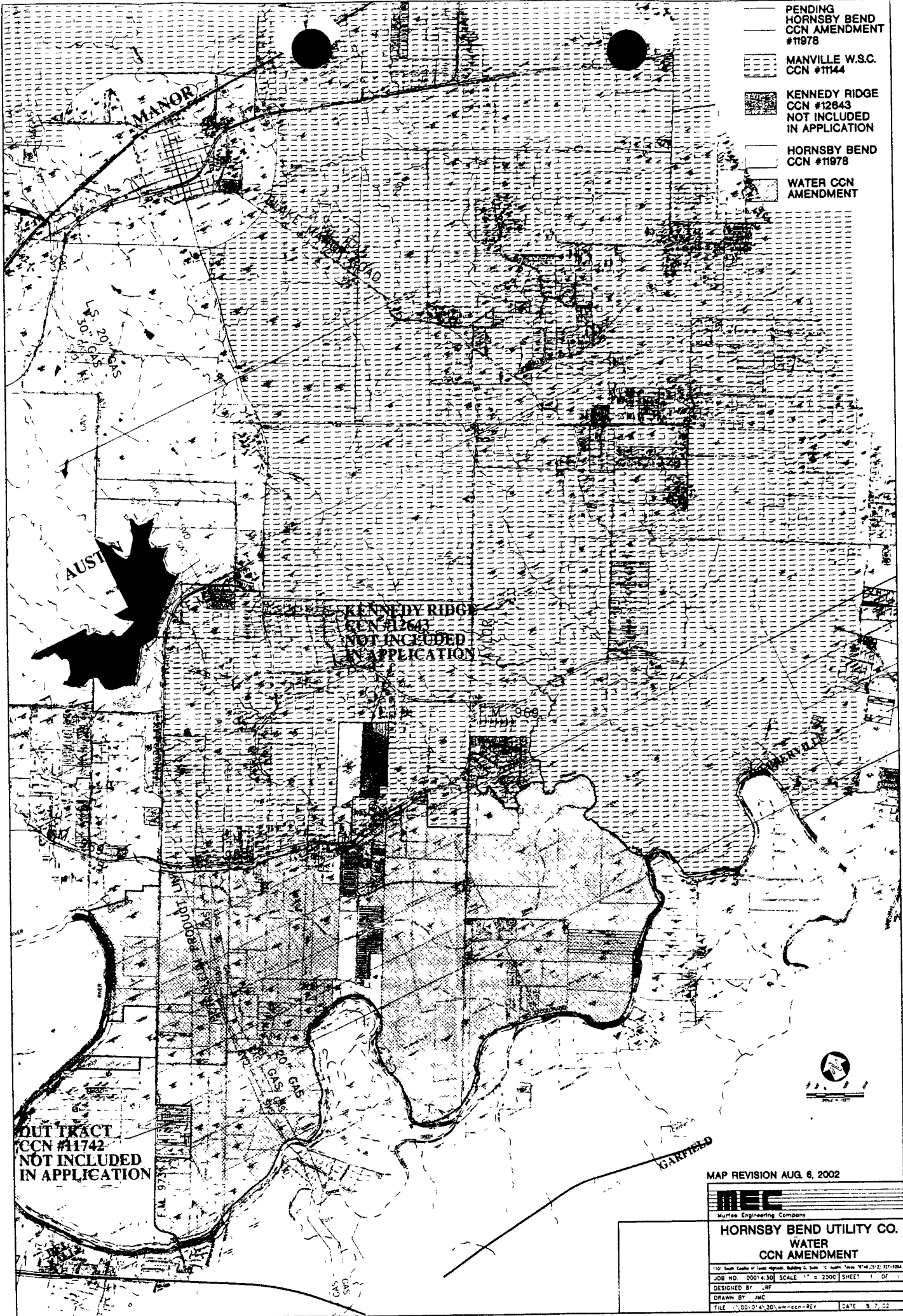
MAP REVISION, AUG. 6, 2002



**HORNSBY BEND UTILITY CO.**  
**PROPOSED WASTEWATER**  
**CCN AMENDMENT**

1181 South Capital of Texas Highway, Building C, Suite 10, Austin, Texas 78748-1112 51-1004  
 JOB NO. 0001430 SCALE 1" = 2000' SHEET 1 OF 1  
 DESIGNED BY JRF  
 DRAWN BY JMC  
 FILE: \\001\01\2011\w-wccn-rvw.dwg DATE 8/07/02

-  PENDING HORNSBY BEND CCN AMENDMENT #11978
-  MANVILLE W.S.C. CCN #11144
-  KENNEDY RIDGE CCN #12643 NOT INCLUDED IN APPLICATION
-  HORNSBY BEND CCN #11978
-  WATER CCN AMENDMENT



MAP REVISION AUG. 6, 2002



**HORNSBY BEND UTILITY CO.  
WATER  
CCN AMENDMENT**

1101 South Castle at Lamar Heights, Building 5, Suite 110 North, Texas 77412 817-1994  
 JOB NO. 00014.30 SCALE: 1" = 2500' SHEET 1 OF 1  
 DESIGNED BY: JMF  
 DRAWN BY: JMC  
 FILE: \001\014\201\wtr-ccn-rev DATE: 8.7.02



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

To: Kennedy Ridge WSC  
(Neighboring System or City)  
15212 Chamberlain Court  
(Address)  
Austin, Texas 78724  
(City State Zip)

Date Notice Mailed: August 15, 2002

HORNSBY BEND UTILITY COMPANY has filed an application to amend CCN No. 11978 and  
Name of Applicant  
CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 15 miles east of downtown Austin, Texas, and is generally bounded on the north by Old Hwy. 20; on the east by a line approximately 7,000 feet east of Burleson Manor Road; on the south and west by the Colorado River.  
The total area being requested includes approximately 350 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.

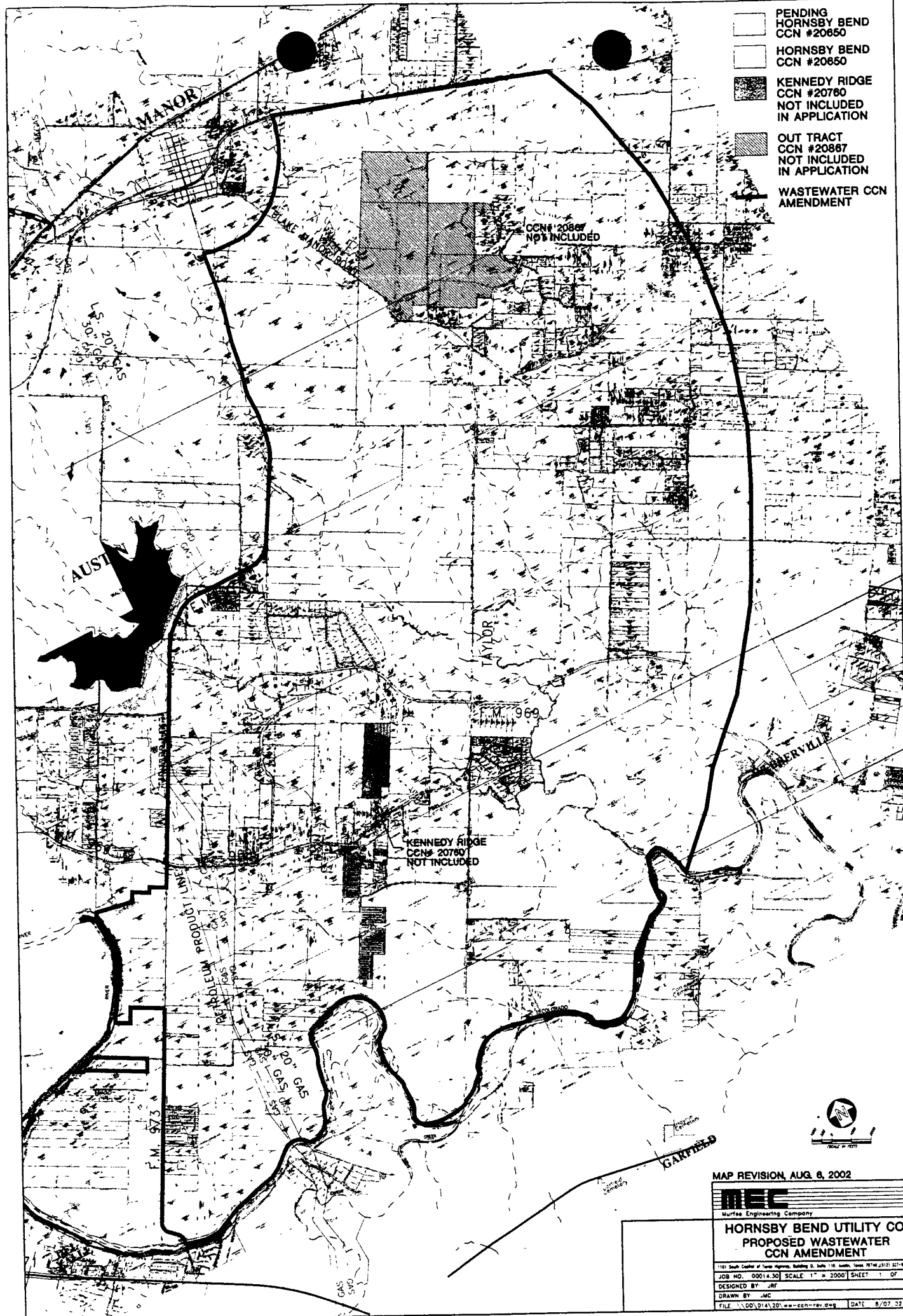
Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission  
Water Permits and Resource Management 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.

-  PENDING HORNSBY BEND CCN #20650
-  HORNSBY BEND CCN #20650
-  KENNEDY RIDGE CCN #20760 NOT INCLUDED IN APPLICATION
-  OUT TRACT CCN #20867 NOT INCLUDED IN APPLICATION
-  WASTEWATER CCN AMENDMENT



MAP REVISION, AUG. 6, 2002

<b>MEC</b> Murfee Engineering Company	
<b>HORNSBY BEND UTILITY CO. PROPOSED WASTEWATER CCN AMENDMENT</b>	
<small>1181 South Cooper of Texas Highway, Building B, Suite 110, Austin, Texas 78748-2512 512-321-1204</small>	
JOB NO. 00014.30	SCALE 1" = 2000'
DESIGNED BY JRF	SHEET 1 OF 1
DRAWN BY JMC	
FILE \\001\014\20.am-cen-rev.dwg	DATE 8/07/02

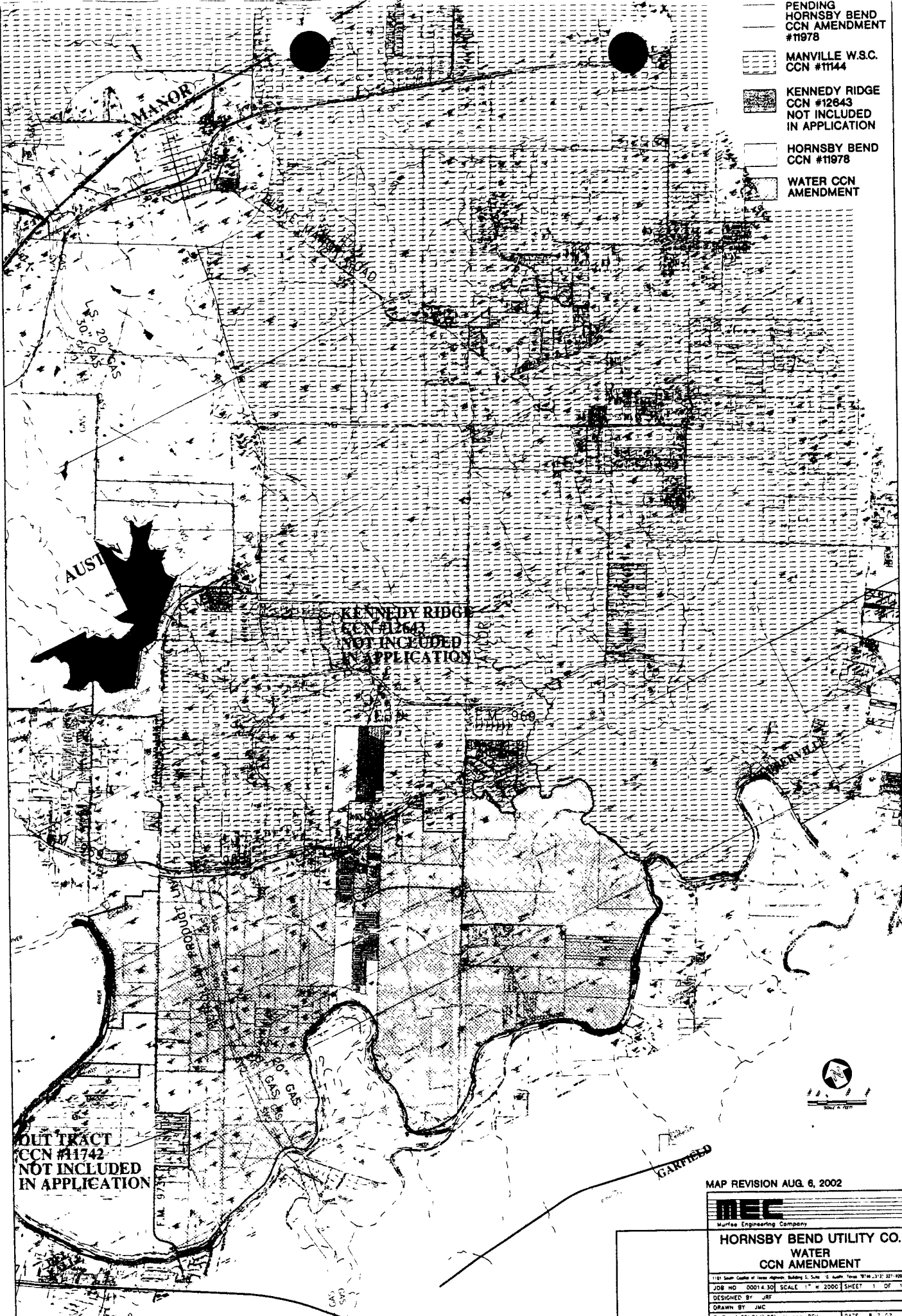
PENDING  
HORNSBY BEND  
CCN AMENDMENT  
#11978

MANVILLE W.S.C.  
CCN #11144

KENNEDY RIDGE  
CCN #12643  
NOT INCLUDED  
IN APPLICATION

HORNSBY BEND  
CCN #11978

WATER CCN  
AMENDMENT



MAP REVISION AUG. 6, 2002



**HORNSBY BEND UTILITY CO.**  
WATER  
CCN AMENDMENT

1101 South Cooper at Texas Highway, Building 5, Suite 100, Austin, Texas 78746-1137 202-495-4000  
JOB NO 00014.30 SCALE 1" = 2000' SHEET 1 OF 1  
DESIGNED BY JRF  
DRAWN BY JMC  
FILE \\001014\20\wtr-ccn-REV DATE 5/7/02

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

To: City of Austin Date Notice Mailed: August 15, 2002  
(Neighboring System or City)  
2001 E. 5<sup>th</sup> Street  
(Address)  
Austin, Texas 78701  
(City State Zip)

HORNSBY BEND UTILITY COMPANY has filed an application to amend CCN No. 11978 and  
Name of Applicant  
CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 15 miles east of downtown Austin, Texas, and is generally bounded on the north by Old Hwy. 20; on the east by a line approximately 7,000 feet east of Burleson Manor Road; on the south and west by the Colorado River.  
The total area being requested includes approximately 350 acres and 0 current customers.

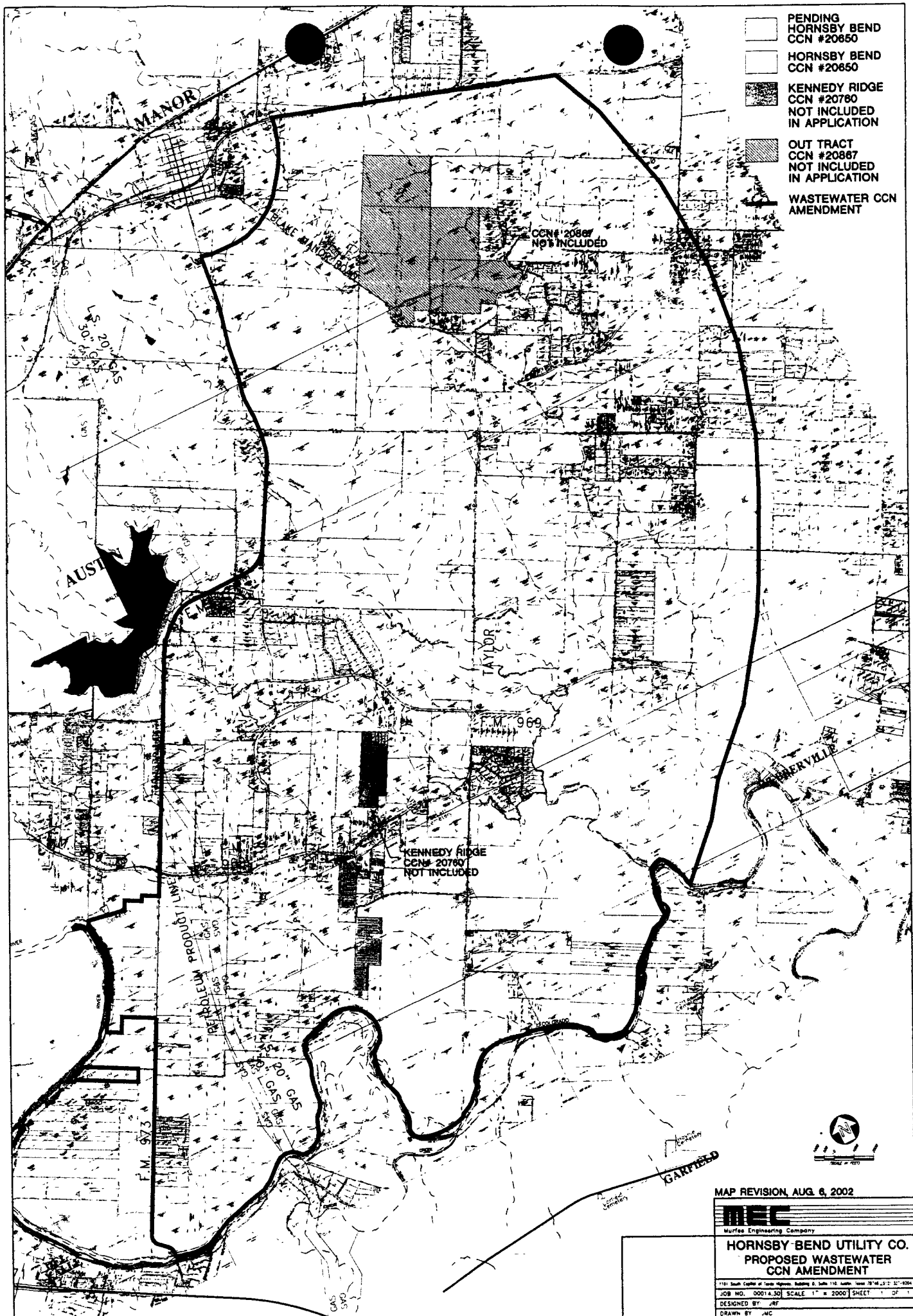
A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description 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 Natural Resource Conservation Commission  
Water Permits and Resource Management 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.



-  PENDING HORNSBY BEND CEN #20650
-  HORNSBY BEND CEN #20650
-  KENNEDY RIDGE CEN #20760 NOT INCLUDED IN APPLICATION
-  OUT TRACT CEN #20867 NOT INCLUDED IN APPLICATION
-  WASTEWATER CEN AMENDMENT

MAP REVISION, AUG. 6, 2002

**MEC**  
Murfee Engineering Company

**HORNSBY-BEND UTILITY CO.  
PROPOSED WASTEWATER  
CCN AMENDMENT**






1101 South Capital of Texas Highway, Building 6, Suite 116, Austin, Texas 78746-2131 512-424-4244

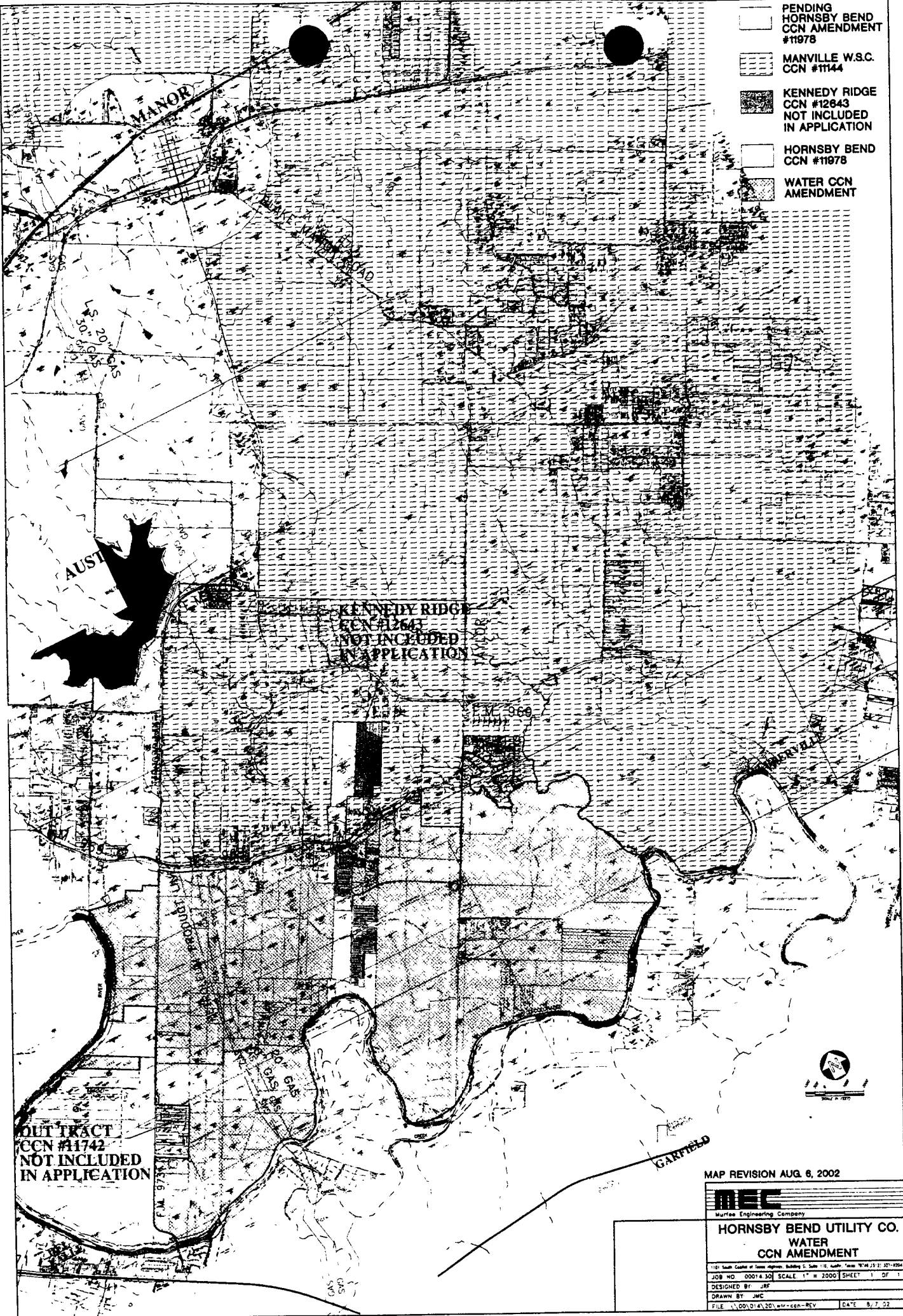
JOB NO. 00014.30 SCALE 1" = 2000' SHEET 1 OF 1

DESIGNED BY JRF

DRAWN BY JIC

FILE 00014.30\00014.30.dwg DATE 8-07-02

-  PENDING HORNSBY BEND CCN AMENDMENT #11978
-  MANVILLE W.S.C. CCN #11144
-  KENNEDY RIDGE CCN #12643 NOT INCLUDED IN APPLICATION
-  HORNSBY BEND CCN #11978
-  WATER CCN AMENDMENT



OUT TRACT  
CCN #1742  
NOT INCLUDED  
IN APPLICATION

KENNEDY RIDGE  
CCN #12643  
NOT INCLUDED  
IN APPLICATION

MAP REVISION AUG. 6, 2002

<b>MEC</b> Murfee Engineering Company	
<b>HORNSBY BEND UTILITY CO.</b> WATER CCN AMENDMENT	
<small>1121 South Capital of Texas Highway, Building C, Suite 115, Austin, Texas 78748-2521-0254</small>	
<small>JOB NO. 00014.30</small>	<small>SCALE 1" = 2000'</small>
<small>DESIGNED BY JRF</small>	<small>SHEET 1 OF 1</small>
<small>DRAWN BY JWC</small>	
<small>FILE \\00114\30\wtr-ccn-REV</small>	<small>DATE 8/7/02</small>

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

To: Garfield WSC  
(Neighboring System or City)  
P.O. Box 387  
(Address)  
Del Valle, Texas 78617  
(City State Zip)

Date Notice Mailed: August 15, 2002

HORNSBY BEND UTILITY COMPANY has filed an application to amend CCN No. 11978 and  
Name of Applicant  
CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 15 miles east of downtown Austin, Texas, and is generally bounded on the north by Old Hwy. 20; on the east by a line approximately 7,000 feet east of Burleson Manor Road; on the south and west by the Colorado River.

The total area being requested includes approximately 350 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.

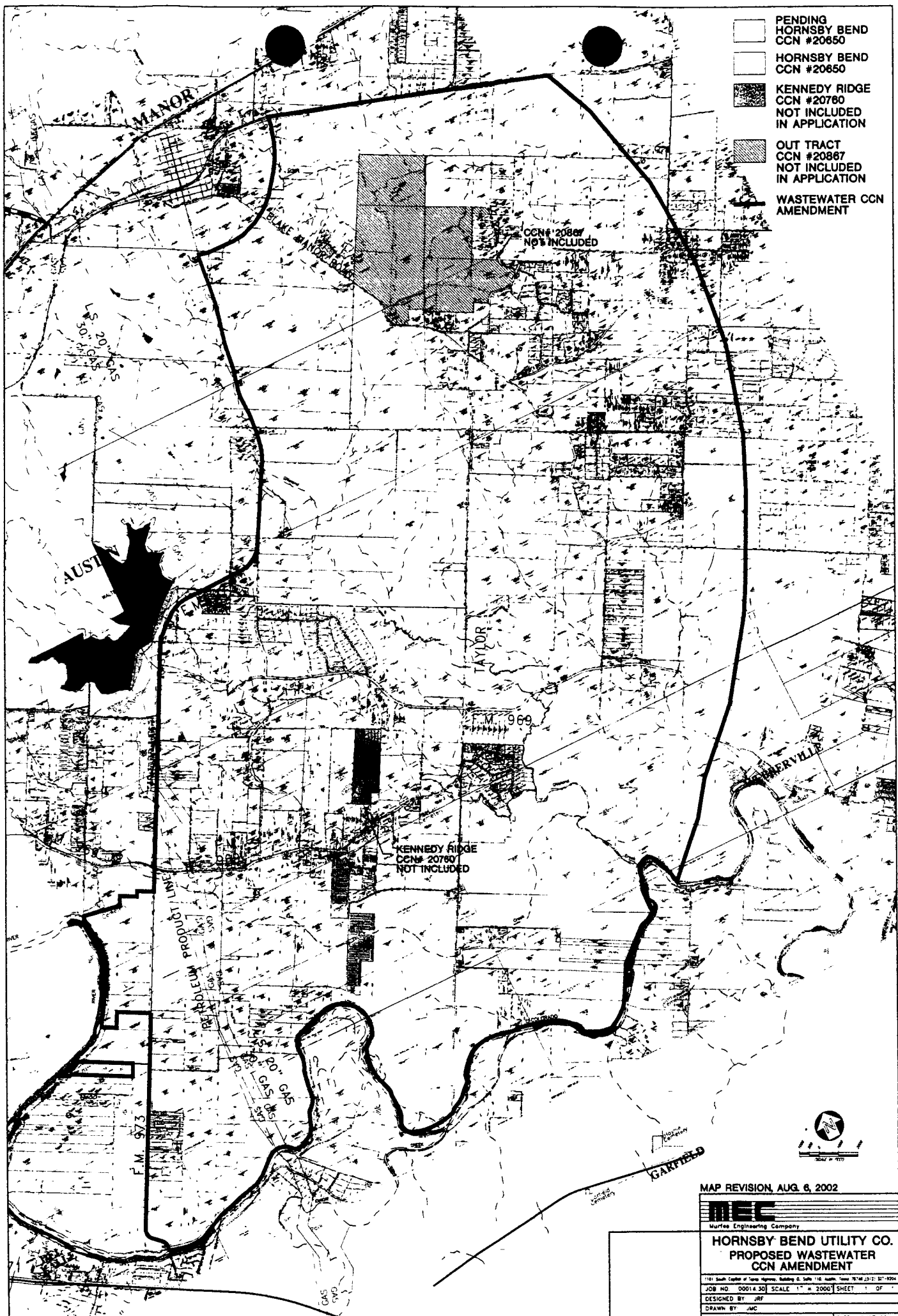
Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission  
Water Permits and Resource Management 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.

-  PENDING HORNSBY BEND CCN #20650
-  HORNSBY BEND CCN #20650
-  KENNEDY RIDGE CCN #20760 NOT INCLUDED IN APPLICATION
-  OUT TRACT CCN #20867 NOT INCLUDED IN APPLICATION
-  WASTEWATER CCN AMENDMENT








MAP REVISION, AUG. 6, 2002

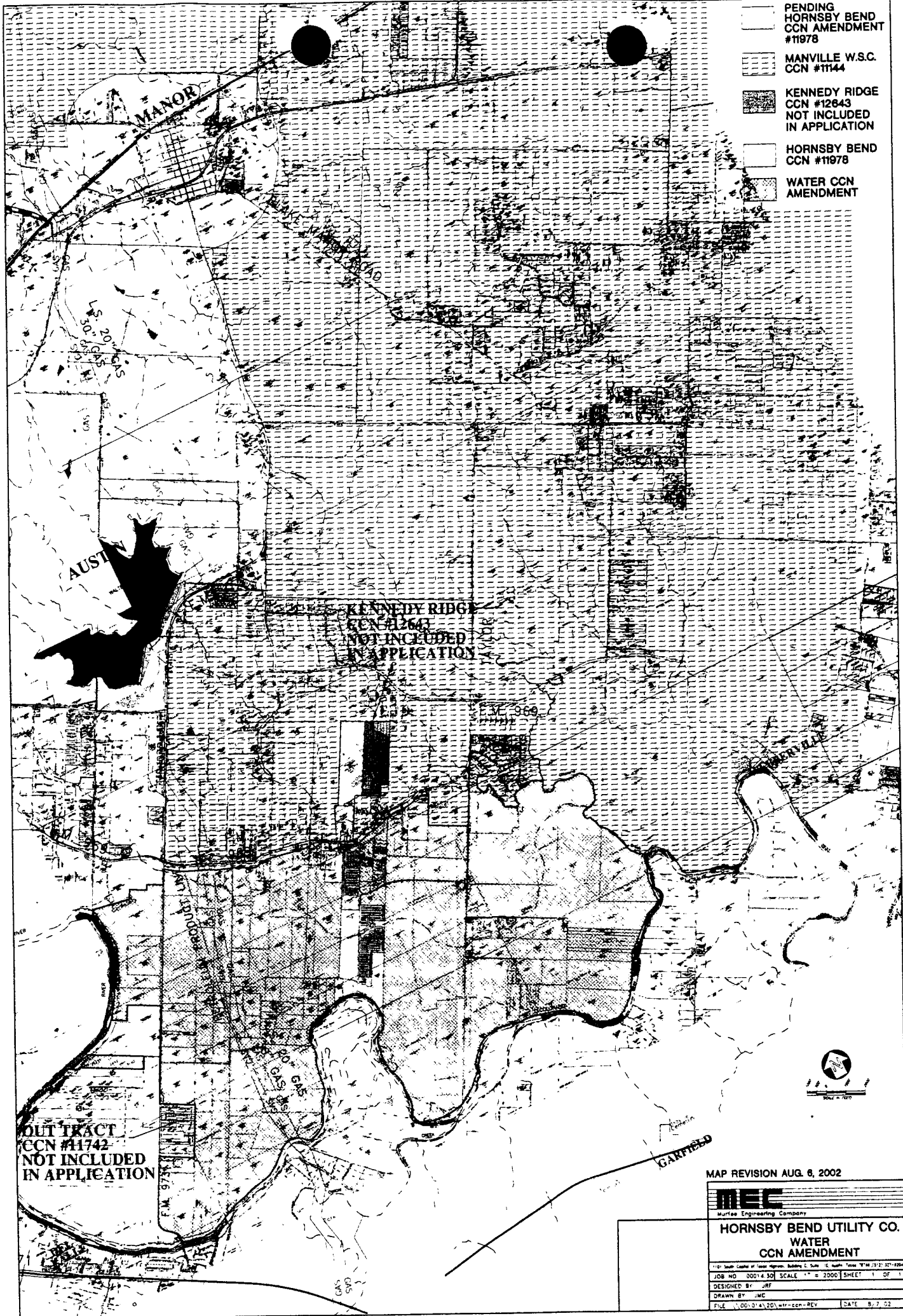


**HORNSBY BEND UTILITY CO.  
PROPOSED WASTEWATER  
CCN AMENDMENT**

101 South Capital of Texas Highway, Building 6, Suite 110, Southtown, TX 78114-2112 512-704-4444  
 JOB NO. 00014-03 SCALE 1" = 2000' SHEET 1 OF 1  
 DESIGNED BY JEF  
 DRAWN BY JMC  
 FILE: \\CGO\314\2001-ccn-rev.dwg DATE: 8/7/02



-  PENDING HORNSBY BEND CCN AMENDMENT #11978
-  MANVILLE W.S.C. CCN #11144
-  KENNEDY RIDGE CCN #12643 NOT INCLUDED IN APPLICATION
-  HORNSBY BEND CCN #11978
-  WATER CCN AMENDMENT



OUT TRACT  
CCN #11742  
NOT INCLUDED  
IN APPLICATION

KENNEDY RIDGE  
CCN #12643  
NOT INCLUDED  
IN APPLICATION



MAP REVISION AUG. 6, 2002

<b>MEC</b> Murtree Engineering Company	
<b>HORNSBY BEND UTILITY CO.</b> WATER CCN AMENDMENT	
<small>1101 South Central of Texas Highway, Building C, Suite 100, Dallas, Texas 75241-3271-2504</small>	
JOB NO 00014.30	SCALE 1" = 2000'
DESIGNED BY JRF	SHEET 1 OF 1
DRAWN BY JMC	
FILE \\001014\2014\ccn-rev	DATE 8/7/02

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)  
TO PROVIDE WATER/SEWER 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: August 15, 2002

HORNSBY BEND UTILITY COMPANY has filed an application to amend CCN No. 11978 and  
Name of Applicant  
CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 15 miles east of downtown Austin, Texas, and is generally bounded on the north by Old Hwy. 20; on the east by a line approximately 7,000 feet east of Burluson Manor Road; on the south and west by the Colorado River.

The total area being requested includes approximately 350 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.

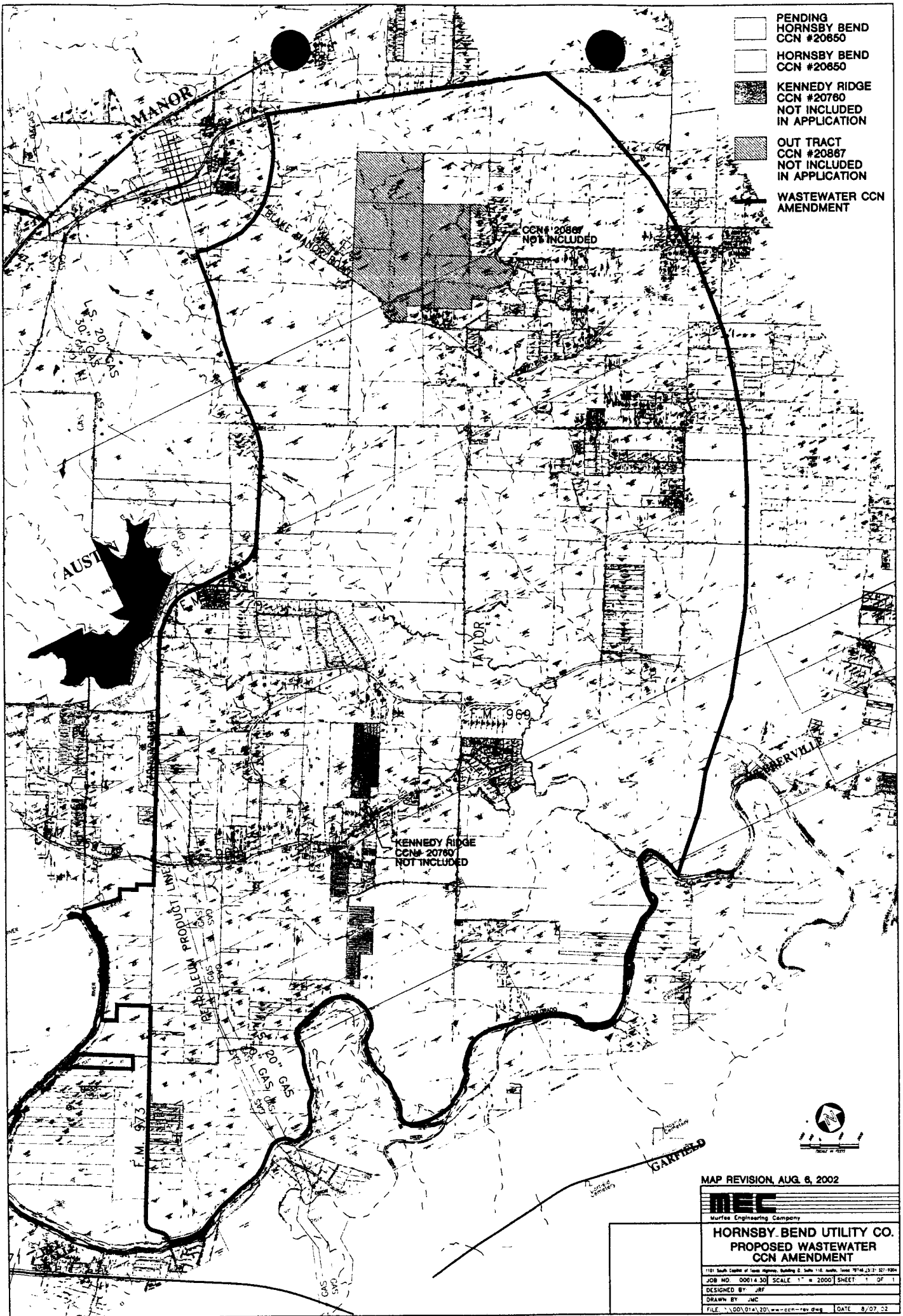
Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission  
Water Permits and Resource Management 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.

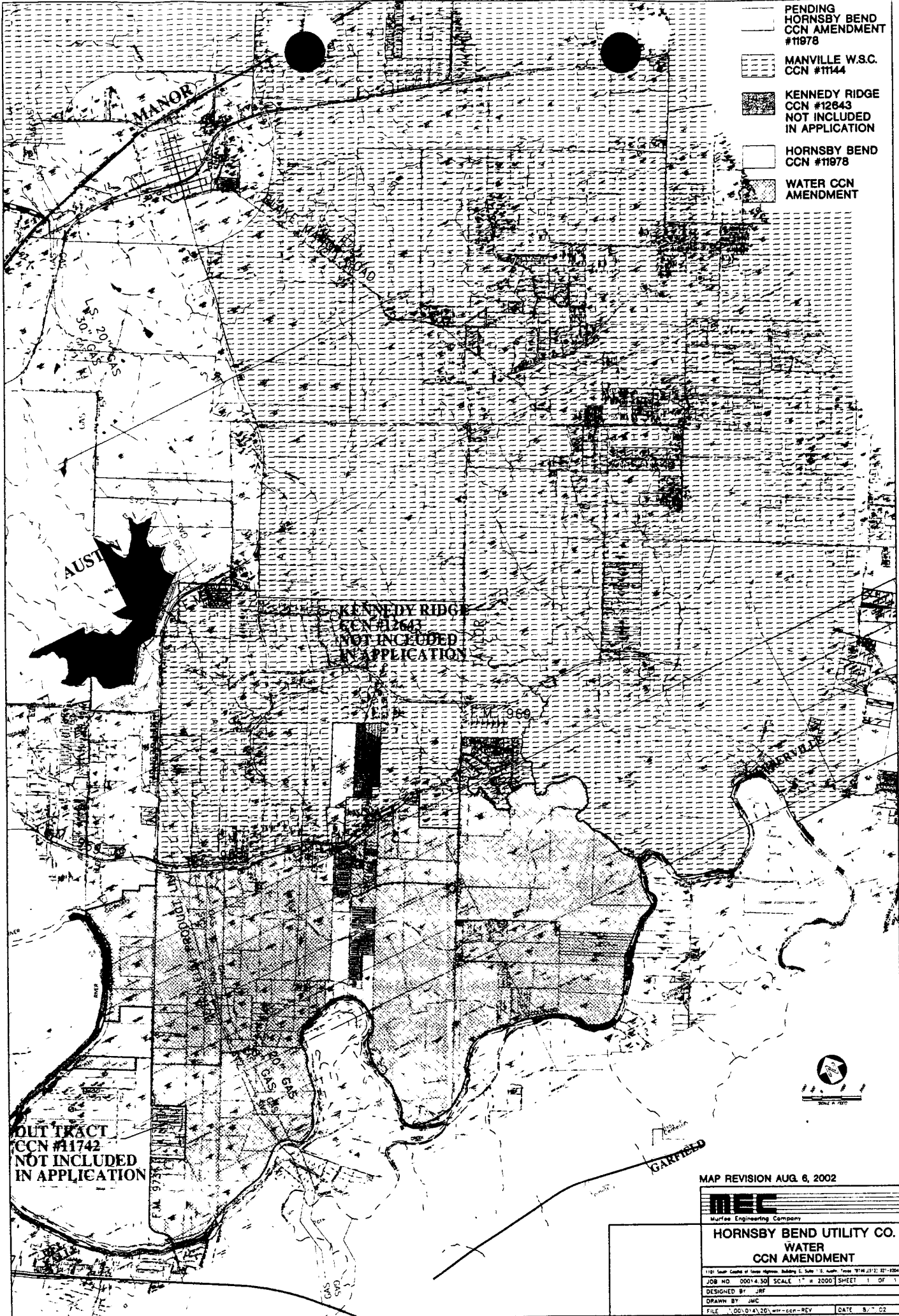
If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission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






-  PENDING HORNSBY BEND CCN #20650
-  HORNSBY BEND CCN #20650
-  KENNEDY RIDGE CCN #20760 NOT INCLUDED IN APPLICATION
-  OUT TRACT CCN #20867 NOT INCLUDED IN APPLICATION
-  WASTEWATER CCN AMENDMENT



MAP REVISION, AUG. 6, 2002

<b>MEC</b> Murfee Engineering Company	
<b>HORNSBY BEND UTILITY CO.</b> PROPOSED WASTEWATER CCN AMENDMENT	
<small>1181 South Capital of Texas Avenue, Building 2, Suite 118, Austin, Texas 78748-2131-1000</small>	
<small>JOB NO. 0001430</small>	<small>SCALE 1" = 2000'</small>
<small>DESIGNED BY JRF</small>	<small>SHEET 1 OF 1</small>
<small>DRAWN BY JMC</small>	
<small>FILE: \\001\01\120\w-wccn-rev.dwg</small>	<small>DATE 8/07/02</small>



-  PENDING HORNSBY BEND CCN AMENDMENT #11978
-  MANVILLE W.S.C. CCN #1144
-  KENNEDY RIDGE CCN #12643 NOT INCLUDED IN APPLICATION
-  HORNSBY BEND CCN #11978
-  WATER CCN AMENDMENT

KENNEDY RIDGE  
CCN #12643  
NOT INCLUDED  
IN APPLICATION

OUT TRACT  
CCN #11742  
NOT INCLUDED  
IN APPLICATION

MAP REVISION AUG. 6, 2002



**HORNSBY BEND UTILITY CO.  
WATER  
CCN AMENDMENT**

1101 South Center of Texas Highway, Building 5, Suite 118, Austin, Texas 78749-2193 877-7524  
 JOB NO. 00014.30 SCALE: 1" = 2000' SHEET 1 OF 1  
 DESIGNED BY: JMF  
 DRAWN BY: JMC  
 FILE: 00014.30.Water-CCN-REV DATE: 8/7/02

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

To: Nighthawk WSC Date Notice Mailed: August 15, 2002  
(Neighboring System or City)  
P.O. Box 1126  
(Address)  
Del Valle, Texas 78616  
(City State Zip)

HORNSBY BEND UTILITY COMPANY has filed an application to amend CCN No. 11978 and  
Name of Applicant  
CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 15 miles east of downtown Austin, Texas, and is generally bounded on the north by Old Hwy. 20; on the east by a line approximately 7,000 feet east of Burleson Manor Road; on the south and west by the Colorado River.

The total area being requested includes approximately 350 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.

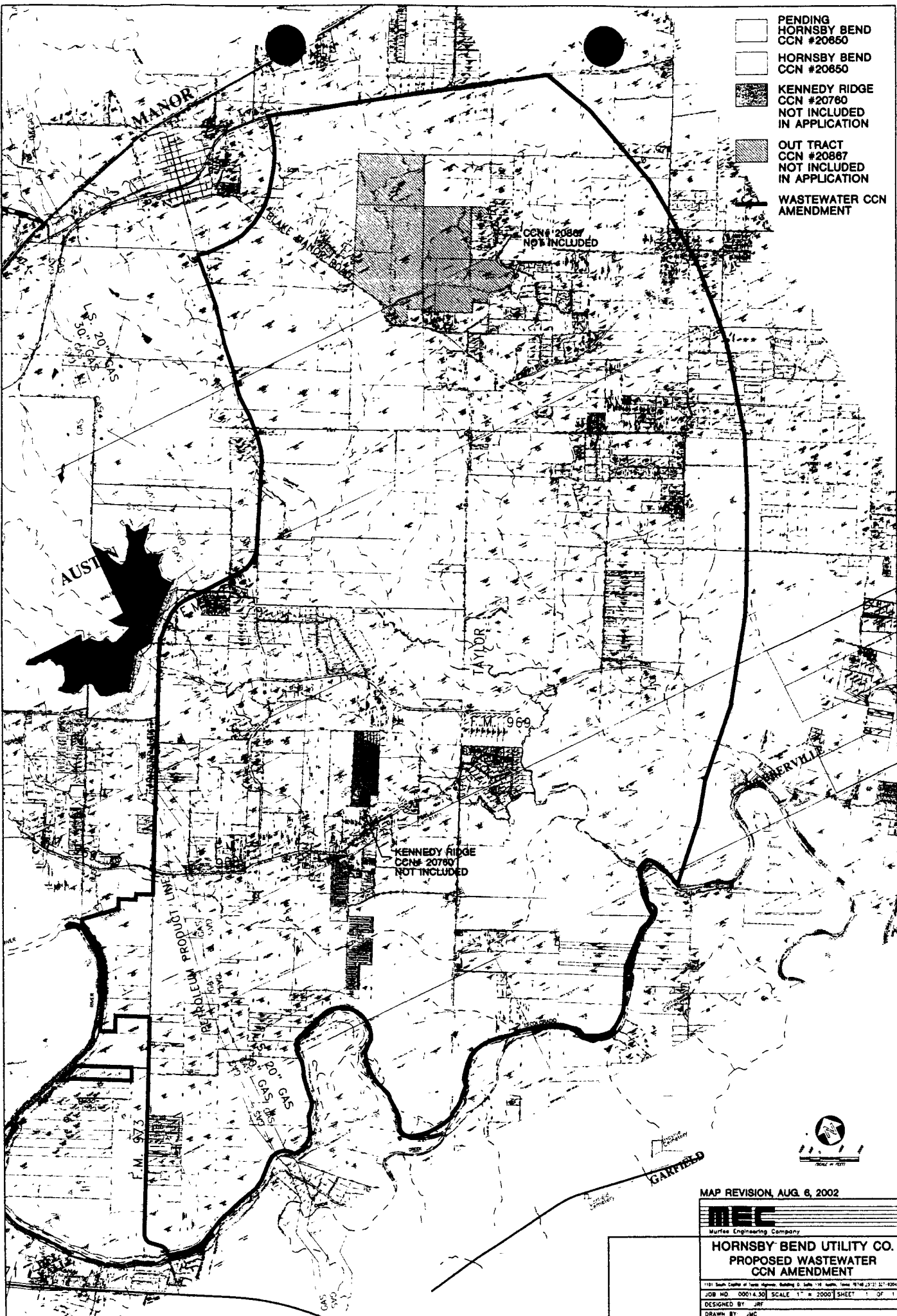
Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission  
Water Permits and Resource Management 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.

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-  PENDING HORNSBY BEND CCN #20650
-  HORNSBY BEND CCN #20650
-  KENNEDY RIDGE CCN #20760 NOT INCLUDED IN APPLICATION
-  OUT TRACT CCN #20867 NOT INCLUDED IN APPLICATION
-  WASTEWATER CCN AMENDMENT








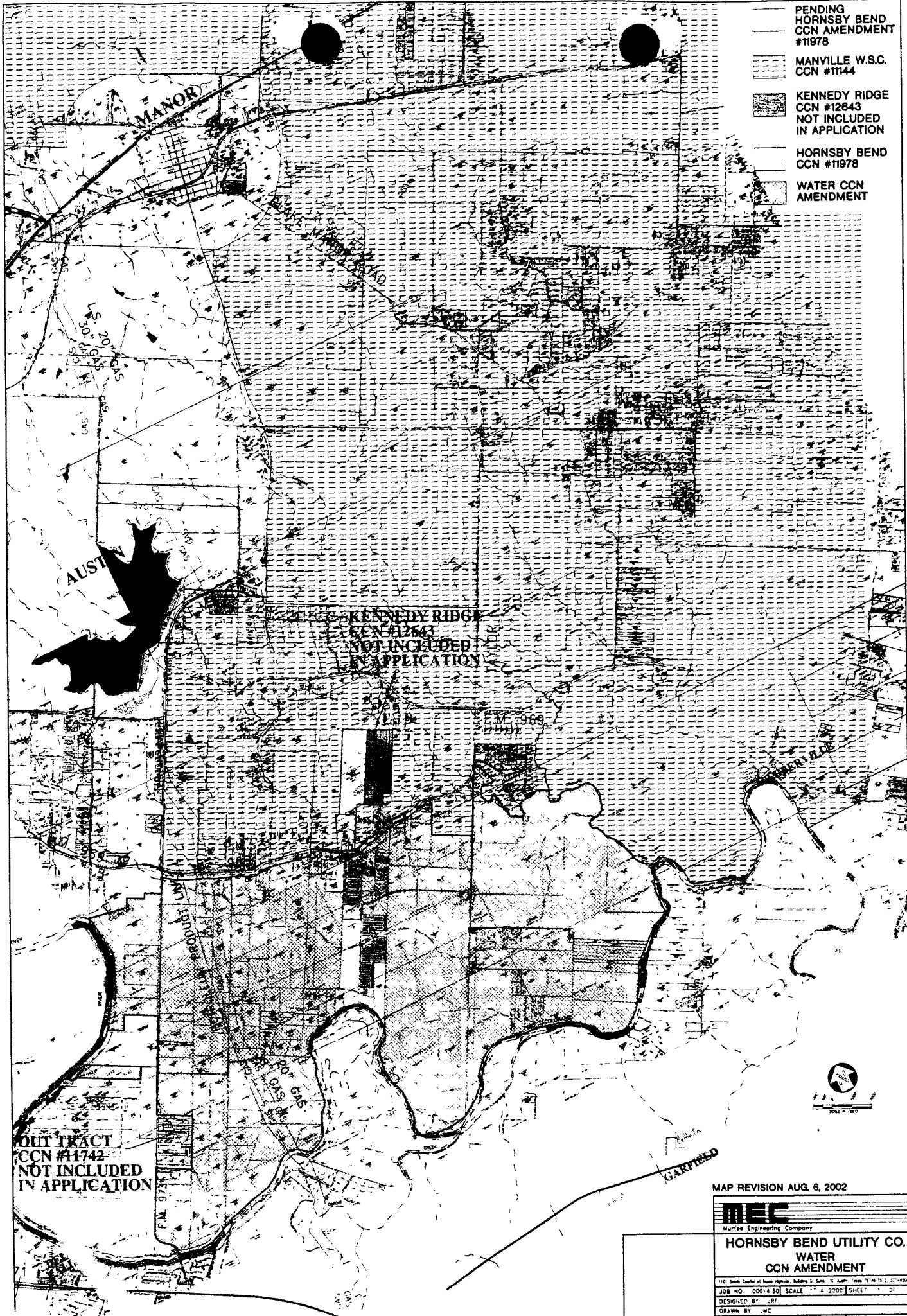
MAP REVISION, AUG. 6, 2002



**HORNSBY BEND UTILITY CO.  
PROPOSED WASTEWATER  
CCN AMENDMENT**

1181 South Center of Texas Highway, Building 6, Suite 118, South Texas, TX 77467-2371 271-8200  
 JOB NO. 00014.30 SCALE 1" = 2000' SHEET 1 OF 1  
 DESIGNED BY JRF  
 DRAWN BY JMC

-  PENDING HORNSBY BEND CCN AMENDMENT #11978
-  MANVILLE W.S.C. CCN #11144
-  KENNEDY RIDGE CCN #12843 NOT INCLUDED IN APPLICATION
-  HORNSBY BEND CCN #11978
-  WATER CCN AMENDMENT



MAP REVISION AUG. 6, 2002

<b>MEC</b> Murfee Engineering Company	
<b>HORNSBY BEND UTILITY CO.</b> WATER CCN AMENDMENT	
<small>1101 South Capital of Texas Highway, Building 2, Suite 1, Austin, Texas 78746-1112, 512-453-1100</small>	
JOB NO 0001430	SCALE 1" = 2000' SHEET 1 OF 2
DESIGNED BY JRF	
DRAWN BY JMC	
FILE 0001430\WATER-REV	DATE 8.7.02

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

To: Aquasource Development Corporation Date Notice Mailed: August 15, 2002  
(Neighboring System or City)  
11100 Brittmoore Park Drive  
(Address)  
Houston, Texas 77041-0000  
(City State Zip)

HORNSBY BEND UTILITY COMPANY has filed an application to amend CCN No. 11978 and  
Name of Applicant  
CCN No. 20650 with the Texas Natural Resource Conservation Commission to provide water utility and sewer service in Travis County.

The proposed utility service area is located approximately 15 miles east of downtown Austin, Texas, and is generally bounded on the north by Old Hwy. 20; on the east by a line approximately 7,000 feet east of Bureson Manor Road; on the south and west by the Colorado River.

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




Persons who wish to intervene or comment should write the:

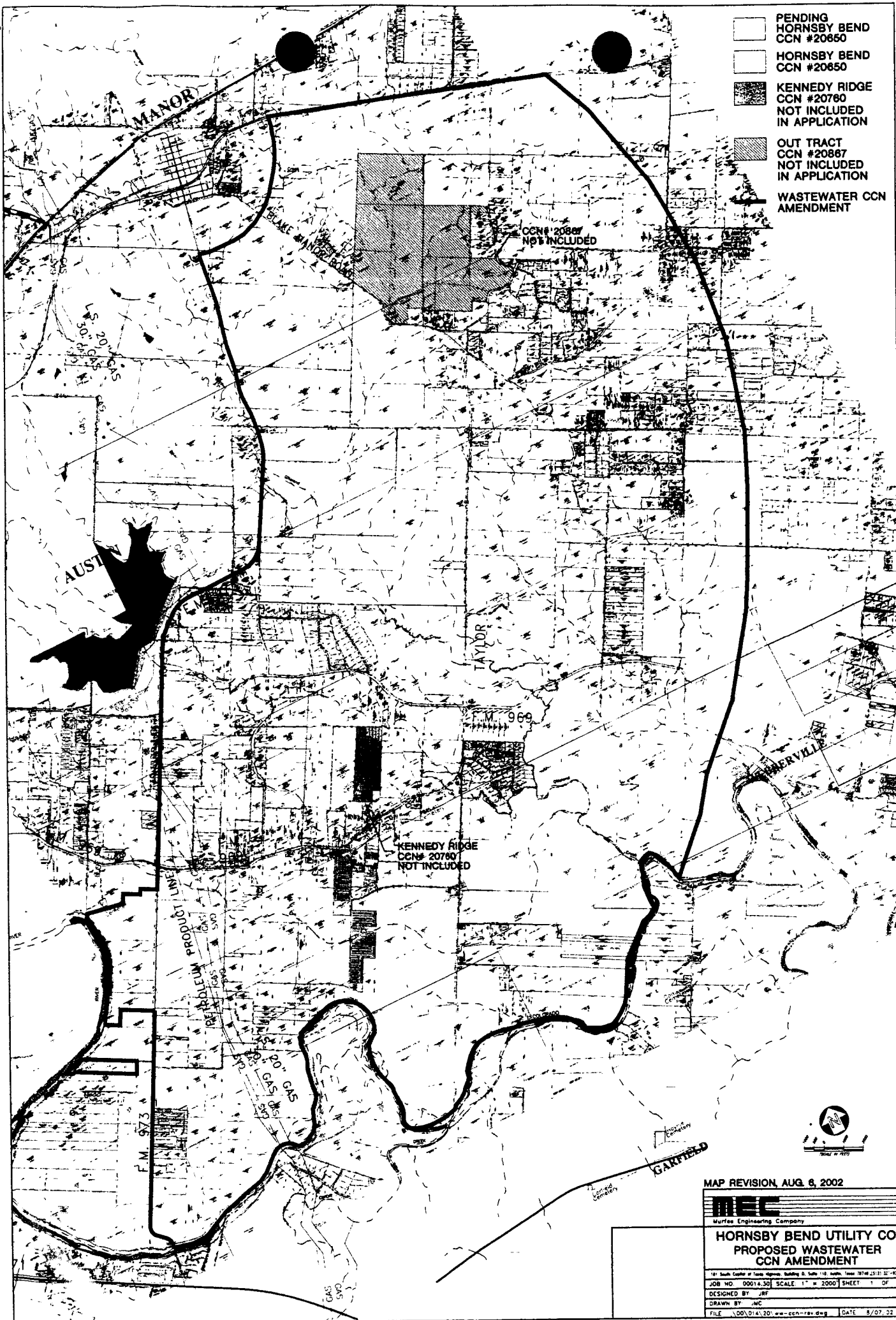
Texas Natural Resource Conservation Commission  
Water Permits and Resource Management Division  
Utilities and Districts Section, MC-153  
P. O. Box 13087  
Austin, TX 78711-3087

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-  PENDING HORNSBY BEND CCN #20650
-  HORNSBY BEND CCN #20650
-  KENNEDY RIDGE CCN #20780 NOT INCLUDED IN APPLICATION
-  OUT TRACT CCN #20887 NOT INCLUDED IN APPLICATION
-  WASTEWATER CCN AMENDMENT



MAP REVISION, AUG. 6, 2002

**MEC**  
Merritt Engineering Company

**HORNSBY BEND UTILITY CO.  
PROPOSED WASTEWATER  
CCN AMENDMENT**

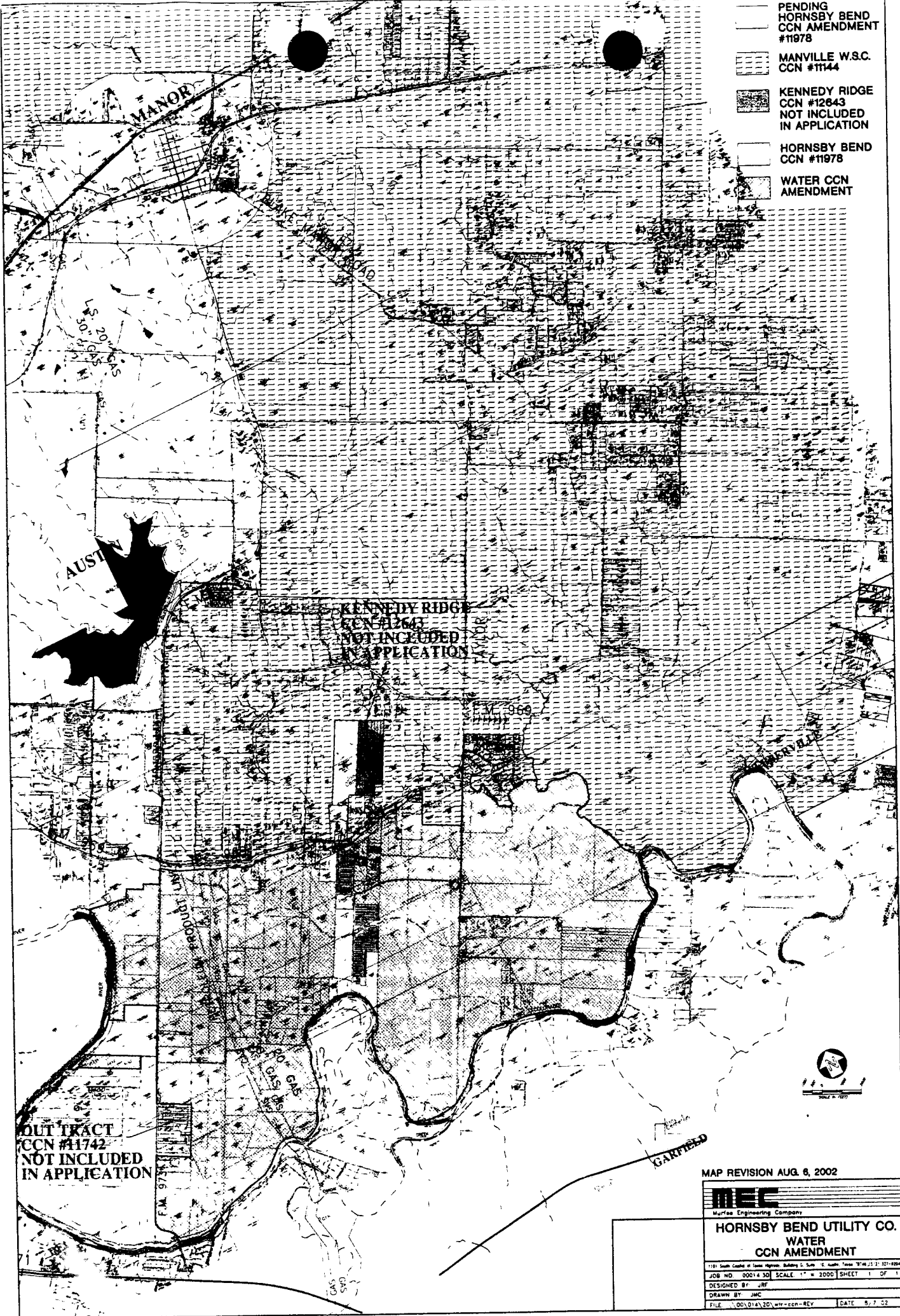
1" South-Center of Texas Region, Building 5, Suite 110, Dallas, Texas 75241-2131-1924






JOB NO. 00014.30 SCALE 1" = 2000' SHEET 1 OF 1

DESIGNED BY JRF

DRAWN BY JAC

FILE: \00\014\20\00-ccn-rsv.dwg DATE 8/07/02



-  PENDING HORNSBY BEND CCN AMENDMENT #11978
-  MANVILLE W.S.C. CCN #1144
-  KENNEDY RIDGE CCN #12643 NOT INCLUDED IN APPLICATION
-  HORNSBY BEND CCN #11978
-  WATER CCN AMENDMENT

KENNEDY RIDGE  
CCN #12643  
NOT INCLUDED  
IN APPLICATION

OUT TRACT  
CCN #11742  
NOT INCLUDED  
IN APPLICATION

MAP REVISION AUG. 6, 2002

<b>MEC</b> Murfee Engineering Company	
<b>HORNSBY BEND UTILITY CO.</b> WATER CCN AMENDMENT	
<small>1101 South Central at Texas Highway, Building 5, Suite 100, Austin, Texas 78741-1321-8504</small>	
<small>JOB NO. 0001430</small>	<small>SCALE: 1" = 2000'</small>
<small>DESIGNED BY: JRF</small>	<small>SHEET 1 OF 1</small>
<small>DRAWN BY: JMC</small>	
<small>FILE: \00\01430\wtr-ccn-REV</small>	<small>DATE: 8.7.02</small>