

Control Number: 43587



Item Number: 1

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014



PURSUANT TO PUC CHAPTER 24, SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER
SERVICE PROVIDERS, SUBCHAPTER G: CERTIFICATES OF CONVENIENCE AND NECESSITY

Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

Docket Number: 43587

(this number will be assigned by the Public Utility Commission after your application is filed)

7 copies of the application, including the original, shall be filed with

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

If submitting digital map data, two copies of the portable electronic storage medium (such as CD or DVD) are required.

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Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

Purpose of Application

☒ Obtain ☒ New Water CCN ☒ New Sewer CCN

☐ Amend ☐ Water CCN# (s) _____

☐ Amend ☐ Sewer CCN#(s) _____

1. Applicant Information

Applicant

Utility name: Trinity RTC GP, LLC.

Certificate number:

Street address (City/ST/ZIP/Code): 4783 County Road 302 Navasota, TX 77868-5829

Mailing address(City/ST/ZIP/Code): 4783 County Road 302, Navasota, Texas 77868-5829

Utility Phone Number and Fax: (713) 446-9886

Contact information

Please provide information about the person(s) to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant manager, or other title related to the applicant.

Name: Bret W. Fenner, P.E.

Title: Engineer

Mailing address: P.O. Box 500264, Austin, Texas 78750

Email: bretfenner@yahoo.com

Phone and Fax: (512) 264-9124

List all counties in which service is proposed:

Harris

A. Check the appropriate box and provide information regarding the legal status of the applicant:

- ☒ Investor Owned Utility ☐ Individual ☐ Partnership
☐ Home or Property Owners Association ☐ For-profit Corporation
☐ Non-profit, member-owned, member-controlled cooperative corporation
(Water Code Chapter 67, Water Supply or Sewer Service Corporation)
☐ Municipality ☐ District ☐ Other - Please explain:

B. If the applicant is a For-Profit business or corporation, please include the following information: (See Attachment A)

- i. A copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts.
- ii. The corporation's charter number as recorded with the Office of the Texas Secretary of State: 0801181234
- iii. A listing of all stockholders and their respective percentages of ownership.
- iv. A copy of the company's organizational chart, if available.
- v. A list of all directors and disclose the title of each individual.
- vi. A list of all affiliated organizations (if any) and explain the affiliate's business relationship with the applicant.

C. If the applicant is a Texas Water Code (TWC) Chapter 67 water supply or sewer service corporation please provide:

- i. A copy of the Articles of Incorporation and By-Laws.
- ii. The corporation's charter number as recorded with the Office of the Texas Secretary of State.
- iii. Identification of all board members including name, address, title, and telephone number.
- iv. A copy of the corporation's *Certificate of Account Status* from the Texas Comptroller of Public Accounts.

2. Location Information

- A. Are there people already living in the proposed area? ☒ Yes ☐ No
If YES, are any currently receiving utility service? ☐ Yes ☐ No
If YES, from WHOM? Royal Coach Trails MHP (PWS #1010339 & WQ0012450001)

B. Demonstrate the Need for Service by providing the following:

Have you received any requests for service in the requested service area?

☒ Yes ☐ No

If YES, provide the following: (See Attachment B)

- i. Describe the service area and circumstances driving the need for service in the requested area. Indicate the name(s) and address(es) of landowner(s), prospective landowner(s), tenant(s), or resident(s) that have requested service; and/or
- ii. Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, septic tank permits, hospitals, etc.); and/or
- iii. Discuss in detail the environmental need(s) for service in the requested area (i.e. failing septic tanks in the requested area, fueling wells, etc.); and/or
- iv. Provide copies of any written application(s) or request(s) for service in the requested area; and/or
- v. Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area.
- vi. If none of these items exist or are available, please justify the need for service in the proposed area in writing.

Note: Failure to demonstrate a need for additional service in the proposed service area may result in the delay and /or possible denial of the application.

C. Is any portion of the proposed service area inside an incorporated city or district?

☐ Yes ☒ No

If YES, within the corporate limits of: _____

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

D. Is any portion of the proposed service area inside another utility's CCN area?

☐ Yes ☒ No

If YES, has the current CCN holder agreed to decertify the proposed area?

If NO, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest:

3. Map Requirements

Attach the following hard copy maps with each copy of the application: (See Attached Maps)

- A. A location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
- B. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
 - iii. following verifiable natural and man-made landmarks; or
 - iv. a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area.
- D. Provide separate and additional maps of the proposed area(s) to show the following:
 - i. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
 - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s).

Note: Failure to provide adequate mapping information may result in the delay or possible denial of your application.

Digital data submitted in a format other than ArcView shape file or Arc/Info E00 file may result in the delay or inability to review applicant's mapping information.

For information on obtaining a CCN base map or questions about sending digital map data, please visit the Water Utilities section of the PUC website for assistance.

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

- A. Please provide the following information: (See Attachment C)
 - i. a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
 - ii. copies of written requests seeking to obtain service from each of the public drinking water systems or sewer systems listed in a. 1 above or documentation that it is not economically feasible to obtain service from each entity;
 - iii. copies of written responses from each system or evidence that they did not reply; and
 - iv. for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
- B. Were your requests for service denied? ☒ Yes ☐ No

- i. If yes, please provide documentation of the denial of service and go to c.
 - ii. If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separate analysis must be prepared and submitted for each utility that granted your request for service.
- C. Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any:

System is already constructed and is in operation. See Attachment D for a copies of latest TCEQ Comprehensive Compliance Investigation.

- D. Date of plat approval, if required: N/A
 Approved by: N/A
- E. Date Plans & Specifications submitted to the TCEQ for approval:
N/A Attach copy of approval letter, if available. If the letter is not available by the time your CCN application is submitted, please supplement your application with a copy of the letter once you receive it from the TCEQ.
- F. Date construction is scheduled to commence: N/A
- G. Date service is scheduled to commence: N/A

5. Existing System Information

- A. Please provide the following information for each water and/or sewer system, attach additional sheets if necessary.

- i. Water system(s): TCEQ Public Water System identification number(s):

1	0	1	0	3	3	9													

- ii. Sewer system(s): TCEQ Discharge Permit number(s)

W Q 1 2 4 5 0 - 0 0 1 ;

W Q -

W Q -

W Q -

W Q -

W Q -

- iii. Date of last TCEQ water and/or sewer system inspection(s): December 12, 2012 / May 17, 2012
- iv. Attach a copy of the most recent TCEQ water and/or sewer inspection report letter(s).
- v. For each system deficiency listed in the TCEQ inspection report letter; attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates. (See Attachment D)

B. Provide the following information about the utility's certified water and/or sewer operators

Name	Classes	License Number
Tracy Ragsdale	Class C & Class B	WG005153 & WW0010349

- Attach additional sheet(s) if necessary -

- C. Using the current number of customers, is any facility component in systems named in #5A above operating at 85% or greater of minimum standard capacity?
- ☐ Yes
- ☒ No

Attach a copy of the 85% rule compliance document filed with the TCEQ if the system is operating at 85% or greater of the TCEQ's minimum standard capacity requirements.

- D. In the table below, the number of existing and/or proposed metered and non-metered connections (by size). The proposed number should reflect the information presented in the business plan or financial **documentation** and reflect the number of service requests identified in Question 2.b in the application.

TCEQ Water System			TCEQ Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
5/8" or 3/4" meter	110		Residential	110	
1" meter or larger			Commercial		
Non-Metered			Industrial		

TCEQ Water System			TCEQ Sewer System		
Other:			Other:		
Total Water	110		Total Sewer	110	

E. If this application is for a water CCN only, please explain how sewer service is or will be provided:

N/A

F. If this application is for a sewer CCN only, please explain how water service is or will be provided:

N/A

G. Effect of Granting a Certificate Amendment. (See Attachment E)
Explain in detail the effect of granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following:

- i. the applicant,
- ii. any retail public utility of the same kind already serving the proximate area; and
- iii. any landowner(s) in the requested area.

H. Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?

i. ☒ No, (skip the rest of this question and go to #6)

ii. ☐ Yes, Water

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Water Source	% of Total Treatment
	0.00%

Water Source	% of Total Treatment
	0.00%
	0.00%

iii. ☐ Yes, Sewer treatment capacity

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Sewer Source	% of Total Treatment
	0.00%
	0.00%
	0.00%

iv. Provide a signed and dated copy of the most current water or sewer treatment capacity purchase agreement or contract.

I. Ability to Provide Adequate Service.

Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration:

- i. the current and projected density; and
- ii. the land use of the requested area.

J. Effect on the Land. Explain the effect on the land to be included in the certificated area.

The land to be included in the service area is currently receiving water and sewer service from the utility. This will eliminate the need for land owners to use individual wells and septic tanks. Thus, protecting the environment in the area from potential sources of contamination and encouraging rationalization of both water and sewer service.

6. Financial Information

(See Attachment F)

- A. For new water and/or sewer systems and for applicants with existing CCNs who are constructing a new stand-alone water and/or sewer system:
- i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system, and the source of that capital (such as a financial statement for the developing entity) for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing retail water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
 - ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates

should correlate to the projected growth in connections, shown on the projected profit and loss statement.

- iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.

B. For existing water and/or sewer systems:

- i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
- ii. Attach a proposed rate schedule or tariff.

❖ **Note: An existing water and/or sewer system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application**

C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.

D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.

❖ **Note: Failure to provide adequate financial information may result in the delay or possible denial of your application.**

7. Notice Requirements

- A. All proposed notice forms must be completed and submitted with the application. Do not mail or publish the notices until you receive written approval from the commission to do so.
- B. The commission cannot grant a CCN until proper notice of the application has been given. Commission rules do not allow a waiver of notice requirements for CCN applicants.
- C. It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more, and customers are included with this application for use in preparing proposed notices. (Notice forms are available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully before providing the notice.
- F. Notice For Publication:
The applicant shall publish the notice in a newspaper with general circulation in the county(ies) where a CCN is being requested. The notice must be published once each week for two consecutive weeks beginning with the week after the notice is received from the commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. Notice To Neighboring Utilities:
 - i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area.
 - ii. For applications for the issuance of a NEW CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within five (5) miles of the requested service area.

- iii. For applications for the AMENDMENT of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within two (2) miles of the requested service area.
- H. Notice to Customers:
Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application.
- I. The commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the commission. Wait until you receive written authorization to do so. Authorization occurs after the commission has reviewed the notices for completeness, and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public. It is the applicant's burden to ensure that correct and accurate notice is provided.

OATH

STATE OF TEXAS
COUNTY OF HARRIS

I, DONALD GENE CLEMENTS JR, being duly sworn, file this application as GENERAL PARTNER/MEMBER (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Public Utility Commission of Texas.

I further represent that the application form has not been changed, altered or amended from its original form.

I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.




AFFIANT

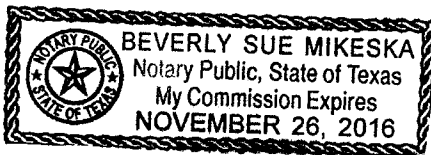
(Utility's Authorized Representative)

If the Affiant 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, a Notary Public in and for the State of Texas,
This day 9th of October 20 14

SEAL


NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS




PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES 11/26/16

Notice for Publication

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

Harris COUNTY(IES), TEXAS

Name of Applicant Trinity RTC GP, LLC has filed an application for a CCN to obtain or amend CCN No. (s) _____ and to decertify a portion(s) of _____ with the
(Name of Decertified Utility)

Public Utility commission of Texas to provide water & sewer
(specify 1) water or 2) sewer or 3) water & sewer)

utility service in Harris County
(ies).

The proposed utility service area is located approximately 12 miles North
[direction] of downtown Houston, [City or Town] Texas, and is
generally bounded on the north by Nystom Road; on the east by
West Hardy Road; on the south by Pear Street; and on the west by Henry Road

See enclosed map of the proposed service area.

The total area being requested includes approximately 16 acres and 110
current customers.

A copy of the proposed service area map is available at (Utility Address and Phone Number): 4783 CR 302 Navasota, TX 77868 Phone No. (713) 446-9886

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 file with the PUC at the following address:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

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 commission 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.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-888-782-8477

Notice to Neighboring Systems, Landowners and Cities

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

Harris COUNTY(IES), TEXAS

To: _____ Date Notice Mailed _____ 20 14
(Neighboring System, Landowner or City)

(Address)

City State Zip

Name of Applicant Trinity RCT GP, LLC has filed an application for a CCN to obtain or amend CCN No. (s) _____ and to decertify a portion(s) of _____ with the
(Name of Decertified Utility)

Public Utility Commission of Texas to provide water & sewer
(specify 1) water or 2) sewer or 3) water & sewer)
utility service in Harris County(ies).

The proposed utility service area is located approximately 12 miles North
[direction] of downtown Houston, [City or Town] Texas, and is
generally bounded on the north by Nystrom Road; on the east by
West Hardy Road; on the south by Pear Street; and on the west by Henry Road

See enclosed map of the proposed service area.

The total area being requested includes approximately 16 acres and 110
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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If a public hearing is requested, the commission 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.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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Notice to Customers of IOUs in Proposed Area

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

Harris COUNTY(IES), TEXAS

Dear Customer: _____ Date Notice Mailed 20 14

Name of Applicant Trinity RCT GP, LLC has filed an application for a CCN to obtain or amend CCN No. (s) _____ and to decertify a portion(s) of _____ with the
(Name of Decertified Utility)

Public Utility commission of Texas to provide _____ water & sewer
utility service in Harris (specify 1) water or 2) sewer or 3) water & sewer) County(ies).

The proposed utility service area is located approximately 16 miles North
[direction] of downtown Houston, [City or Town] Texas.

A copy of the proposed service area map is available at (Utility Address and Phone Number): 4783 CR 302 Navasota, TX 77868 Phone No. (713) 446-9886

The current utility rates which were first effective on January 1, 20 13

Monthly Flat Rate of \$ _____ Per connection

-OR-

Monthly Base Rate Including per 0 gallons connection for:

5/8" meter	\$ 20.00
1" meter	\$ 50.00
1 1/2" meter	\$ 100.00
2" meter	\$ 160.00

Other\$ 3" Meter \$300.00 & 4" Meter \$ 500.00

Gallage charge of \$ 2.00 Per 1,000
Gallons above minimum (same for all meters sizes)

Miscellaneous Fees

Regulatory Assessment

Tap Fee (Average Actual Cost)

Reconnecting fee:

- Non Payment (\$25.00 max)
- Transfer
- Customer's request

Late fee

Returned Check charge

Customer Deposit (\$50.00 max)

Meter test fee

(Actual Cost not Exceed \$25.00)

Other Fees

1%
\$ 650.00
\$
\$ 25.00
\$ 35.00
\$ 50.00
\$ 5.00 or 10%
\$ 30.00
\$ 50.00
\$ 25.00
\$

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.

Persons who wish to intervene or comment should write the:

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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 Commission 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.

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.

If you are a landowner with a tract of land at least 25 acres or more, and is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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P.O. Box 13326
Austin, Texas 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-888-782-8477

HISTORICAL BALANCE SHEETS

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO						
EQUITY TO TOTAL ASSETS						

HISTORICAL INCOME STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
METER NUMBER						
Existing Number of Taps						
New Taps per Year			See Attached Financial Statements			
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

HISTORICAL EXPENSES STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense			See Attached Financial Statements			
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

PROJECTED BALANCE SHEETS

	START UP	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO						
EQUITY TO TOTAL ASSETS						

PROJECTED INCOME STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
METER NUMBER						
Existing Number of Taps						
New Taps per Year						
Total Meters at Year End			See Attached Financial Statements			
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

PROJECTED EXPENSES STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense			See Attached Financial Statements			
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

PROJECTED SOURCES AND USES OF CASH STATEMENTS

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
SOURCES OF CASH						
Net Income			See Attached Financial Statements			
Depreciation (if Funded)						
Loan Proceeds						
Other						
Total Sources						
USES OF CASH						
Net Loss						
Principle Portion of Pmts.						
Fixed Asset Purchase						
Reserve						
Other						
TOTAL USES						
NET CASH FLOW						
DEBT SERVICE COVERAGE						
Cash Available for Debt						
Service (CADS)						
Net Income (Loss)						
Depreciation , or Reserve						
Interest						
TOTAL						
REQUIRED DEBT SERVICE (RDS)						
Principle Plus Interest						
DEBT SERVICE COVERAGE RATIO						
CADS Divided by RDS						

ATTACHMENT A



Franchise Tax Account Status

As of: 10/10/2014 09:42:48 AM

This Page is Not Sufficient for Filings with the Secretary of State

TRINITY RCT GP, L.L.C.	
Texas Taxpayer Number	32040476395
Mailing Address	8809 CROES DR HOUSTON, TX 77055-4736
Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	10/12/2009
Texas SOS File Number	0801181234
Registered Agent Name	J. ART NICHOLSON
Registered Office Street Address	8809 CROES HOUSTON, TX 77055

1. B. iii. List of All Partners and Percentage of Ownerships

1. B. v. List of All Directors and Tile

TRINITY RCT GP, LLC. ORGANIZATION CHART

General Partners

TRINITY RCT GP LLC		0.021%
Don Clements	President	
Art Nicholson	Vice President	
Barry Wren	Secretary-Treasurer	

Limited Partners

TRINITY RCT LP	
Rex King	14.85%
Sally King	9.00%
David Cook	3.60%
Jason Fertitta	7.21%
Al Levi	1.80%
Joseph Larriviere	3.60%
Bernard Warriner	2.16%
Randall Fertitta	4.80%
Martha Baum	1.80%
Mark Nini	3.60%
Bruce Phillips	3.60%
Dr. Richard Resslering	3.60%
Stephen Resslering	1.80%
Eric Kaplan	1.80%
Michael Smith	1.80%
Dan McCarty	3.96%
Barry Wren	10.30%
Don Clements	10.30%
Art Nicholson	10.30%

99.88%

1. B. vi. List of All Affiliated Organizations

TRINITY RCT GP LLC
TRINITY @ WINDFERN GP LLC
TRINITY @ WINDFERN 9401 LTD
TRINITY RCT LP
TRINITY SO GP LLC
TRINITY SO PTN LP

ATTACHMENT B

2. B. Demonstrate Need for Service

Trinity RCT GP, LLC. is the owner and operator of a 16 acre mobile home park, located at 14011 W. Hardy Road, outside of Houston in Harris County, Texas 77060. The Applicant is submitting this application for CCNs for its current water and sewer service area. This application only seeks to secure water and sewer CCNs over the boundaries of the mobile home park. No service area being requested is in the certificated service area of another CCN holder. The applicant desire to provide centralized retail water and sewer service to its customers is the primary driver for this application. The applicant has already secured authorization from the TCEQ to operate a public water system (PWS Certificate No. 1010339). The applicant treats raw sewage generated at the park and discharges the treated effluent into waters of the state under Texas Pollutant Discharge Elimination System Permit No. WQ12450-001. Centralized water and wastewater services will reduce the likelihood of negative impacts to the environment, which would otherwise arise with the installation and operation of individual septic systems, and the pumping and hauling of water and raw sewage. No customer's rates will be changed by this application.

ATTACHMENT C

4. A. Utilities Requesting a CCN for the First Time

A.i. List of public drinking water supply system(s) or sewer system(s) within a 5 mile radius of the proposed system.

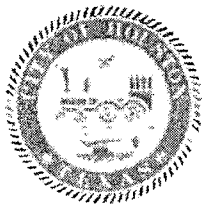
Aldine Bender Development Corp
Aldine ISD Grace Raymond
Elementary School
Champ's Water Company
Galeo Utilities
Greens Road Mobile Home
Community
Greenwood Place Civic Club Inc.
J&S Water Co LLC
Seller Water Company
Suburban Utility Co
Sunbelt FWSD
SWEA Gardens Estates Utility Inc.
Texas American Water
West Road WSC
Westfield MHP Inc
Greenspoint District
Fallbrook Utility District
North Belt Utility District
East Aldine Management District
Harris County MUD 182
Harris County MUD 321
Aqua Texas Inc.
BCWK LP
Blue Bell Manor Utility Co.
Community Utility Company
Country Living Apt Water Well
Douglas Utility Company
Hartwick Green Wastewater Co.
Hooks MHP L TD
Mount Houston Utilities
Nitsch & Son Utility Co Inc.
North Freeway Center
Rankin Park Maintenance and Utilities
CO Inc.
Southern Water Corp.
Aldine PUD

Forest Hills MUD
Forests Edge MUD
Greater Northside Mgmt District
Greens Parkway MUD
Gulf Coast Waste Disposal
Harris County FWSD 45
Harris Co MUD 101
Harris Co MUD II
Harris Co MUD 118
Harris Co MUD 200
Harris Co MUD 215
Harris Co MUD 217
Harris Co MUD 220
Harris Co MUD 271
Harris Co MUD 321
Harris County MUD 33
Harris County MUD 36
Harris County MUD 393
Harris County MUD 406
Harris County MUD 461
Harris County MUD 5
Harris County MUD 96
Harris County Utility District 16
Harris Co WCID 74
Mount Houston Road MUD
North Green MUD
Pine Village PUD
Rankin Road West MUD
Sequoia ID
Stan Stanart
Harris County Clerk
Ron Neighbors
Harris-Galveston Subsidence District
Quadvest LP
Intercontinental WSC
Porter SUD
Consumers Water, Inc.

City of Southern Houston
Harris County WCID 116
Bammel Forest Utility
Westador MUD
Silver Ridge Water System
South Central Water Company
Inverness Forest Improvement District
Oak Hill Estates Water Co.
Serenity Estates Utilities LLC
Atascocita Village Mobile Home Park
Amberwood Utility Company
Woodcreek MUD
City of Houston
City of Aldine

4. A. ii. & iii. Utilities Requesting a CCN for the First Time

Copies of written requests seeking to obtain service from neighboring system and response to written request.



CITY OF HOUSTON
Public Works and Engineering Department

Annise D. Parker

Mayor

Daniel W. Krueger, P.E.
Director
P.O. Box 1562
Houston, Texas 77219-1927

www.houstontx.gov

February 18, 2013

Mr. David J. Klein
Lloyd Gosselink Attorneys at Law
816 Congress Avenue, Suite 1900
Austin, Texas 78701

Re: Application of Trinity RCT GP, L.L.C. for Water and Sewer Certificates of Convenience and Necessity (CCN) under Texas Water Code § 13.244; 13.245 (3240-00); CN #603600289; RN #101263754

Dear Mr. Klein:

Under provisions set by the Texas Water Code, Sections 13.244 and 13.245, the applicant of a Certificate of Convenience and Necessity (CCN) is required to receive proper consent from the municipality within whose extraterritorial jurisdiction it lies. After review of the referenced CCN application and associated documents, the Planning and Development Services Division has no objection to the creation of the subject CCN, providing that the applicant agrees to abide by the conditions set forth in "Exhibit A" attached hereto. Upon your signature below consenting to the "Exhibit A" conditions as Applicant's authorized representative in this matter, you are authorized to submit this letter to the Texas Commission on Environmental Quality to evidence City of Houston's consent under Section 13.245.

If you have any questions or need further information, please contact me at (832) 395-2705 or Rudy Moreno at (832) 394-8986. My mailing address is P.O. Box 1562, Houston, Texas, 77251-1562.

Sincerely,

Mark L. Loethen, P.E., CFM, PTOE
Deputy Director
Planning and Development Services Division

Trinity RCT GP, L.L.C.

By:
It's Authorized Representative

ML:RM:jd

attachment

c: Melba Pourteau

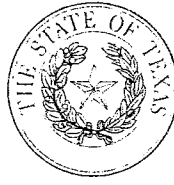
Council Members: Helena Brown Jerry Davis Ellen R. Cohen Wanda Adams Dave Martin Al Hoang Oliver Pennington Edward Gonzalez
James G. Rodriguez Mike Laster Larry V. Green Stephen C. Costello Andrew C. Burks, Jr. Melissa Noriega C.O. "Brad" Bradford Jack Christie
Controller: Ronald C. Green

EXHIBIT A

1. No land located within the extra-territorial jurisdiction of the City of Houston will be added to the CCN until the City of Houston has given its consent to such addition.
2. Before the commencement of any construction within the CCN, the Applicant, its directors, officers or developers and landowners will submit to the Director of the Department of Public Works and Engineering of the City of Houston, or to the Director's designee, all plans and specifications for the construction of water, sanitary sewer, drainage, and road facilities and related improvements to the serve the CCN and obtain the approval of such plans and specifications therefrom. All water, wells, water meters, flushing valves, valves, pipes and appurtenances thereto, installed or used within the CCN, will conform exactly to the specifications of the City of Houston. All water service lines and sewer service lines, lift stations, sewage treatment facilities and road facilities and appurtenances thereto, installed or used within the CCN will comply with the City of Houston's standard plans and specifications as amended from time to time. Prior to the construction of any water, sanitary sewer, drainage of road facilities within the CCN, the Applicant or its engineer will give written notice by registered or certified mail to the Director of Public Works and Engineering, stating the date that such construction will be commenced. The construction of the Applicant's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications and with the applicable standards and specifications of the City of Houston; and during the progress of the construction and installation of such facilities, the Director of Public Works and Engineering of the City of Houston, or an employee thereof, may make periodic on-the-ground inspections.
3. Before the Applicant's acquisition, construction or development of facilities for fire-fighting services, the Applicant shall obtain and maintain on file, from a registered architect, registered professional engineer or a design professional allowed by law to engage in facility design and construction, a certification that the facilities for fire-fighting devices, as constructed, conform to the applicable fire-fighting facilities design standards and specifications of the City of Houston's Fire Department and shall submit a copy of the certification and the 'as built' plans and specifications for such facilities for fire-fighting services to the Chief of Houston Fire Department.
4. The Applicant agrees to engage a sewage plant operator holding a valid certificate of competency issued under the direction of the Texas commission on Environmental Quality (TCEQ) as required by Section 26.0301 Texas Water Code, as it may be amended from time to time. The Applicant agrees to make periodic analyses of its discharge pursuant to the provisions of Order No. 89-1219-1 of the Texas Water Quality Board (predecessor agency to the TCEQ) and further to send copies of all such effluent data to the Department of Public Works and Engineering, city of Houston, as well as to the TCEQ. The Applicant agrees that representatives of the City of Houston may make periodic inspections of operations of the sewage treatment facility.
5. The Applicant, its board of directors, officers, developers and/or landowners will not permit the construction or commit to any development within the CCN that will result in a wastewater flow to the serving treatment facility which exceeds that facility's legally permitted average daily flow limitations or the CCN's allocated capacity therein.

ATTACHMENT D

Bryan W. Shaw, Ph.D., *Chairman*
Ruddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



PWS11010339 ICO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 19, 2013

Mr. Donald G. Clements, Director
Trinity RCT LP
4783 CR 302
Navasota, Texas 77868-5829

RECEIVED

JUN 13 2013

TCEQ
CENTRAL FILE ROOM

Re: Notice of Violation for the Compliance Evaluation Investigation at:
Royal Coach Trails Mobile Home Park, 14003 West Hardy Rd., Harris County
Regulated Entity No.: 101263754, TCEQ ID No.: 1010339, Investigation No.: 1056040

Dear Mr. Clements:

On December 12, 2012, Ms. Elaine Jackson of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, some concerns were noted which were alleged noncompliances. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violations. Therefore, no further action is required.

If you or members of your staff have any questions, please feel free to contact Ms. Elaine Jackson in the Houston Region Office at 713/767-3650.

Sincerely,

Leticia DeLeon, PWS Team Leader
Houston Region Office

LD/ETJ/ra

cc: Harris County Health and Environmental Services

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

ROYAL COACH TRAILS MOBILE HOME PARK

14003 W HARDY RD

HOUSTON, HARRIS COUNTY, TX 77060

Investigation #

1056040

Investigation Date: 12/12/2012

Additional ID(s): 1010339

ALLEGED VIOLATION(S) NOTED AND RESOLVED ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 489655

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1056040

Comment Date: 02/08/2013

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the damage fence on the south side of the well site.

Recommended Corrective Action: Submit copy of photo or work order to showing that the fence has been repaired.

Resolution: On 2/12/2013, information was emailed to correct the damaged fence on the south side of the well site.

Track No: 489656

30 TAC Chapter 290.42(e)(5)

Alleged Violation:

Investigation: 1056040

Comment Date: 02/08/2013

Disinfection

Failure to provide a housed and locked enclosure for hypochlorinator solution containers and pumps, to protect them from vandalism and adverse weather conditions. The solution container lid must be properly covered and sealed to prevent the entry of dust, insects, and other contaminants. At the time of the inspection, the hypochlorinator solution container was not covered.

Recommended Corrective Action: Submit copy of photo or work order showing that the hypochlorinator solution container has been covered.

Resolution: On 2/12/2013, information was emailed to correct the violation. The hypochlorinator solution container is now housed.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

12450-001
TPDES PERMIT NO. WQ0012450001
[For TCEQ office use only - EPA I.D.
No. TX0088650]

This is a renewal that replaces TPDES
Permit No. WQ0012450001 issued
May 12, 2009.

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Trinity RCT GP, L.L.C.

whose mailing address is

4783 County Road 302
Navasota, Texas 77868

is authorized to treat and discharge wastes from the Royal Coach Trails MHP Wastewater Treatment Facility, SIC Code 6515

located at 14003 West Hardy Road, Houston, Texas, approximately one mile south of Aldine-Bender Road in the City of Houston in Harris County, Texas 77060

to Harris County Flood Control District (HCFCD) ditch P138-04-00; thence to HCFCD ditch P138-00-00; thence to Greens Bayou Above Tidal in Segment No. 1016 of the San Jacinto River Basin

only according with effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight, **December 1, 2017**.

ISSUED DATE: December 14, 2012


For the Commission

RECEIVED

JAN 08 2013

TCEQ
CENTRAL FILE ROOM

Texas Commission on Environmental Quality
Investigation Report
 Trinity RCT GP, L.L.C.
 CN603600289

ROYAL COACH TRAILS MOBILE HOME PARK

RN101263754

Investigation # 1007071

Incident #

Investigator: SCOTT AVIS

Site Classification

DOMESTIC MINOR

RECEIVED

Conducted: 05/17/2012 -- 05/17/2012

SIC Code: 4952

JUL 23 2012

Program(s): WASTEWATER

NAIC Code: 221320

TCEQ
CENTRAL FILE ROOM

Investigation Type : Compliance Investigation

Location : KEY MAP 413B

Additional ID(s) : TX0088650
WQ0012450001Address: 14003 W HARDY RD;
HOUSTON, TX 77060Activity Type : REGION 12 - HOUSTON
WWCCIDSMIN - WW CCI Discretionary Minor
WWLSTMINFC - Lift Station
Maintenance/Minor FocusedPrincipal(s) :

Role	Name
RESPONDENT	TRINITY RCT GP LLC

Contact(s) :

Role	Title	Name	Phone
Regulated Entity Contact	OWNER/OPERATOR	MR TRACY RAGSDALE	Work (281) 359-3062
Regulated Entity Mail Contact	OWNER	MR DON CLEMENS	Work (713) 446-9886
Notified	OWNER/OPERATOR	MR TRACY RAGSDALE	(281) 359-3062
Participated in Investigation	OWNER/OPERATOR	MR TRACY RAGSDALE	(281) 359-3062

Other Staff Member(s) :

Role	Name
QA Reviewer	THOMAS BARNETT
Supervisor	BARBARA SULLIVAN

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
WQ EMERGENCY POWER INITIATIVE	EMER
WQ GENERAL CCI CHECKLIST	GEN
WQ FOCUSED INVESTIGATION - INTERIM - LIFT STATION - revised 10/17/2011	LS
WQ INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING	EQ
WQ IN-HOUSE LABORATORY COMPLIANCE INVESTIGATION	LAB

WQ DOMESTIC CCI - INTERIM

DOM

Investigation Comments :**INTRODUCTION**

The Royal Coach Mobile Home Park (Royal Coach MHP) Wastewater Treatment Plant (WWTP) was investigated on May 17, 2012 to determine compliance with applicable wastewater treatment regulations. The facility was notified of the investigation on May 9, 2012. This investigation is considered a discretionary minor investigation. A lift station focused investigation was also performed at this time. A verbal exit interview, explaining the results of the investigation, was conducted on May 17, 2012 with Tracy Ragsdale, Operator with Aqua Works. A copy of the Texas Commission on Environmental Quality (TCEQ) Exit Interview Form was received by Mr. Ragsdale. Based on the findings of this investigation, a resolved Notice of Violation letter was issued to acknowledge compliance.

GENERAL FACILITY AND PROCESS INFORMATION

This is a 0.065 MGD activated sludge wastewater treatment package plant which is operated in the extended aeration mode. This facility is operating under the final effluent limits of the permit.

The wastewater plant serves a residential area with a few commercial connections. A plant flow schematic is attached to this report. The facility has had no significant plant modifications since the last comprehensive compliance investigation.

There is no potable water line installed at the facility.

The operator for the facility and collection system is Tracy Ragsdale and he has the appropriate level of certification. There is one lift station in the collection system.

The thirty minute settleable solids concentration in the aeration basin was 80% and the mixed liquor suspended solids concentration was 9,420 mg/L. The sludge blanket in the clarifier was 2 foot in a 9.5 foot water depth. The chlorine contact chamber contained 1 foot of sludge in a 6.5 foot water depth. The facility utilizes chlorine gas to disinfect the effluent prior to discharge.

Flow is measured prior to Outfall 001 utilizing a 22 ½ degree V-Notch weir, and a staff gauge. The WWTP does not have a secondary flow measurement device, therefore the flow accuracy check was not performed.

Sludge is wet hauled by K3BMI, Transporter #22430, to Dincan's Ranch, (Permit # 4456) for lime stabilization and land application. The annual sludge report was not available at the time of the investigation and was not submitted. The Toxicity Characteristic Leaching Procedure (TCLP) analysis was last performed by Chaparral in February 2009.

The permittee utilizes a commercial laboratory, Chaparral Laboratories, to perform all of the effluent analyses except chlorine residual, which is analyzed by the operator. The laboratory is certified under the National Environmental Laboratory Accreditation Program (NELAP) for the parameters analyzed.

The receiving stream is Harris County Flood Control District (HCFCD) Ditch No P138-04; thence to HCFCD Ditch No. P139; thence to Greens Bayou Above Tidal in Segment NO. No sewage debris was observed in the receiving stream. Some aquatic life was observed in the receiving stream.

Effluent samples were not collected immediately after the weir due to no flow during the investigation.

BACKGROUND

There have been no unauthorized discharges reported in the past 18 months and no effluent violations in the last 12 months.

The previous compliance investigation was conducted on March 18, 2010. The violations noted

5/17/2012 Inv. # - 1007071

Page 3 of 6

were failure to maintain the Total Chlorine Residual, failure to operate the disinfection system as permitted, and failure to comply with the buffer zone requirements. These violations were subsequently resolved.

ADDITIONAL INFORMATION

The facility is using retention as a safeguard to prevent discharge of untreated or inadequately treated wastes during electrical power failures at the WWTP and the offsite lift station.

ALLEGED VIOLATION(S) NOTED AND RESOLVED**Track No:** 470527**Resolution Status Date:** 7/2/2012**Violation Start Date:** Unknown**Violation End Date:** 6/21/2012**30 TAC Chapter 305.125(5)****Alleged Violation:**

Investigation: 1007071

Comment Date: 06/26/2012

Failed to properly maintain the chlorine contact basin. Specifically, the chlorine contact basin contained 1 foot of sludge in a total water depth of 9.5 feet. The sludge from the chlorine contact basin must be removed and disposed of properly to prevent the reduction of capacity in the basin and to prevent sludge from rising and discharging with the effluent. In addition, the thirty minute settleable solids concentration in the aeration basin was 80% and the mixed liquor suspended solids concentration was 9420 mg/L. The solids level in the plant should be managed to prevent sludge from entering the chlorine contact basin.

Recommended Corrective Action: Submit documentation indicating that the sludge has been removed from the chlorine contact basin and disposed of properly.

Resolution: Documentation was submitted on June 5, 2012 indicating that the sludge has been removed from the chlorine contact basin and disposed of properly. In addition, documentation was submitted on June 5, 2012 indicating that the thirty minute settleable solids concentration was lowered by wasting the sludge to the digester.

Track No: 470529**Resolution Status Date:** 7/2/2012**Violation Start Date:** Unknown**Violation End Date:** 6/21/2012**30 TAC Chapter 317.6(b)(1)(E)****Alleged Violation:**

Investigation: 1007071

Comment Date: 06/26/2012

Failed to properly maintain the chlorination room. Specifically, forced mechanical ventilation was not provided in the chlorination room. Forced mechanical ventilation shall be included in chlorination rooms which will provide a complete air exchange a minimum of every three minutes.

Recommended Corrective Action: Submit documentation indicating that a forced mechanical ventilation system has been installed in the chlorination room as required.

Resolution: Documentation was submitted on June 21, 2012 indicating that a forced mechanical ventilation system has been installed in the chlorination room as required.

Track No: 470574**Resolution Status Date:** 6/26/2012**Violation Start Date:** Unknown**Violation End Date:** 5/17/2012**2D TWC Chapter 26.121(a)****2D TWC Chapter 26.121(a)(1)****2D TWC Chapter 26.121(a)(3)**

5/17/2012 Inv. # - 1007071

Page 4 of 6

2D TWC Chapter 26.121(b)
2D TWC Chapter 26.121(c)
2D TWC Chapter 26.121(d)
2D TWC Chapter 26.121(e)
30 TAC Chapter 305.125(4)
30 TAC Chapter 305.125(5)
TWC Chapter 26.121
TWC Chapter 26.121(a)(2)

Alleged Violation:

Investigation: 1007071

Comment Date: 06/26/2012

Failed to prevent the unauthorized discharge (UD) of wastewater. Specifically, during the investigation a sludge spill was observed on the ground at the digester sludge transfer line. The spill was approximately 3 feet in diameter. The operator stated that the UD occurred during the last sludge haul. There shall be no unauthorized discharge of wastewater.

Recommended Corrective Action: Submit documentation indicating the sludge has been cleaned and disposed properly.

Resolution: During the investigation, the TCEQ investigator witnessed the operator clean and dispose of the spilled sludge and dispose of it properly.

Track No: 470579

Resolution Status Date: 7/9/2012

Violation Start Date: Unknown

Violation End Date: 6/21/2012

30 TAC Chapter 305.125(9)

Alleged Violation:

Investigation: 1007071

Comment Date: 06/26/2012

Failed to provide notification of any noncompliance which may endanger human health or safety, or the environment. Specifically, noncompliance notifications were not submitted as required for a unauthorized discharge discovered during an investigation of the plant on May 17, 2012. Report of such information shall be provided orally or by fax to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance.

Recommended Corrective Action: Submit the noncompliance notification for the spill, as required to the Houston Region office.

Resolution: The noncompliance notification for the spill was submitted on June 21, 2012 to the Houston Region Office.

Track No: 470586

Resolution Status Date: 7/2/2012

Violation Start Date: Unknown

Violation End Date: 6/12/2012

30 TAC Chapter 319.7(c)

Alleged Violation:

Investigation: 1007071

Comment Date: 06/26/2012

Failed to submit the discharge monitoring reports (DMRs) as required. Specifically, the DMRs for the months of February, March, and April of 2012 were not submitted. In addition, May, June, July, August, and September of 2011 DMR's were submitted late on November 3, 2011. October and November of 2011 DMR's were submitted late on February 7, 2012. DMRs must be submitted by the 20th day of the month following the monitoring period.

5/17/2012 Inv. # - 1007071

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Recommended Corrective Action: Submit the February, March and April 2012 DMRs to the Houston Region Office and the Enforcement Division (MC 224).

Resolution: The February, March and April 2012 DMRs were submitted to the Houston Region Office and the Enforcement Division (MC 224) on June 21, 2012.

Track No: 470591

Resolution Status Date: 7/2/2012

Violation Start Date: Unknown

Violation End Date: 6/21/2012

30 TAC Chapter 305.125(11)(B)

30 TAC Chapter 305.125(11)(C)

PERMIT , TPDES Permit No. WQ0012450001

Sludge Provisions, Section II(F)

Alleged Violation:

Investigation: 1007071

Comment Date: 06/26/2012

Failed to submit the sludge discharge monitoring report (DMR) as required. Specifically, the August 2010 to July 2011 sludge DMR was not submitted. The permittee shall annually report the required information to the TCEQ Regional Office and Water Quality Compliance Monitoring Team by September 1 of each year.

Recommended Corrective Action: Submit the August 2010 to July 2011 sludge DMR to the Houston Region Office and the Water Quality Compliance Monitoring Team.

Resolution: The August 2010 to July 2011 sludge DMR was submitted to the Houston Region Office and the Water Quality Compliance Monitoring Team on June 21, 2012.

Track No: 470593

Resolution Status Date: 7/9/2012

Violation Start Date: Unknown

Violation End Date: 6/21/2012

30 TAC Chapter 305.125(1)

30 TAC Chapter 305.125(11)(B)

PERMIT , TPDES Permit No. WQ0012450001

Sludge Provisions, Section II(G)

Alleged Violation:

Investigation: 1007071

Comment Date: 07/09/2012

Failed to provide the required sludge documents. Specifically, the complete sludge documents, including the annual sludge report and sludge manifests for the monitoring period of August 2010 to July 2011, were not provided for review during the investigation. The required information shall be maintained on-site on a monthly basis and shall be made available to the TCEQ upon request for a period of five years.

Recommended Corrective Action: Submit the Annual Sludge Report for August 2010 to July 2011 to the Houston Region Office and the Water Quality Compliance.

Resolution: The Annual Sludge Report for August 2010 to July 2011 was submitted to the Houston Region Office and the Water Quality Compliance on June 21, 2012.

Signed 
Environmental Investigator

Date 7/2/12

Signed 
Supervisor

Date 7/9/12

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : Res Nov

Investigation Report

☒ Sample Analysis Results

☐ Manifests

☐ NOR

☒ Maps, Plans, Sketches

☒ Photographs

☒ Correspondence from the facility

☐ Other (specify) :

ATTACHMENT E

5. G. Effect of Granting a Certificate Amendment.

- i. the applicant - The applicant has already constructed and is operating both water and sewer treatment systems under TCEQ authorization for the requested service areas. The applicant will benefit from having the ability to charge its customers for water and sewer service and not pay for service from another utility.
- ii. any retail public utility of the same kind already serving the proximate area - Public utilities in the proximate area have denied request to provide service the requested area. See Attachment C
- iii. any landowner(s) in the requested area - The applicant is also the landowner of the entire water and sewer service are being requested. Thus, the granting of these CCNs would have positive affect on the landowner.

ATTACHMENT F