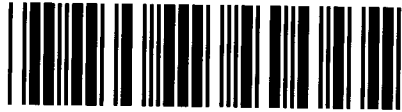


Control Number: 43608



Item Number: 2

Addendum StartPage: 0

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

43608

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



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PUBLIC UTILITY COMMISSION
FILING CLERK

APPLICATION NO. 31807-Q

IN THE MATTER OF THE APPLICATION OF §
I. M. BURNS DBA CATARINA WATER §
WORKS TO CANCEL WATER CERTIFICATE §
OF CONVENIENCE AND NECESSITY IN §
DIMMIT COUNTY, TEXAS §
§
§

BEFORE THE
TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION

ORDER

On NOV 14 1997, the Executive Director of the Texas Natural Resource Conservation Commission pursuant to Chapters 5 and 13 of the Texas Water Code considered the application of I. M. Burns dba Catarina Water Works to cancel water Certificate of Convenience and Necessity Number 12560 in Dimmit County.

No person has requested a public hearing on the application;

Notice of the application was given all affected and interested parties;

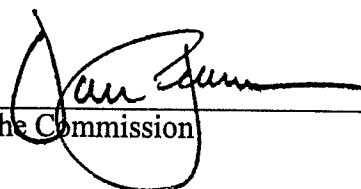
The criteria set forth in Section 13.246(c) and 13.254 have been considered; and

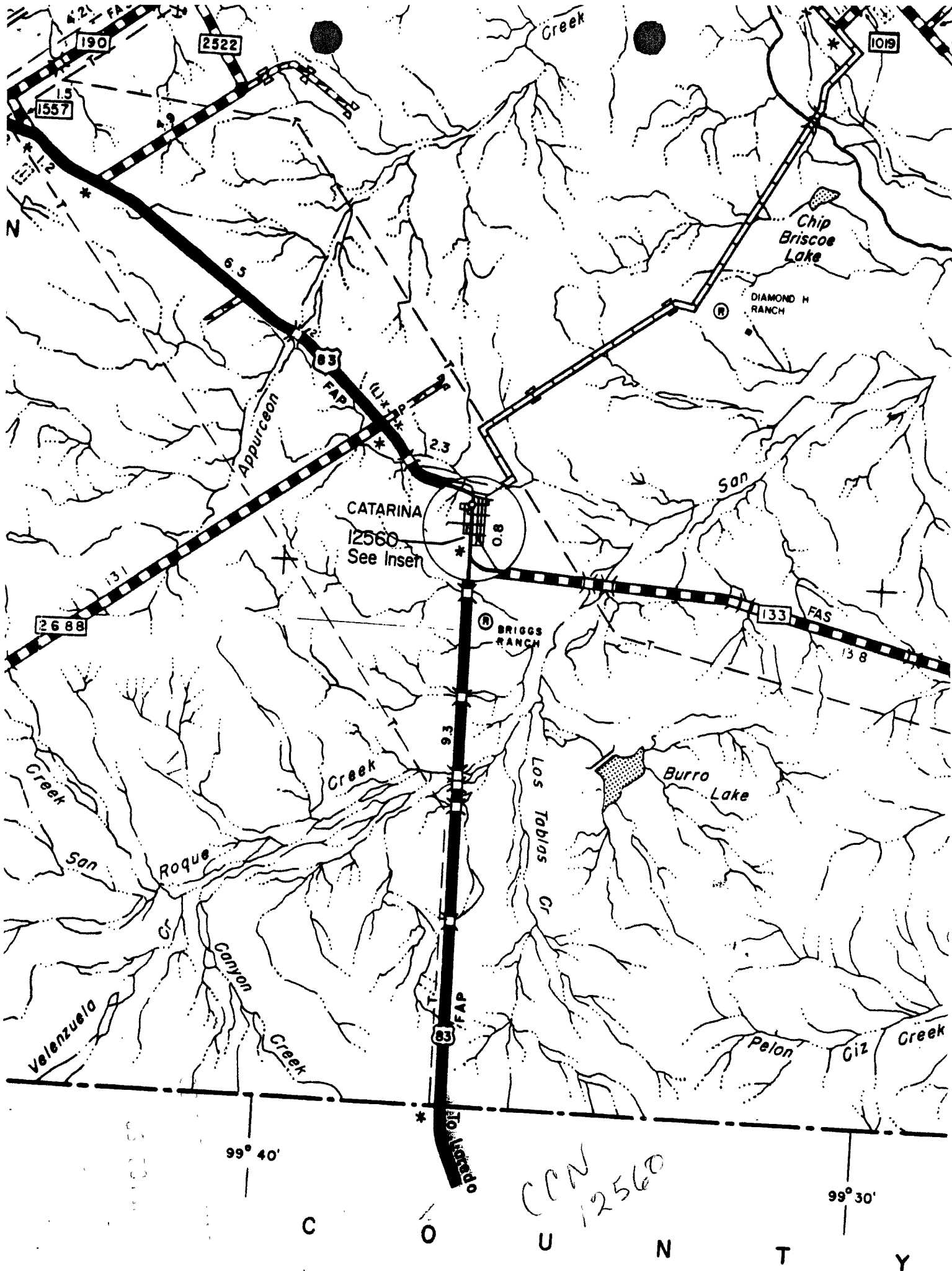
Granting the application is necessary for the service, accommodation, and convenience of the public.

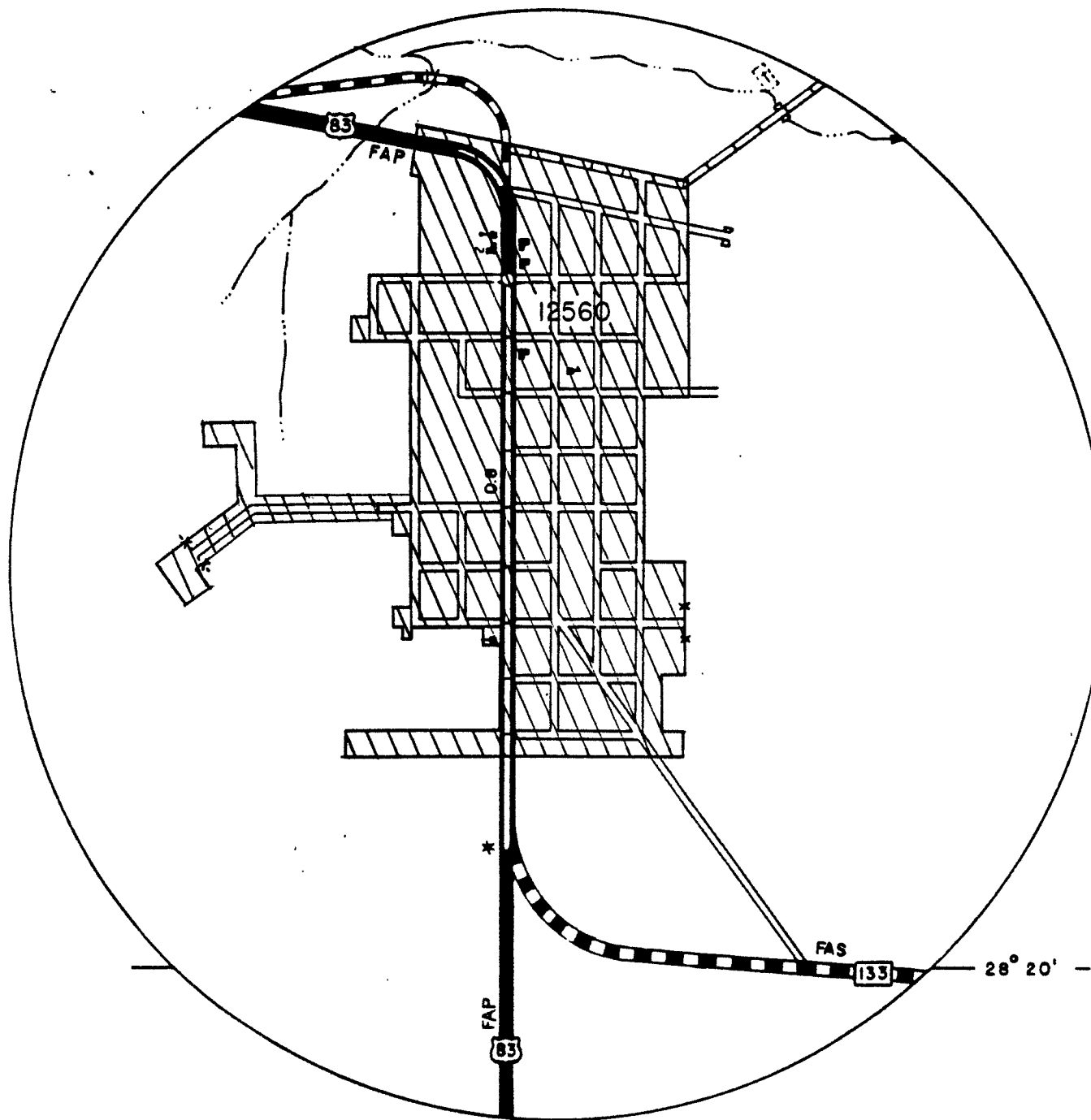
NOW, THEREFORE, BE IT ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION that the application is granted and Certificate of Convenience and Necessity No. 12560, issued to I. M. Burns dba Catarina Water Works, is canceled in accordance with the terms and conditions set forth herein and in the cancellation certificate.

TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION

Issued Date: **NOV 14 1997**


For the Commission





CATARINA

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



APPLICATION NO. 31807-Q

IN THE MATTER OF THE APPLICATION OF	§	BEFORE THE
I. M. BURNS DBA CATARINA WATER	§	
WORKS TO CANCEL WATER CERTIFICATE	§	TEXAS NATURAL RESOURCE
OF CONVENIENCE AND NECESSITY IN	§	
DIMMIT COUNTY, TEXAS	§	CONSERVATION COMMISSION
	§	
	§	
	§	

ORDER

On **NOV 14 1997**, the Executive Director of the Texas Natural Resource Conservation Commission pursuant to Chapters 5 and 13 of the Texas Water Code considered the application of I. M. Burns dba Catarina Water Works to cancel water Certificate of Convenience and Necessity Number 12560 in Dimmit County.

No person has requested a public hearing on the application;

Notice of the application was given all affected and interested parties;

The criteria set forth in Section 13.246(c) and 13.254 have been considered; and

Granting the application is necessary for the service, accommodation, and convenience of the public.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION that the application is granted and Certificate of Convenience and Necessity No. **12560**, issued to I. M. Burns dba Catarina Water Works, is canceled in accordance with the terms and conditions set forth herein and in the cancellation certificate.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Issued Date: **NOV 14 1997**

For the Commission

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TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



**CANCELLATION OF
CERTIFICATE OF CONVENIENCE AND NECESSITY**

To Provide Water Service Under V.T.C.A., Water Code
and Texas Natural Resource Conservation Commission Substantive Rules

Certificate No. 12560

Certificate No. 12560 was canceled by Order of the Commission in Application No. 31807-Q. I. M. Burns dba Catarina Water Works' facilities and lines are no longer in use, and the area is being provided water utility service by Catarina Water Supply Corporation under Certificate No. 12814.

Please reference Certificate No. 12560 for the location of maps and other information related to the service area affected.

Certificate of Convenience and Necessity No. 12560 is hereby CANCELED by order of the Texas Natural Resource Conservation Commission.

Issued Date: **NOV 14 1997**


For the Commission

12560

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



APPLICATION NO. 31197-C

IN THE MATTER OF THE APPLICATION	§	BEFORE THE
OF CATARINA WATER SUPPLY	§	
CORPORATION TO OBTAIN A	§	TEXAS NATURAL RESOURCE
CERTIFICATE OF CONVENIENCE AND	§	
NECESSITY NUMBER IN DIMMIT	§	CONSERVATION COMMISSION
COUNTY, TEXAS	§	

ORDER

On **DEC 06 1996**, the Executive Director of the Texas Natural Resource Conservation Commission pursuant to Chapters 5 and 13 of the Texas Water Code considered the application of Catarina Water Supply Corporation to obtain a Certificate of Convenience and Necessity in Dimmit County.

No person has requested a public hearing on the application;

Notice of the application was given all affected and interested parties;

The criteria set forth in Section 13.246(c) have been considered; and

The certificate requested in this application is necessary for the service, accommodation, convenience and safety of the public.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION that the application is granted and Certificate of Convenience and Necessity No. 12814 be issued to Catarina Water Supply Corporation in accordance with the terms and conditions set forth herein and in the certificate.

IT IS FURTHER ORDERED that Catarina Water Supply Corporation shall serve every customer and applicant for service within the area certified under Certificate of Convenience and Necessity No. 12814 and that such service shall be continuous and adequate.

Issued Date: **DEC 6 1996**

TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION

ATTEST:

Mamie Black, Acting Chief Clerk

For the Commission

TEXAS WATER COMMISSION



CCN/no #/9878G/CO
12560

AN ORDER setting retail water rates for
I. M. Burns dba Catarina Water
Works; Docket No. 9878-G

On June 2, 1993, the Texas Water Commission (Commission) considered the application of I. M. Burns dba Catarina Water Works (Catarina) pursuant to Chapter 13 of the Texas Water Code. The application was presented to the Texas Water Commission by Elizabeth W. Bourbon, Attorney, a Commission Hearings Examiner, who conducted a public hearing concerning the application on April 16, 1993.

The following were designated as parties to the proceeding: the applicant, I. M. Burns dba Catarina Water Works; the Executive Director of the Commission; the Public Interest Counsel of the Commission; and the following protestants: Juana S. Garza, Father Emmett Carolan; Frank Selgado; Manuela Castilleja; and Mary Lou Ibarra.

After considering the Hearings Examiner's Memorandum and the evidence and arguments presented, the Texas Water Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Catarina mailed notice of a rate change to its customers on November 25, 1992, with a proposed effective date of January 1, 1993, in accordance with 31 TAC §291.22.

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2. On December 2, 1992, within at least thirty days of providing notice to its customers, Catarina filed a statement of intent to change retail water rates with the Texas Water Commission.
3. As of March 1, 1993, within sixty days of the effective date of the proposed rate increase, the Commission received protests from more than ten percent of Catarina's customers.
4. Proper notice of the proposed rate change and hearing was given pursuant to Section 13.187 of the Texas Water Code, 31 TAC §291.28, and Section 13a of the Administrative Procedure and Texas Register Act, TEX. REV. CIV. STAT. ANN. art. 6252-13(a) (Vernon Supp. 1992).
 - a. On November 25, 1992, Catarina mailed notice of the proposed rate change to all customers.
 - b. On March 9, 1993, the Chief Clerk of the Commission mailed notice of the hearing on the proposed rate change to Catarina with instructions to reproduce and mail the notice to all customers.
 - c. On April 3, 1993, Catarina mailed notice of the hearing on the proposed rate change to all customers.
5. Catarina provides retail water service to approximately 52 residential customers in Dimmit County, Texas.
6. A public hearing on the proposed rate change was held on April 16, 1993, in Austin, Texas.
7. The following agreed rate structure to be instituted by Catarina is just and reasonable:

Monthly Minimum Bill

Meter Size

5/8" or 3/4"	\$20.00, including 3,000 gallons
1"	\$33.00, including 3,000 gallons
1-1/2"	\$66.60, including 3,000 gallons
2"	\$106.60, including 3,000 gallons

Gallonage Charge

Same for all size meters \$0.80/1,000 gallons for all gallonage

Fees

Regulatory Assessment	1% of bill
Tap fee	\$ 75.00
Reconnect fee (nonpayment of bill)	\$ 25.00
Returned check fee	\$ 10.00
Meter test fee	\$ 25.00
Late payment charge	One-time penalty of \$2.00 or 5% of the bill, per 31 TAC §291.86

All other rates and fees will remain the same as they were prior to the filing of the rate change application.

8. The effective date of the agreed rates is January 1, 1993.
9. The agreed rates are applicable to all water service rendered on or after January 1, 1993.
10. No refunds are required to be made by Catarina.
11. Catarina agreed to meter each water connection in order to meet the Commission's "Rules and Regulations for Public Water Systems" on or before one year after the date that the Commission's final Order for this docket is signed. Catarina

agreed to notify the Rates Section of the Water Utilities Division in writing upon compliance, making reference to the Commission's final Order in this docket.

CONCLUSIONS OF LAW

1. I. M. Burns dba Catarina Water Works is a public utility under Section 13.002(23) of the Texas Water Code.
2. The Texas Water Commission has jurisdiction over rates within Catarina's service area, which is outside the corporate limits of any municipality.
3. The statement of intent to change retail water rates given by I. M. Burns dba Catarina Water Works complies with the notice requirements of Section 13.187 of the Texas Water Code and 31 TAC §291.28 and is effective to place affected persons on notice regarding the proposed rate increase.
4. The public hearing concerning this rate change was held under the authority of and in accordance with Chapter 13 of the Texas Water Code and the applicable provisions of the Texas Water Commission Permanent Rules.
5. The rates set forth in Finding of Fact No. 8 are just and reasonable and are not unreasonably preferential, prejudicial, or discriminatory and are sufficient, equitable and consistent in application to each class of customer as required by Section 13.182 of the Texas Water Code.
6. The rates set forth in Finding of Fact No. 8 will permit I. M. Burns dba Catarina Water Works to recover its reasonable and necessary operating expenses and to have a reasonable

opportunity to earn a reasonable return on its invested capital used and useful in rendering service to the public.

WHEREAS Chairman John Hall, Commissioner Pam Reed and Commissioner Peggy Garner vote unanimously to issue this Order;

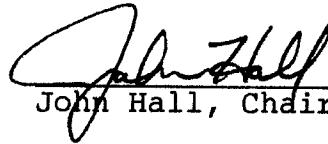
NOW, THEREFORE, BE IT ORDERED BY THE TEXAS WATER COMMISSION THAT:

1. A rate increase for I. M. Burns dba Catarina Water Works be approved as set forth in Finding of Fact No. 7. The effective date of the approved rates is January 1, 1993. The approved rates are applicable to all water service rendered on or after January 1, 1993.
2. The tariff on file in the Water Utilities Division of the Commission, reflecting the rates approved by the Commission in this Order, be approved.
3. I. M. Burns dba Catarina Water Works shall fully comply with all terms of the settlement agreement, and shall complete all of the agreed system improvements within the specified time periods, as set forth in Finding of Fact No. 11.
4. I. M. Burns dba Catarina Water Works shall notify its customers, by mail, of the final rate structure within 30 days of the date of this Order.
5. The Chief Clerk of the Texas Water Commission shall forward a copy of this Order to all parties.
6. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any

portion shall not affect the validity of the remaining portions of the Order.

Issue Date:

TEXAS WATER COMMISSION



John Hall, Chairman

ATTEST: JUN 04 1993



Gloria A. Vasquez, Chief Clerk

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge</u>
5/8" or 3/4"	\$ 20.00 (INCLUDING 3,000 GALLONS)	\$.80
1"	\$ 33.00	per 1000 gallons
1 1/2"	\$ 66.60	same for all meter sizes
2"	\$ 106.60	

REGULATORY ASSESSMENT 1.0%
A REGULATORY ASSESSMENT, EQUAL TO ONE PERCENT OF THE CHARGE FOR RETAIL
WATER SERVICE ONLY, SHALL BE COLLECTED FROM EACH RETAIL CUSTOMER.

Section 1.02 - Miscellaneous Fees

TAP FEE \$ 75.00
THE TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS
AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8" or 3/4" METER.

RECONNECTION FEE

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED
TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non payment of bill (Maximum \$25.00) \$ 25.00
 - b) Customer's request \$ NONE
- OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF

TRANSFER FEE \$ NONE
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT
THE SAME SERVICE LOCATION WHERE THE SERVICE IS NOT DISCONNECTED.

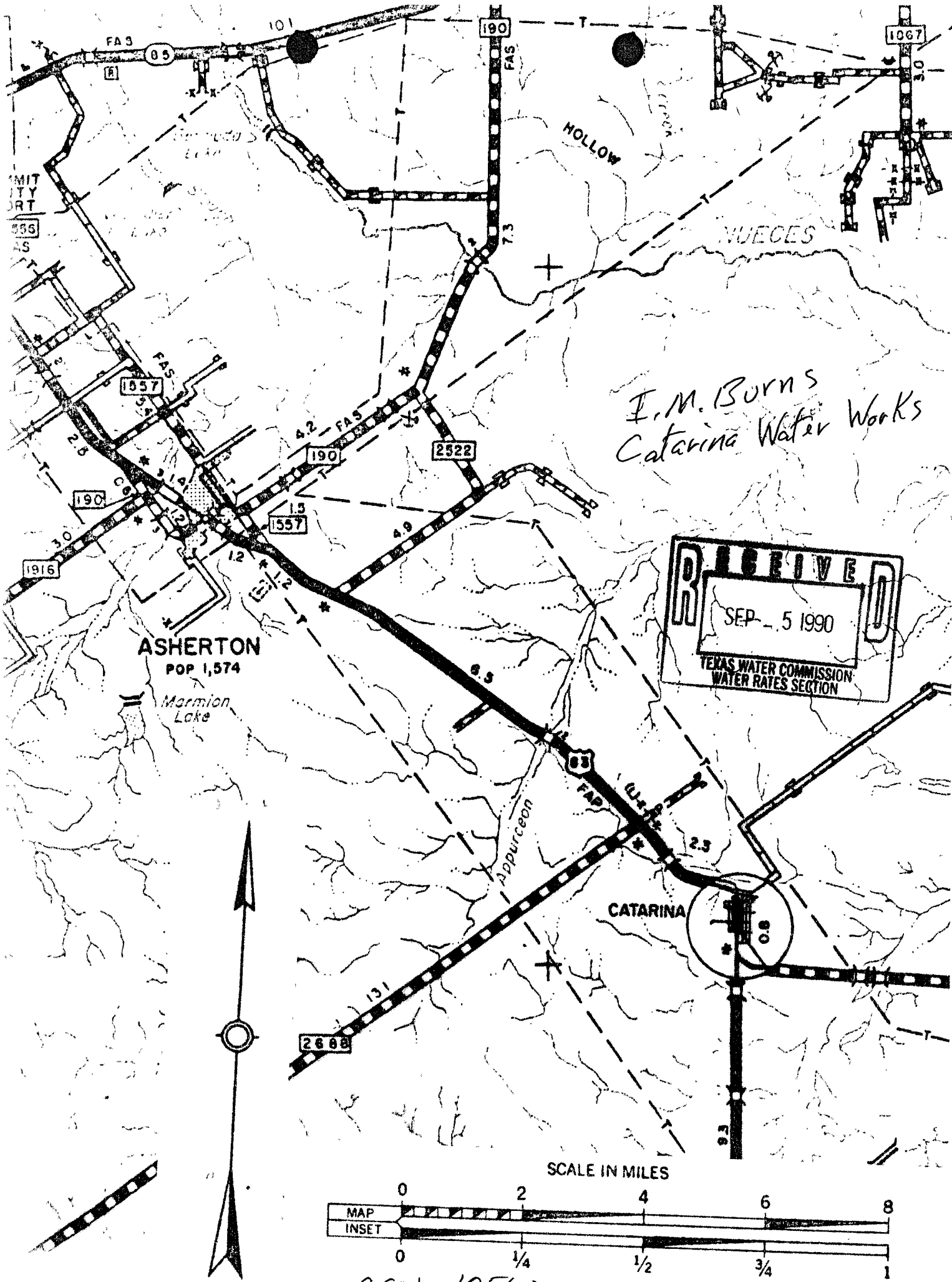
LATE CHARGE \$2.00 OR 5%
A ONE TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED
TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$ 10.00

CUSTOMER DEPOSIT (Maximum \$50) \$ 25.00

METER TEST FEE (actual cost of testing the meter up to) . \$ 25.00
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A
TWO YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY.

RATES LISTED ARE EFFECTIVE ONLY IF
THIS PAGE HAS TWC APPROVAL STAMP



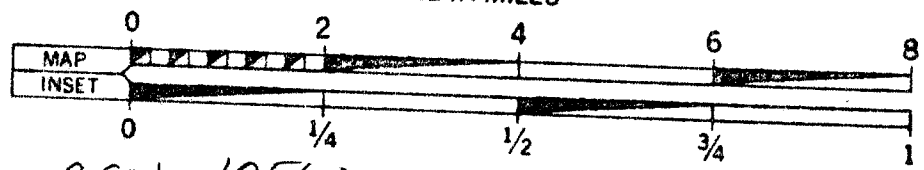
*I.M. Burns
Catarina Water Works*

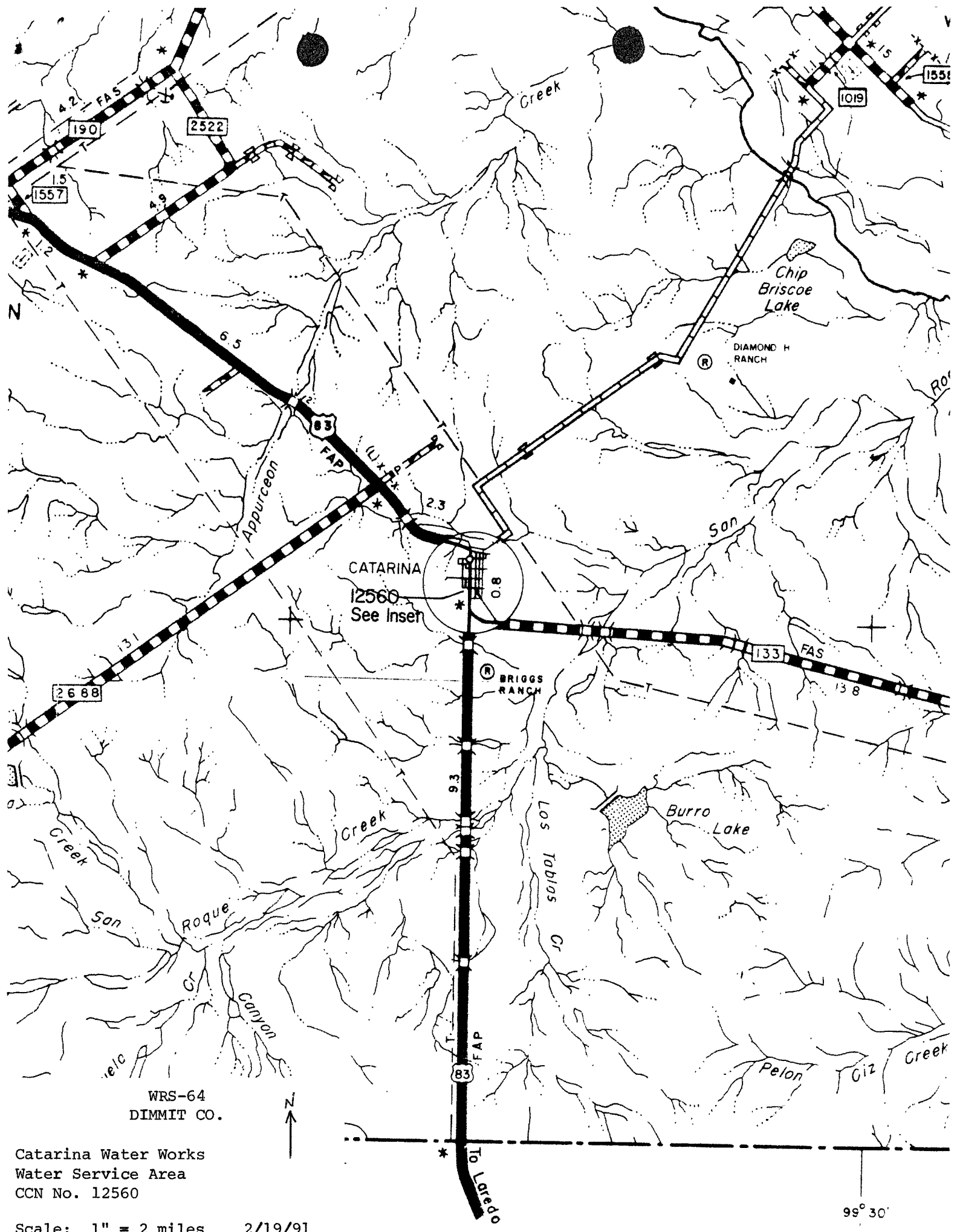
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TEXAS WATER COMMISSION
WATER RATES SECTION

ASHERTON
POP 1,574

CATARINA

SCALE IN MILES

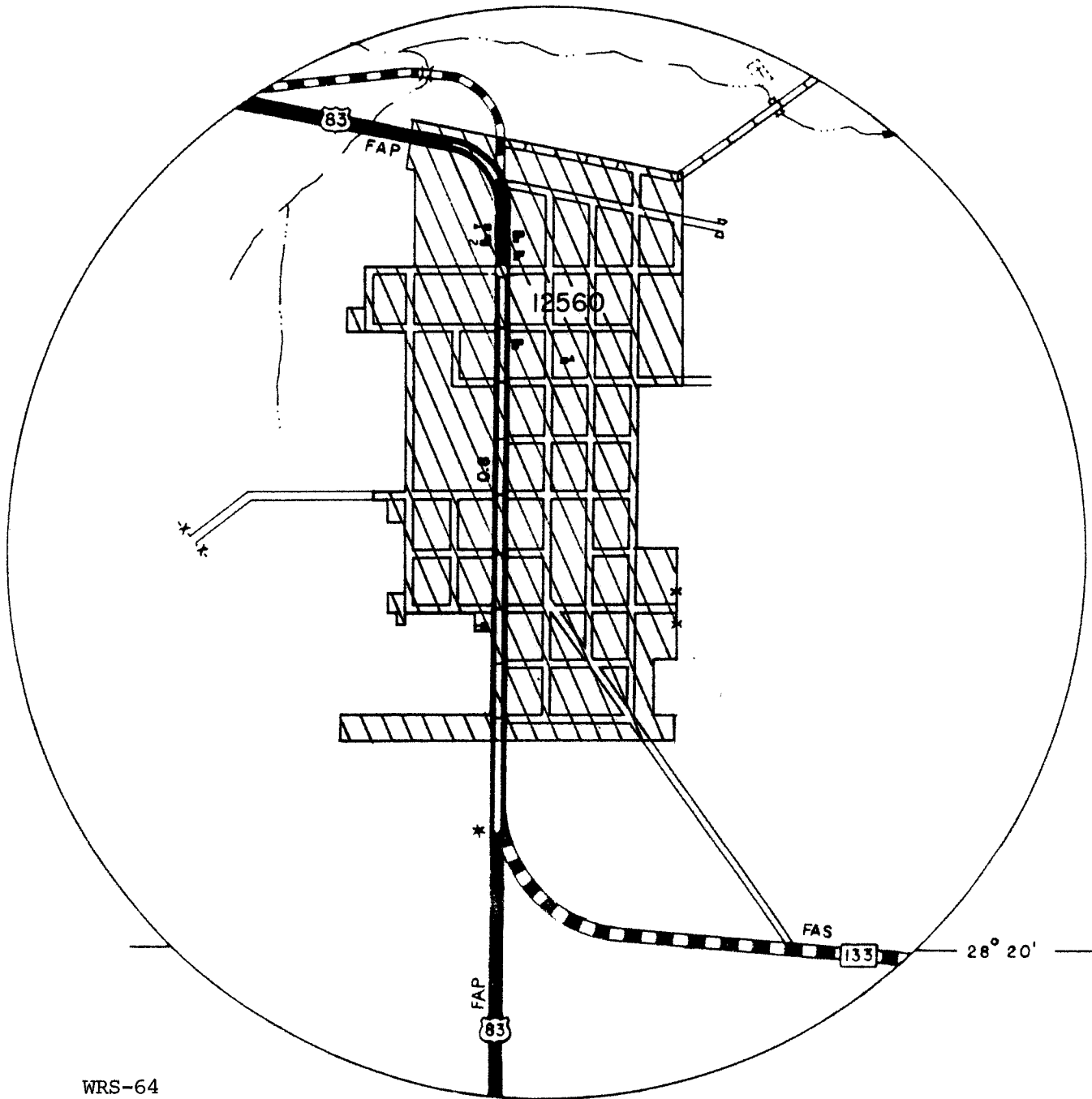




WRS-64
DIMMIT CO.

Catarina Water Works
Water Service Area
CCN No. 12560

Scale: 1" = 2 miles 2/19/91



WRS-64
DIMMIT CO.
(MAP INSET)

Catarina Water Works
Water Service Area
CCN No. 12560
Inset Scale: 1" = 1/4 mile

CATARINA

Scale
1" = 400'

Catarina
Townsite

Fences xxx

Pipes

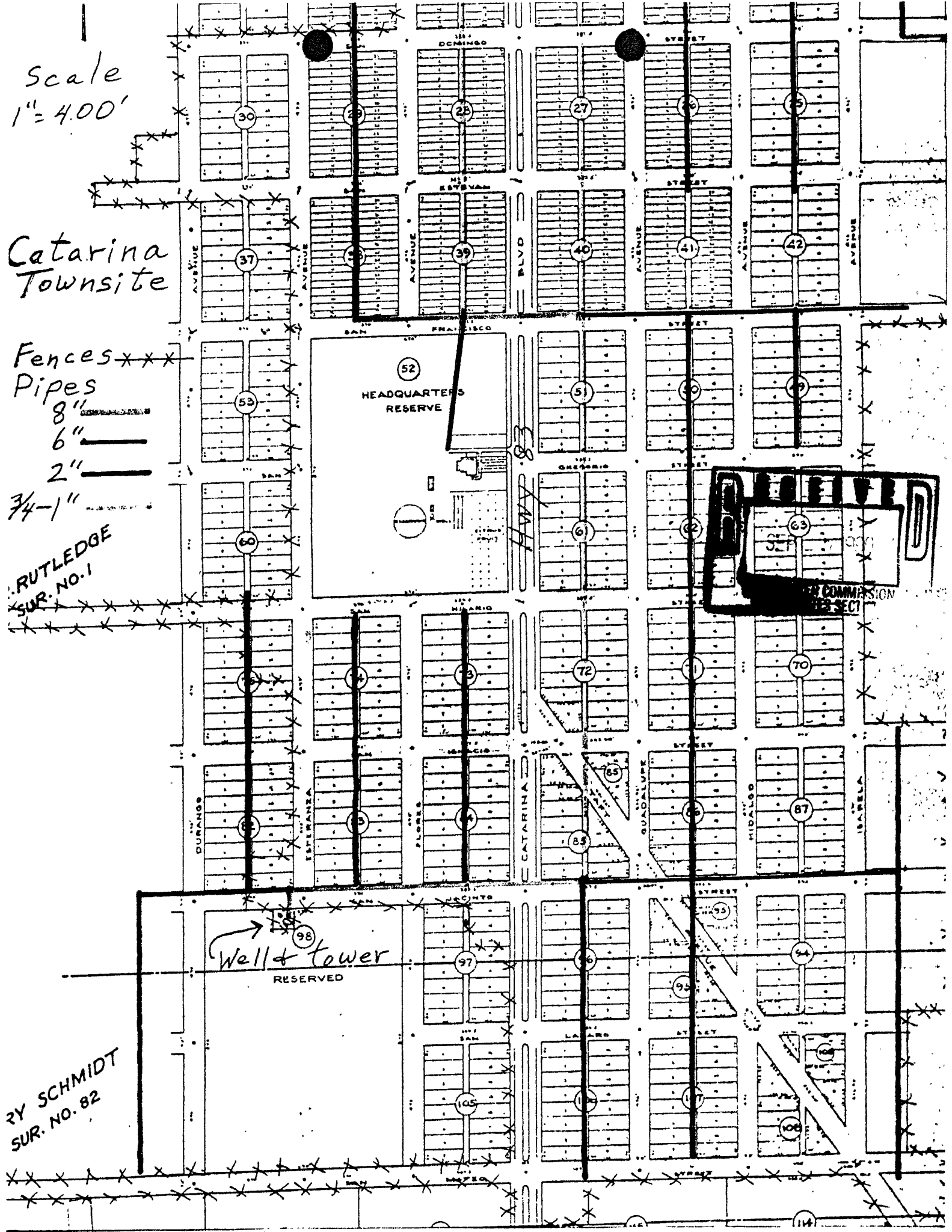
8" _____

6" _____

2" _____

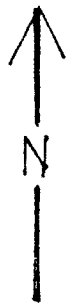
3/4-1" _____

RUTLEDGE
SUR. NO. 1



RY SCHMIDT
SUR. NO. 82

T. & N.C.
SUR. NO. 1



Scale
1" = 400'

Catarina
Townsite

Fences xxx
Dikes
8"
6"
2"
1/4-1"

RUTLEDGE
SUR. NO. 1

