

Control Number: 43832



Item Number: 9

Addendum StartPage: 0

**DOCKET NO. 43832**

RECEIVED  
2015 APR -8 AM 11:21  
PUBLIC UTILITY COMMISSION  
FILING CLERK

**APPLICATION OF PALO DURO  
SERVICE COMPANY, INC. TO  
AMEND ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
PARKER AND WISE COUNTIES**

§  
§  
§  
§  
§

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**RESPONSE TO ORDER NO. 3  
FINDING APPLICATION INCOMPLETE AND DEFICIENT,  
ESTABLISHING DEADLINES AND OPPORTUNITY TO CURE**

**I. Application**

This response is to address Deficiencies in the original application filed by Palo Duro Service Company, Inc. on February 9, 2015 with the Public Utility Commission of Texas (Commission).

**II. Clarification of Purpose of the Application**

Palo Duro Service Company, Inc. (Palo Duro) holds Water Certificate of Convenience and Necessity (CCN) Number 12200 in Parker and Wise Counties. Palo Duro has filed the application to address two issues. First is the issue of an area in Parker County adjacent to the DuChane Chateaux subdivision. Approval of the Application will result in aligning Palo Duro's CCN with the area served by Palo Duro. The second issue is a new service area (Aledo Ridge) which would be added to Palo Duro's CCN to respond to a request for service. No change in service area in Wise Area is contemplated.

**III. Responses**

Responses are numbered to correspond to issues raised in the Interoffice Memorandum issued by the Water Utility Commission:

**Application Deficiencies**

For the Applicant's existing water systems:

- Provide the most recent Texas Commission on Environmental Quality (TCEQ) inspection report letter for the water system and the applicant's response to the TCEQ to address any deficiencies noted in the inspection report.

Attached are the following items:

Attachment "A" – Latest inspection of the DuChane Chateaux system along with Palo Duro's response.

Attachment "B" – Latest inspection for the Wise County system (Glider Base Estates) and Palo Duro's response.

- Provide a current tariff for the system which reflects the applicant's current rates.

A Tariff, marked Attachment "C" is attached. Palo Duro has requested to establish an initial rate for the new area that is different from rates established for the existing areas.

For the Applicant's new water system to serve the Aledo Ridge Addition:

- Provide plans and specifications approval letter or Engineering Report approval letter from the TCEQ. **An engineering report including plans and specifications for the new system serving Aledo Ridge Addition is being submitted to the TCEQ. A separate filing will be submitted when the log number is available.**
- Documentation of subdivision plat approval by Parker County. **The proposed Aledo Ridge is located within the City of Fort Worth's Extratorritorial Jurisdiction. The City of Fort Worth has declined to process the Preliminary Plat until the Certificate of Convenience and Necessity amendment has been approved. A copy of an email from the City of Fort Worth's Planning and Development Department has been attached and marked Attachment "D"**

Provide clarification regarding the county location of the proposed areas. Page 2 of the application indicates the proposed service is in Parker and Wise Counties; however, the mapping information shows the proposed area to be in Parker County only.

**The proposed service area is located within Parker County only.** The Glider Base Estates system is located in Wise County. No changes are planned for Glider Base.

### **Mapping Deficiencies**

1. Provide a general location map delineating the proposed service area with enough detail to accurately locate the proposed areas within the county. The general location map should not be hand drawn and should clearly show only the two proposed areas clearly labeled as "Proposed CCN". This map should have enough detail to locate the areas within the county. This map can be printed on letter sized paper and may be used as the notice map.

A General Location Map is provided as Attachment "E".

2. Provide a map showing ONLY the proposed area by:
  - Metes and bounds survey certified by a licensed state or registered professional land surveyor; or

- 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
- Following verifiable natural and man-made landmarks; or
- A copy of recorded plat map with metes and bounds.

Certified Surveys have been provided from the applicant's records are Attached (Attachment "F" and "G"). The necessary shape files are also enclosed.

3. The Applicant submitted metes and bounds certified by a licensed land surveyor for one of the two proposed areas (the Aledo Ridge addition); however, the metes and bounds description submitted for the "area adjacent to Du Chane Chateaux" is not certified by a licensed land surveyor.

**Palo Duro does not have a current survey for the area adjacent to the DuChane Chateaux. Attached is a survey for the original tract as well as a copy of the plat which was recorded for Du Chane Chateaux**

4. The cover letter from William B. Boomer, P.E., states a CD with shape files for the proposed areas were enclosed with the application, but a CD was not included.

**Another copy of the CD with the shape files is attached to each copy Of this response.**

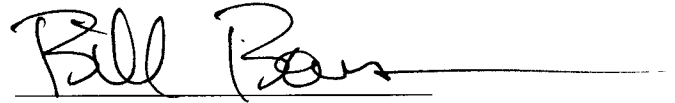
To cure the mapping deficiencies, submit either metes and bounds survey certified by a licensed state or registered professional land surveyor for both of the proposed areas **OR** projectable digital data with metadata (coordinate system/projection information) for both proposed CCN areas on a CD and labeled with Docket No. 43832, **AND** also submit a general location map that clearly show and label only the proposed CCN areas. All maps and digital data should have the exact same proposed CCN boundaries.

**Notice Deficiencies**

Staff is unable to determine list of utilities, districts, counties, cities, and ETJ's or other entities required to receive notice until we receive sufficient maps that meet the above referenced mapping requirements.

**The Applicant should not issue notice to any party until the Applicant's proposed map and notice documents are approved by the Commission.**

Respectfully Submitted,



William L. Boomer, P.E.  
CivilSolutions Inc  
P. O. Box 100247  
Fort Worth, Texas 76185  
817-423-0060

DOCKET NO. 43832  
CERTIFICATE OF SERVICE

I certify that ten copies of this document will be submitted to the Executive Secretary of the Public Utility Commission.



William L. Boomer, P.E.

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 30, 2014

**ESIGNATURE CONFIRMATION # 91 3408 2133 3931 9094 5995**

Mr. Richard Micheletti, President  
Palo Duro Service Company  
3505 Williams Road  
Fort Worth, Texas 76116-7029

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Du Chane Chateaux, Weatherford (Parker County)}, Texas  
RN101185684, PWS ID No. 1840100, Investigation No. 1152039

Dear Mr. Micheletti:

On March 4, 2014, Mr. Robert E. Ferry of the Texas Commission on Environmental Quality (TCEQ) Dallas / Fort Worth (DFW) 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, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by May 30, 2014, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the DFW Region Office at 817 / 588-5800 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the DFW Region Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

**Attachment "A"**

**Latest inspection of Du Chane Chateaux  
with response**

TCEQ Region 4-Dallas/Fort Worth • 2309 Gravel Dr. • For  
Austin Headquarters: 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

PUC Docket No. 43832

Mr. Richard Micheletti

Page 2

April 30, 2014

However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Ferry in the DFW Region 4 Office at (817) 588-5814.

Sincerely,



Charles Marshall  
Team Leader, Public Water Supply Section  
DFW Regional Office

CM / ref

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

DU CHANE CHATEAUX

205 BRANDON DR

WEATHERFORD, PARKER COUNTY, TX 76087

Investigation #

1152039

Investigation Date: 03/04/2014

Additional ID(s): 1840100

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

Track No: 533693

30 TAC Chapter 290.45(b)(1)(C)(i)

**Alleged Violation:**

Investigation: 1152039

Comment Date: 04/24/2014

Failure to provide 0.6 gallons per minute (gpm) per connection. On March 19, 2014, the wells produced at total of 21 gpm. With 61 connections, the required capacity was 36.6 gpm.

**Recommended Corrective Action:** Increase well capacity in order to meet the 0.6 gpm per connection requirement.

**Resolution:** Mr. Micheletti replaced all three well pumps with new pumps the same size as the old pumps. The well capacity was then measured at a total of 44 gpm, thus meeting capacity requirements.



**Summary of Investigation Findings**

DU CHANE CHATEAUX

Investigation # 1152039

205 BRANDON DR  
WEATHERFORD, PARKER COUNTY, TX 76087

Investigation Date: 03/04/2014

Additional ID(s): 1840100

**OUTSTANDING ALLEGED VIOLATION(S)  
ASSOCIATED TO A NOTICE OF ENFORCEMENT**Track No: 533655      Compliance Due Date: 05/30/2014  
30 TAC Chapter 290.41(c)(3)(A)**Alleged Violation:**

Investigation: 1152039

Comment Date: 04/25/2014

Failure to obtain approval for the use of a public water supply well prior to placing the well into service.

Planning material for the well was received by the TCEQ Utilities Technical Review Team on February 6, 2013, for review. Following the review of the submittal, an "Unable to Approve" letter was sent to the facility's engineering company on March 21, 2014, with the facility copied. The letter contained a list of additional information needed and a 100 day deadline for submitting this data. The information has not been received and approval for the use of the well has not been granted. The new well is not listed in the TCEQ database of approved wells.

**Recommended Corrective Action:** Submit the required documentation by the compliance due date.

**ADDITIONAL ISSUES****Description**

Item 3

**Additional Comments**

290.46(r) - A minimum pressure of 35 psi shall be maintained throughout the distribution system. One spike below 35 psi was recorded during the eight days that the recorder was measuring pressure on the main line. Please be aware that the pressure drop occurred and take measures to insure that water distribution pressures are maintained above the required limit.

**PALO DURO SERVICE CO., INC.**

3505 WILLIAMS ROAD  
FORT WORTH, TEXAS 76116  
817-244-2248

May 15, 2014

TCEQ Region 4  
2309 Gravel Drive  
Fort Worth, Texas 76118-6951

Reference: RN101185684, PWS ID No. 1840100  
Investigation No. 1152039

Dear Sir:

On March Mr. Robert Ferry conducted an investigation of PWS No. 1840100, certain items were found to be in the state of non-compliance.

The following correction was completed relative to:

**TRACK NO. 533693**

**Failure to provide 0.6 gallons (gpm) per connection.**

Due to the last hard freeze in the area, it seems that all three water wells froze at the well heads causing damage to the well pumps. To correct the problem we immediately hire Lone Star Drilling Co. to pull and replace all three well pumps and motors with the same size as the old pumps and motors. We previously submitted a copy of the invoice for the work to Mr. Ferry.

**TRACK NO. 533655**

**Failure to obtain approval for the use of a water supply well prior to placing the well into service.**

According to our engineer all items necessary for TCEQ well approval are completed except for certain chemical reports that are presently being performed by Talem, Inc., the reports are expected to be completed on or before June 1, 2014. Enclosed please find a copy of the receipt for advance payment of the chemical reports. Upon receipt of the chemical reports our Engineer will immediately resubmit the required material for well approval from TCEQ.

**ADDITIONAL ISSUES**

It is understood that a minimum pressure of 35 psi shall be maintained at all times throughout the water system. The spike that showed on the recording during the 8 day testing period may have been due to flushing the main line or a "blink" in the electric service.

Sincerely,

Palo Duro Service Co., Inc.

\_\_\_\_\_  
Richard Micheletti, President

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 15, 2014

### E SIGNATURE CONFIRMATION # 91 3499 9991 7030 0055 1433

Mr. Richard Micheletti, President  
Palo Duro Service Company, Inc.  
3505 Williams Road  
Fort Worth, Texas 76116

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:  
Glider Base Estates, Control Tower Rd., Aurora, Wise County, Texas  
RN102324217, PWS ID No. 2490028, Investigation No. 1193250

Dear Mr. Micheletti:

On July 28 and 31, 2014, Ms. Crystal Watkins of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional 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, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **October 15, 2014** a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the D/FW Regional Office at (817) 588-5800 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the D/FW Regional Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, Public Water Supply Program Team Leader, will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

**Attachment "B"**

**Latest inspection of Glider Base Estates  
with response**

Mr. Richard Micheletti, President

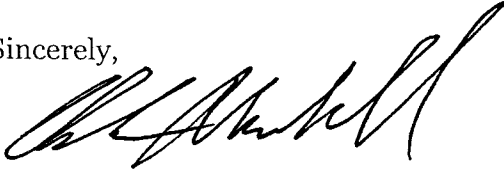
Page 2

September 15, 2014

However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Watkins in the D/FW Regional Office at (817) 588-5804.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles Marshall', written in a cursive style.

Charles Marshall  
Team Leader, Public Water Supply Program  
D/FW Regional Office  
Texas Commission on Environmental Quality

CM/cdw

Enclosure: Summary of Investigation Findings

# Summary of Investigation Findings

GLIDER BASE ESTATES PWS 3505 WILLIAMS RD BENBROOK, WISE COUNTY, TX 76116 Additional ID(s): 2490028	Investigation # 1193250 Investigation Date: 07/28/2014
---	--

## OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 547651      Compliance Due Date: 11/14/2014  
30 TAC Chapter 290.45(b)(1)(C)(i)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

Failure to provide a production capacity of at least 0.6 gallons per minute (gpm) per connection.

30 TAC 290.45(b)(1)(C)(i) states that for systems with 50-250 connection, the system must provide a well capacity of 0.6 gpm per connection.

On the day of the investigation, the water system is required to provide 48.6 gallons per minute (gpm) in production capacity and only provides 38 and thus is 22% deficient in production capacity

**Recommended Corrective Action:** Submit documentation to the regional office that the water system has increased the production capacity of the water system to meet the minimum production capacity requirement of 0.6 gpm per connection. The water system may request an alternative capacity requirement by writing to the Technical Review and Oversight Team, Public Drinking Water Section, MC-159, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087

Track No: 547652      Compliance Due Date: 11/14/2014  
30 TAC Chapter 290.46(f)(3)(A)(ii)(III)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

Failure to record the volume of water treated weekly

30 TAC 290.46(f)(3)(A)(ii)(III) states that systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchased treated water shall maintain a record of the volume of water treated each week.

On the day of the investigation, the water system was only recording the volume of water treated once a month and not weekly as required.

**Recommended Corrective Action:** Begin recording the volume of water treated once a week. Provide two months' worth of the weekly amounts of the volume of water treated to the TCEQ D/FW Region Office verifying that the alleged violation has been resolved.

Track No: 547654      Compliance Due Date: 11/14/2014  
30 TAC Chapter 290.46(f)(3)(A)(i)(III)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

Failure to monitor and record the amount of chemical used weekly.

30 TAC 290.46(f)(3)(A)(i)(III) states that the amount of chemicals used for systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchased treated water shall maintain a record of the amount of each chemical used each week

On the day of the investigation, the water system was not monitoring or recording the amount of chemical used weekly.

**Recommended Corrective Action:** Begin to monitor and record the amount of chemical used every week. Provide two months' of weekly chemical usage records to the TCEQ D/FW Region Office verifying that the alleged violation has been resolved.

---

Track No: 547662      Compliance Due Date: 11/14/2014

30 TAC Chapter 290.46(f)(2)

30 TAC Chapter 290.46(s)(1)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

---

Failure to provide documentation verifying that the well meters have been calibrated or replaced every three years.

30 TAC 290.46(s)(1) states that flow measuring devices and rate-of-flow controllers that are required by 290.42(d) of this title (relating to Water Treatment) shall be calibrated at least once every 12 months. Well meters required by 290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years

30 TAC 290.46(f)(2) states that the public water system's operating records must be accessible for review during inspections.

On the day of the investigation, the water system did not have any documentation verifying that the water system had been calibrated or replaced every three years. On August 27, 2014, the water system stated that well meters are replaced instead of calibrated but did not provide any documentation verifying that they had been replaced.

**Recommended Corrective Action:** Provide documentation including receipts verifying that the well meters have been replaced at least once every three years. Submit the documentation to the TCEQ D/FW Region Office verifying that the alleged violation has been resolved.

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

---

Track No: 547647

30 TAC Chapter 290.110(b)(4)

30 TAC Chapter 290.46(d)(2)(A)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

---

Failure to maintain a free chlorine residual of at least 0.2 milligrams per liter (mg/L) throughout the distribution system.

30 TAC 290.110(b)(4) states that the residual disinfectant concentration in the water within the distribution system shall be at least 0.2 milligrams per liter (mg/L) free chlorine or 0.5 mg/L chloramine.

30 TAC 290.46(d)(2)(A) states that a free chlorine residual of 0.2 mg/L must be continuously maintained during the treatment process and throughout the distribution system.

During the investigation, the chlorine residual was measured at 0.00 mg/L free chlorine at 305 Circle Del Rio and at Entry Point 2 at the Circle Del Rio Pump Station.

**Recommended Corrective Action:** Immediately increase the chlorine residual within the

distribution system to the minimum requirements. Submit documentation which verifies that the chlorine residual was increased to at least 0.2 mg/L within 24 hours and was maintained at this level at all times.

**Resolution:** On the same day of the investigation, the water system issued a boil water notice in response to the low chlorine residual. On July 31, 2014, the investigator verified that the chlorine residual was raised to above the 0.2 mg/L free chlorine. The disinfectant residual leaving Entry Point 2 was 1.6 mg/L free chlorine and a disinfectant residual of 0.64 mg/L free chlorine was measured at 500 Circle Del Rio. This will resolve the alleged violation.

---

Track No: 547657

30 TAC Chapter 290.46(t)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

---

Failure to provide a system ownership sign at the North Elevated Storage Tank.

30 TAC 290.46(t) states that all community water systems shall post a legible sign at each of its production, treatment, and storage facilities. The sign shall be located in plain view of the public and shall provide the name of the water supply and an emergency telephone number where a responsible official can be contacted.

On the day of the investigation, the water system did not have a system ownership sign with the name of the water supply and an emergency telephone number at Well#4.

**Recommended Corrective Action:** Provide a system ownership sign at Well #4 which includes the name of the water supply and an emergency telephone number. Submit documentation including photographs to resolve the alleged violation.

**Resolution:** On August 27, 2014, the water system provided a photograph of the newly created system ownership sign at Well#4. This will resolve the alleged violation.

---

Track No: 547659

30 TAC Chapter 290.46(m)(4)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

---

Failure to maintain all distribution lines in a watertight condition.

30 TAC 290.46(m)(4) states that all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

On the day of the investigation, it was noted that an area near the Tower Road Water Plant had cattails and lots of vegetation.

**Recommended Corrective Action:** Immediately repair the line to ensure that the distribution system is maintained in a watertight condition. Provide maintenance records and photographs to the TCEQ D/FW Region office verifying that the alleged violation has been resolved.

**Resolution:** On August 27, 2014, the water system provided a photograph of newly repaired leak near the Tower Road Plant. This will resolve the alleged violation.

---

Track No: 547661

30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1193250

Comment Date: 09/08/2014

---

Failure to provide a working well meter for Well #1.

30 TAC 290.46(m) states that the maintenance and housekeeping practices used by a public

water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

On the day of the investigation, the well meter for Well #1 was not working.

**Recommended Corrective Action:** Immediately repair and/or replace the well meter for Well #1. Provide maintenance records and photographs to the TCEQ D/FW Region office verifying that the alleged violation has been resolved

**Resolution:** On August 27, 2014, the water system provided a photograph of newly purchased well meter for Well #1 as well as the receipt for the purchase of the well meter. This will resolve the alleged violation.



PALO DURO SERVICE CO., INC.

3505 WILLIAMS ROAD  
FORT WORTH, TEXAS 76116

817-244-2248

September 28, 2014

Certified Mail 7012 3460 0003 7375 0581

TCEQ - Region 4  
2309 Gravel Drive  
Fort Worth, Texas 76118-6951

Re: Investigation Glider Base Estates ID 2490028

Reply to investigation conducted by Ms. Crystal Watkins on July 28, 2014.  
We also replied to "Exit Interview" in letter dated August 22, 2014. Concerning these violations.

Track No: 547651

As stated in our response to the Exit Interview our well capacity was 65gpm, however water production has decreased on each of the wells, therefore we plan to drill one or two wells to increase our water production to meet the required compliance 0.6 gpm. We first must obtain a permit from the Upper Trinity Ground Water Authority and then our engineer will submit necessary drawing and documents to TCEQ for approval. Estimated time is on or before six months.

Track No. 547652

We are presently maintaining weekly records of water volume treated. The records of September and October 2014 will be submitted as requested.

Track No. 547654

We have always recorded the chlorine residual weekly. Since the investigation we are also recording the amount of chemical used weekly. These records for the months of September and October will be submitted as requested.

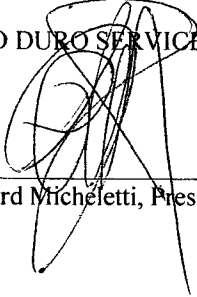
Track No. 547662

We do install new meters every 3 years.

A copy of an invoice from Atlas Supply was submitted on August 22, 2014 showing the purchase of a water meter. Enclosed please find a copy of two shipping documents showing we received several water meters from Aqua-Metric Sales Company dated March 10, 2014. Unfortunately we do not have an invoice. The purchase and payment was made over the phone by credit card.

Sincerely,

PALO DURO SERVICE CO., INC.



---

Richard Micheletti, President



# WATER UTILITY TARIFF

**Docket Number:** \_\_\_\_\_

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

<u>Palo Duro Service Company, Inc.</u> (Utility Name)	<u>3505 Williams Road</u> (Business Address)
<u>Fort Worth, Texas 76116</u> (City, State, Zip Code)	<u>817-244-2248</u> (Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

This tariff is effective in the following counties:  
Parker and Wise

This tariff is effective in the following cities or unincorporated towns (if any):  
None

This tariff is effective in the following subdivisions or public water systems:  
DuChane Chateaux, Aledo Ridge, and Glider Base Estates

## TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

## TABLE OF CONTENTS

SECTION 1.0-RATE SCHEDULE	2
SECTION 2.0- SERVICE RULES AND POLICIES	4
SECTION 3.0- EXTENSION POLICY	13
APPENDIX A - DROUGHT CONTINGENCY PLAN	18
APPENDIX B- APPLICATION FOR SERVICE	19

Note: Appendix A – Drought Contingency Plan (DCP) is approved by the Texas Commission on Environmental Quality; however, the DCP is included as part of your approved utility tariff pursuant to PUC rules. If you are establishing a tariff for the first time, please contact the TCEQ to complete and submit a DCP for approval.

**SECTION 1.0 -- RATE SCHEDULE**

Section 1.01 - Rates

Meter Size	Monthly Minimum Charge	Gallonage Charge
5/8" or 3/4"	\$ <u>45.00</u> (Includes gallons) 2,000	\$ <u>2.75</u> per 1000 gallons, 1 <sup>st</sup> <u>all</u> gallons
1"	\$ _____	\$ _____ per 1000 gallons, next _____ gallons
1 1/2 "	\$ _____	\$ _____ per 1000 gallons thereafter
2"	\$ _____	
3"	\$ _____	
4"	\$ _____	

**FORM OF PAYMENT:** The utility will accept the following forms of payment:

Cash  Check  Money Order  Credit Card \_\_\_\_\_ Other (specify \_\_\_\_\_)

THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

**REGULATORY ASSESSMENT** 1.0%  
PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fee

**TAP FEE** \$ 650.00  
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

**TAP FEE (Unique Costs)** Actual Cost  
FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

**TAP FEE (Large Meter)** Actual Cost  
TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

**METER RELOCATION FEE** Actual Relocation Cost, Not to Exceed Tap Fee  
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED

**METER TEST FEE** \$ 25.00  
THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST 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. THE FEE MAY NOT EXCEED \$25.

(Utility Name)

### SECTION 1.0 – RATE SCHEDULE (Continued)

#### RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Nonpayment of bill (Maximum \$25.00) \$ 25.00
- b) Customer's request that service be disconnected \$ 50.00
- c) \_\_\_\_\_ \$ \_\_\_\_\_

#### TRANSER FEE

\$ 50.00

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

#### LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL)

\$ 5.00

PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

#### RETURNED CHECK CHARGE

\$ 25.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

#### CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)

\$ 50.00

#### COMMERCIAL & NON-RESIDENTIAL DEPOSIT

1/6TH OF ESTIMATED ANNUAL BILL

#### GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

\$ \_\_\_\_\_

WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [P.U.C. SUBST. R. 24.21(k)(2)]

#### LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

**SECTION 1.0 -- RATE SCHEDULE**

Section 1.01 - Rates

<b>Meter Size</b>	<b>Monthly Minimum Charge</b>	<b>Gallonage Charge</b>
5/8" or 3/4"	\$ 55.00 (Includes gallons) 1,500	\$ 3.75 per 1000 gallons, 1 <sup>st</sup> 2000 gallons
1"	\$ _____	\$ 5.75 per 1000 gallons, next 2000 gallons
1½ "	\$ _____	\$ 7.75 per 1000 gallons thereafter
2"	\$ _____	
3"	\$ _____	
4"	\$ _____	

**FORM OF PAYMENT:** The utility will accept the following forms of payment:

Cash  Check  Money Order  Credit Card \_\_\_\_\_ Other (specify \_\_\_\_\_)

THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

**REGULATORY ASSESSMENT** 1.0%  
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fee

**TAP FEE** \$ 1,200.00  
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

**TAP FEE (Unique Costs)** Actual Cost  
 FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

**TAP FEE (Large Meter)** Actual Cost  
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

**METER RELOCATION FEE** Actual Relocation Cost, Not to Exceed Tap Fee  
 THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED

**METER TEST FEE** \$ 25.00  
 THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST 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. THE FEE MAY NOT EXCEED \$25.

(Utility Name)

### SECTION 1.0 – RATE SCHEDULE (Continued)

#### RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Nonpayment of bill (Maximum \$25.00) \$ 25.00
- b) Customer's request that service be disconnected \$ 50.00
- c) Reconnect fee customers request \$ 50.00

#### TRANSER FEE

\$ 50.00

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

#### LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL)

\$ 5.00 or 10%

PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

#### RETURNED CHECK CHARGE

\$ 25.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

#### CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)

\$ 50.00

#### COMMERCIAL & NON-RESIDENTIAL DEPOSIT

1/6TH OF ESTIMATED ANNUAL BILL

#### GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

\$ 50.00

WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [P.U.C. SUBST. R. 24.21(k)(2)]

#### LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

(Utility Name)

## **SECTION 2.0 -- SERVICE RULES AND POLICIES**

The utility will have the most current Public Utility Commission of Texas (PUC or commission rules relating to Water and Wastewater Utility regulations, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or commission approved changes to the Rules supersede any rules or requirements in this tariff.

### Section 2.01 - Application for Water Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff), will be signed by the applicant, any required fees (deposits, reconnect, tap, extension fees, etc. as applicable) will be paid and easements, if required, will be granted before service is provided by the utility. A separate application or contract will be made for each service location.

### Section 2.02 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the PUC Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant that a complaint may be filed with the commission.

### Section 2.03 - Fees and Charges & Easements Required Before Service Can Be Connected

#### (A) Customer Deposits

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit as provided for in Section 1.02 - Miscellaneous Fees of this tariff. The utility will keep records of the deposit and credit interest in accordance with PUC Rules.

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

## **SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)**

Refund of deposit - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any residential customer who has paid 18 consecutive billings without being delinquent.

### **(B) Tap or Reconnect Fees**

A new customer requesting service at a location where service has not previously been provided must pay a tap fee as provided in Section 1. A customer requesting service where service has previously been provided must pay a reconnect fee as provided in Section 1. Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to request for payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall be informed of their right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Fees in addition to the regular tap fee may be charged if listed specifically in Section 1 to cover unique costs not normally incurred as permitted by P.U.C. SUBST. R. 24.86(a)(1)(C). For example, a road bore for customers outside a subdivision or residential area could be considered a unique cost.

### **(C) Easement Requirement**

Where recorded public utility easements on the service applicant's property do not exist or public road right-of-way easements are not available to access the applicant's property, the utility may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant. Such easement(s) shall not be used for the construction of production, storage, transmission or pressure facilities unless they are needed for adequate service to that applicant.



(Utility Name)

## **SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)**

### Section 2.04 - Utility Response to Applications for Service

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Except for good cause where service has previously been provided, service will be reconnected within one working day after the applicant has met the requirements for reconnection.

### Section 2.05 - Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers will not be allowed to use the utility's cutoff valve on the utility's side of the meter. Existing customers may install cutoff valves on their side of the meter and are encouraged to do so. All new customers may be required to install and maintain a cutoff valve on their side of the meter.

No direct connection between a public water supply system and any potential source of contamination or between a public water supply system and a private water source (ex. private well) will be allowed. A customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

### Section 2.06 - Customer Service Inspections

Applicants for new service connections or facilities which have undergone extensive plumbing modifications are required to furnish the utility a completed customer service inspection certificate. The inspection certificate shall certify that the establishment is in compliance with the Texas Commission on Environmental Quality (TCEQ) Rules and Regulations for Public Water Systems, Section 290.46(j). The utility is not required to perform these inspections for the applicant/customer, but will assist the applicant/customer in locating and obtaining the services of a certified inspector.

(Utility Name)

**SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)**Section 2.07 - Back Flow Prevention Devices

No water connection shall be allowed to any residence or establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination by either an approved air gap, backflow prevention assembly, or other approved device. The type of device or backflow prevention assembly required shall be determined by the specific potential hazard identified in Title 30 Texas Administrative Code (TAC) §290.47(i) Appendix I, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems.

The use of a backflow prevention assembly at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes. When a customer service inspection certificate indicates that an adequate internal cross-connection control program is in effect, backflow protection at the water service entrance or meter is not required.

At any residence or establishment where it has been determined by a customer service inspection, that there is no actual or potential contamination hazard, as referenced in 30 TAC §290.47(i) Appendix I, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems, then a backflow prevention assembly or device is not required. Outside hose bibs do require, at a minimum, the installation and maintenance of a working atmospheric vacuum breaker.

All backflow prevention assemblies or devices shall be tested upon installation by a TCEQ certified backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a certified backflow prevention assembly tester.

If the utility determines that a backflow prevention assembly or device is required, the utility will provide the customer or applicant with a list of TCEQ certified backflow prevention assembly testers. The customer will be responsible for the cost of installation and testing, if any, of backflow prevention assembly or device. The customer should contact several qualified installers to compare prices before installation. The customer must pay for any required maintenance and annual testing and must furnish a copy of the test results demonstrating that the assembly is functioning properly to the utility within 30 days after the anniversary date of the installation unless a different date is agreed upon.

(Utility Name)

**SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)**Section 2.08 - Access to Customer's Premises

The utility will have the right of access to the customer's premises at all reasonable times for the purpose of installing, testing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow the utility and its personnel access to the customer's property to conduct any water quality tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours and the utility personnel will attempt to notify the customer that they will be working on the customer's property. The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

All customers or service applicants shall provide access to meters and utility cutoff valves at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply.

Section 2.09 - Meter Requirements, Readings, and Testing

One meter is required for each residential, commercial, or industrial connection. All water sold by the utility will be billed based on meter measurements. The utility will provide, install, own and maintain meters to measure amounts of water consumed by its customers.

Meters will be read at monthly intervals and as nearly as possible on the corresponding day of each monthly meter reading period unless otherwise authorized by the Commission.

(Utility Name)

**SECTION 2.0 -- SERVICE RULES AND POLICIES(Continued)**

Meter tests. The utility will, upon the request of a customer, and, if the customer so desires, in his or her presence or in that of his or her authorized representative, make without charge a test of the accuracy of the customer's meter. If the customer asks to observe the test, the test will be made during the utility's normal working hours at a time convenient to the customer. Whenever possible, the test will be made on the customer's premises, but may, at the utility's discretion, be made at the utility's testing facility. If within a period of two years the customer requests a new test, the utility will make the test, but if the meter is found to be within the accuracy standards established by the American Water Works Association, the utility will charge the customer a fee which reflects the cost to test the meter up to a maximum \$25 for a residential customer. Following the completion of any requested test, the utility will promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

Section 2.10 - Billing(A) Regular Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. Payment for utility service is delinquent if full payment, including late fees and the regulatory assessment, is not received at the utility or the utility's authorized payment agency by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next workday after the due date.

(B) Late Fees

A late penalty of either \$5.00 or 10.0% will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

(C) Information on Bill

Each bill will provide all information required by the PUC Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a local or toll-free telephone number (or numbers) to which customers can direct questions about their utility service.

(Utility Name)

## **SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)**

### **(D) Prorated Bills**

If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

### **Section 2.11- Payments**

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve month period, the customer shall be required to pay a deposit if one has not already been paid.

### **Section 2.12 - Service Disconnection**

#### **(A) With Notice**

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand delivered.

The utility is encouraged to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 26 days from the date of issuance of a bill and if proper notice of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the PUC Rules.

#### **B) Without Notice**

Utility service may also be disconnected without notice for reasons as described in the PUC Rules.

(Utility Name)

## **SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)**

### Section 2.13 - Reconnection of Service

Utility personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

Service will be reconnected within 36 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.

### Section 2.14 - Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

### Section 2.15 - Quality of Service

The utility will plan, furnish, and maintain production, treatment, storage, transmission, and distribution facilities of sufficient size and capacity to provide a continuous and adequate supply of water for all reasonable consumer uses. Unless otherwise authorized by the TCEQ, the utility will maintain facilities as described in the TCEQ Rules and Regulations for Public Water Systems.

### Section 2.16 - Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through either the TCEQ or PUC complaint process, depending on the nature of the complaint. Pending resolution of a complaint, the commission may require continuation or restoration of service.

(Utility Name)

## **SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)**

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. If the dispute is not resolved, the utility will inform the customer that a complaint may be filed with the commission.

### Section 2.17 - Customer Liability

Customer shall be liable for any damage or injury to utility-owned property shown to be caused by the customer.

### **SECTION 3.0--EXTENSION POLICY**

#### Section 3.01 - Standard Extension Requirements

LINE EXTENSION AND CONSTRUCTION CHARGES: NO CONTRIBUTION IN AID OF CONSTRUCTION MAY BE REQUIRED OF ANY CUSTOMER EXCEPT AS PROVIDED FOR IN THIS APPROVED EXTENSION POLICY.

The utility is not required to extend service to any applicant outside of its certified service area and will only do so under terms and conditions mutually agreeable to the utility and the applicant, in compliance with PUC rules and policies, and upon extension of the utility's certified service area boundaries by the PUC.

The applicant for service will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

The utility is not required to extend service to any applicant outside of its certificated service area and will only do so under terms and conditions mutually agreeable to the utility and the applicant, in compliance with PUC rules and policies, and upon extension of the utility's certificated service area boundaries by the PUC.

#### Section 3.02 - Costs Utilities and Service Applicants Shall Bear

Within its certified area, the utility will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision.

However, if the residential customer requesting service purchased the property after the developer was notified in writing of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.



(Utility Name)

**SECTION 3.0 -- EXTENSION POLICY (Continued)**

Residential customers will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the additional cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

Unless an exception is granted by the TCEQ, the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution and pressure wastewater collection lines and 6" in diameter for gravity wastewater lines.

Exceptions may be granted by the TCEQ if:

- adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;
- or larger minimum line sizes are required under subdivision platting requirements or building codes of municipalities within whose corporate limits or extraterritorial jurisdiction the point of use is located; or the residential service applicant is located outside the CCN service area.

If an exception is granted by the TCEQ, the utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certified area, industrial, and wholesale customers shall be treated as developers. A service applicant requesting a one inch meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection beyond 200 feet and throughout his property including the cost of all necessary transmission facilities.

### **SECTION 3.0 -- EXTENSION POLICY (Continued)**

The utility will bear the full cost of any over-sizing of water mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage, or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

#### Section 3.03 - Contributions in Aid of Construction

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with TCEQ minimum design criteria for facilities used in the production, transmission, pumping, or treatment of water or TCEQ minimum requirements. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the TCEQ minimum design criteria for water production, treatment, pumping, storage and transmission.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of P.U.C. SUBST. R. 24.86(d). When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with the TCEQ minimum design criteria. As provided by P.U.C. SUBST. R. 24.85(e)(3), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

A utility may only charge a developer standby fees for unrecovered costs of facilities committed to a developer's property under the following circumstances:

- Under a contract and only in accordance with the terms of the contract; or
- if service is not being provided to a lot or lots within two years after installation of facilities necessary to provide service to the lots has been completed and if the standby fees are included on the utilities approved tariff after a rate change application has been filed. The fees cannot be billed to the developer or collected until the standby fees have been approved by the commission or executive director.

for purposes of this section, a manufactured housing rental community can only be charged standby fees under a contract or if the utility installs the facilities necessary to provide individually metered service to each of the rental lots or spaces in the community.

(Utility Name)

**SECTION 3.0 -- EXTENSION POLICY (Continued)**Section 3.04 - Appealing Connection Costs

The imposition of additional extension costs or charges as provided by Sections 3.0 - Extension Policy of this tariff shall be subject to appeal as provided in this tariff, PUC rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located.

Section 3.05 - Applying for Service

The utility will provide a written service application form to the applicant for each request for service received by the utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service application forms will be available at the utility's business office during normal weekday business hours. Service applications will be sent by prepaid first class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. A diagram, map, plat, or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line may also be required with the tap request. The actual point of connection and meter installation must be readily accessible to utility personnel for inspection, servicing, and meter reading while being reasonably secure from damage by vehicles and mowers. If the utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the utility's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the utility. If no agreement on location can be made, the applicant may refer the matter to the PUC for resolution.

(Utility Name)

### **SECTION 3.0 -- EXTENSION POLICY (Continued)**

#### Section 3.06 - Qualified Service Applicant

A "qualified service applicant" is an applicant who has: (1) met all of the utility's requirements for service contained in this tariff, PUC rules and/or PUC order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all easements and rights-of-way required to provide service to the requested location, (4) delivered an executed customer service inspection certificate to the utility, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

The utility shall serve each qualified service applicant within its certified service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by PUC rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The PUC service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a qualified service applicant as defined by PUC rules.

#### Section 3.07 - Developer Requirements

As a condition of service to a new subdivision, the utility shall require a developer (as defined by PUC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

**APPENDIX A – DROUGHT CONTINGENCY PLAN  
(Utility Must Attach TCEQ-Approved Plan)**

**APPENDIX B -- APPLICATION FOR SERVICE  
(Utility Must Attach Blank Copy)**

Chapter 290.47(b) Sample Service Agreement

SERVICE AGREEMENT

- I. PURPOSE. The NAME OF WATER SYSTEM is responsible for protecting the drinking water supply from contamination or pollution which could result from improper private water distribution system construction or configuration. The purpose of this service agreement is to notify each customer of the restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the NAME OF WATER SYSTEM will begin service. In addition, when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement.
  
- II. RESTRICTIONS. The following unacceptable practices are prohibited by State regulations.
  - A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
  - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
  - C. No connection which allows water to be returned to the public drinking water supply is permitted.
  - D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
  - E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.
  
- III. SERVICE AGREEMENT. The following are the terms of the service agreement between the NAME OF WATER SYSTEM (the Water System) and NAME OF CUSTOMER (the Customer).
  - A. The Water System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the Water System.
  - B. The Customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the Water System or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the Water System's normal business hours.

- C. The Water System shall notify the Customer in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards on his premises.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the Water System. Copies of all testing and maintenance records shall be provided to the Water System.

IV. ENFORCEMENT. If the Customer fails to comply with the terms of the Service Agreement, the Water System shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this agreement shall be billed to the Customer.

CUSTOMER'S SIGNATURE: \_\_\_\_\_  
DATE: \_\_\_\_\_



**From:** [Jim Haddock](#)  
**To:** [Bill Boomer](#)  
**Subject:** FW: PP-14-057 Aledo Ridge  
**Date:** Monday, March 16, 2015 11:44:12 AM

---

Bill

Please see the email below regarding the City of Fort Worth's position regarding the Preliminary Plat Approval that states "our legal department as well as Parker County and will require that this plat become a part of the CCN for the private water supply prior to proceeding to City Plan Commission"

**Jim Haddock**

Haddock Interests  
600 Summit Avenue  
Fort Worth, TX 76102  
(817) 332-8383

**From:** Parks, Alex [mailto:[Alexander.Parks@fortworthtexas.gov](mailto:Alexander.Parks@fortworthtexas.gov)]  
**Sent:** Wednesday, February 11, 2015 2:38 PM  
**To:** [olee@bhbinc.com](mailto:olee@bhbinc.com); [jbh@haddockinterests.com](mailto:jbh@haddockinterests.com)  
**Cc:** Elliott, Mary S.  
**Subject:** PP-14-057 Aledo Ridge

Otis,

We have reached out to our legal department as well as Parker County and will require that this plat become a part of the CCN for the private water supply prior to proceeding to City Plan Commission. If you and your client wish to proceed anyway our recommendation to City Plan Commission will be for denial. In order to give your owner ample time to get acceptance by the CCN we are recommending at least a 60 day continuance. You will have the ability to continue or postpone the application multiple times if needed, but it must be heard within 180 days from the date of the application or it will be withdrawn and a new application would have to be submitted. Hopefully we do not have to wait that long to proceed with this application.

Please let me know how you would like to proceed.

Thanks,

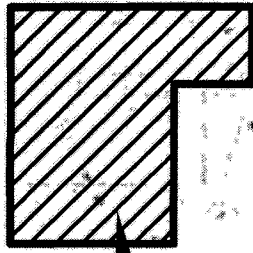
**Alexander Parks**  
**Planner**  
**City of Fort Worth**  
**Planning and Development Department**  
**817-392-2638**  
[alexander.parks@fortworthtexas.gov](mailto:alexander.parks@fortworthtexas.gov)

"Working together to build a strong community"

**Attachment "D"**  
**Email from City of Fort Worth Staff**  
**Regarding processing of Preliminary Plat**  
**For Aledo Ridge**  
**PUC Docket No. 43832**



**SCALE:  
1"=2000'**



**PROPOSED  
CCN**



Meadow Hill Rd

Mesa Grande Dr

Concho Trail

White Settlement Rd

3325

Law Creek Golf Club

ss Rd

El Chico Trail

20

20

E. Bank

**CivilSolutions Inc**

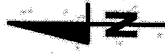
Engineers Surveyors Planners

P.O. Box 100247, Fort Worth, Texas, 76185

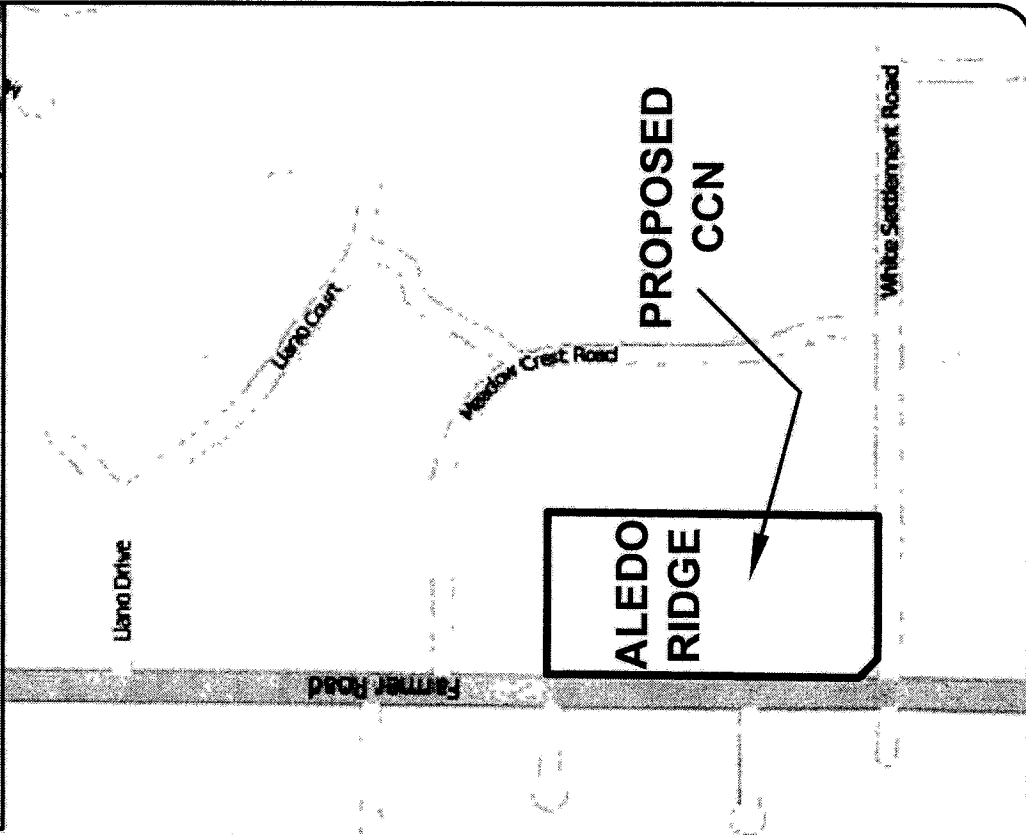
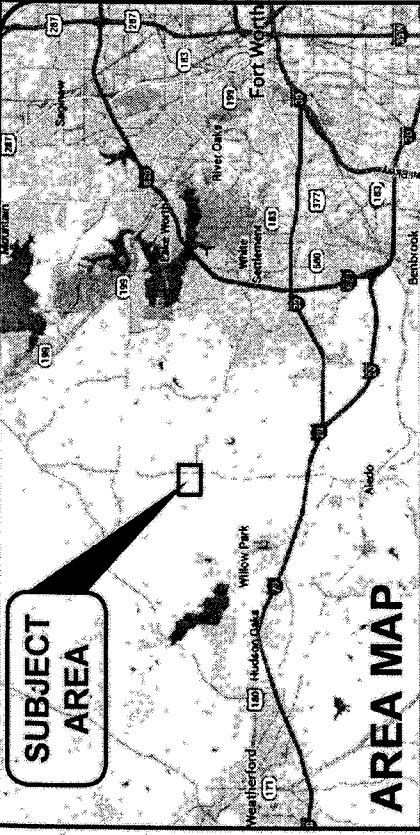
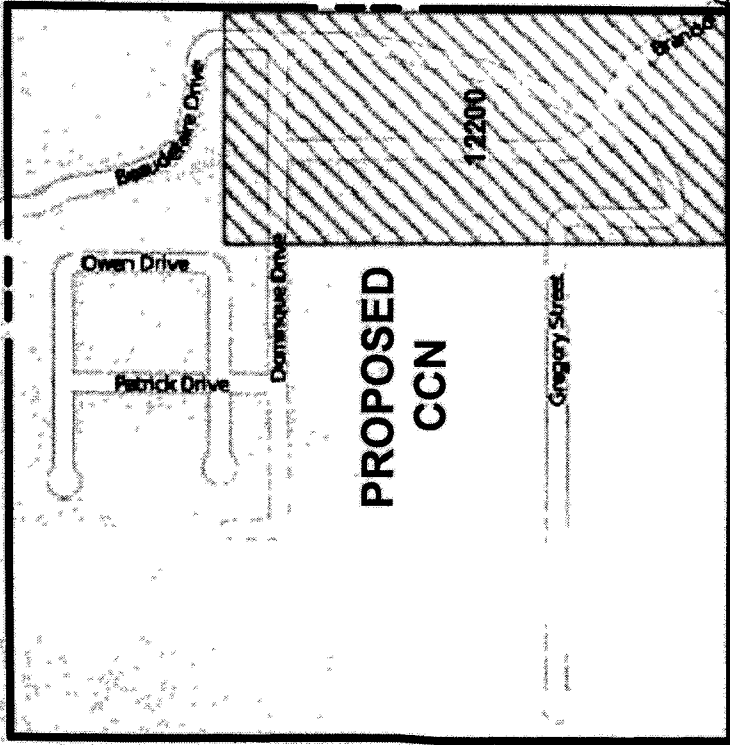
Phone: 817-423-0060 (817) 346-0520 Fax

Texas Registered Engineering Firm F-7997

Texas License Surveying Firm 100062-00.



**SCALE:**  
**1"=1000'**



**CivilSolutions Inc**  
 Engineers Surveyors Planners  
 P.O. Box 100247, Fort Worth, Texas, 76185  
 (817) 423-0060 (817) 346-0520 Fax  
 Texas Registered Engineering Firm F-7997  
 Texas Licensed Surveying Firm 100062-00

The Survey Commission, State of Wisconsin, do hereby certify that the above is a true and correct copy of the original as filed in the office of the Surveyor General of Wisconsin, at the City of Madison, Wisconsin, on the 26th day of October, 1900.

The Survey Commission, State of Wisconsin, do hereby certify that the above is a true and correct copy of the original as filed in the office of the Surveyor General of Wisconsin, at the City of Madison, Wisconsin, on the 26th day of October, 1900.

*Wm. H. Johnson*

*25 Oct. 1900*

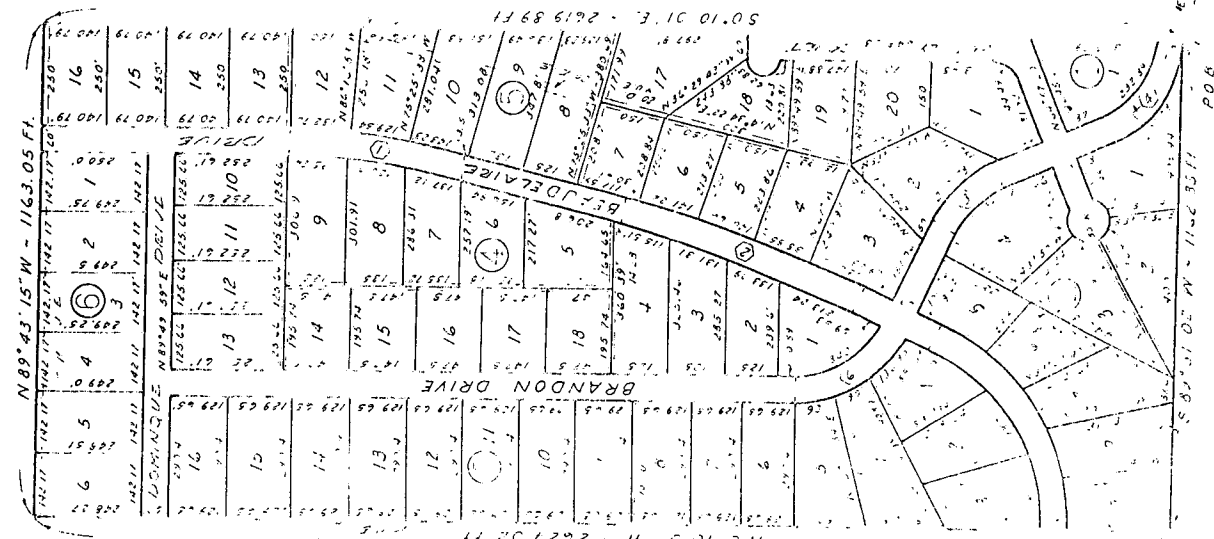
*Wm. H. Johnson*

*26 Oct. 1900*

*Survey of Original*

11-200

*1848*



CURVE DATA

1	1472.53	270	1546.203
2	375.00	203	3397.308
3	471.78	100	272.59
4	657.21	100	234.078
5	657.07	310	503.11
6	657.07	158.12	248.10

NOT: All Lots Shall Have A S.W. Line Located 25 Ft. From

*2*

*1848*

*Daniel*

**Attachment "F"**  
**Survey of original 328 Acres of Du Chane Chateaux**  
**And Platted portion**

# **OVERSIZED MAP(S)**

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

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

EXHIBIT "A"

FIRST TRACT

All that certain lot, tract, or parcel of land lying and being situated in Parker County, Texas, and being 328.156 acres of land out of the Robert Cunningham Survey, Abstract No. 283, described by metes and bounds as follows: BEGINNING at the N.E. cor of the Robert Cunningham Survey; THENCE S 0° 10 min 01 sec W 3743.48 ft. to a fence post for corner; THENCE with the general line of fence the following calls: S 89° 31 min 02 sec W 2136.21 ft., W 943.24 ft., S 89° 42 min 39 sec W 739.12 ft. to an iron pipe for cor; THENCE with the general line of fence the following calls: N 0° 22 min 31 sec W 1525.13 ft., N 4° 01 min 11 sec E 220.26 ft., N 0° 16 min 20 sec W 1997.62 ft. to an iron rod for cor; THENCE with the general line of fence N 89° 26 min 05 sec E 842.15 ft. and N 89° 43 min 15 sec E 2969.55 ft. to the place of beginning, and containing 328.156 acres of land, more or less.

SECOND TRACT

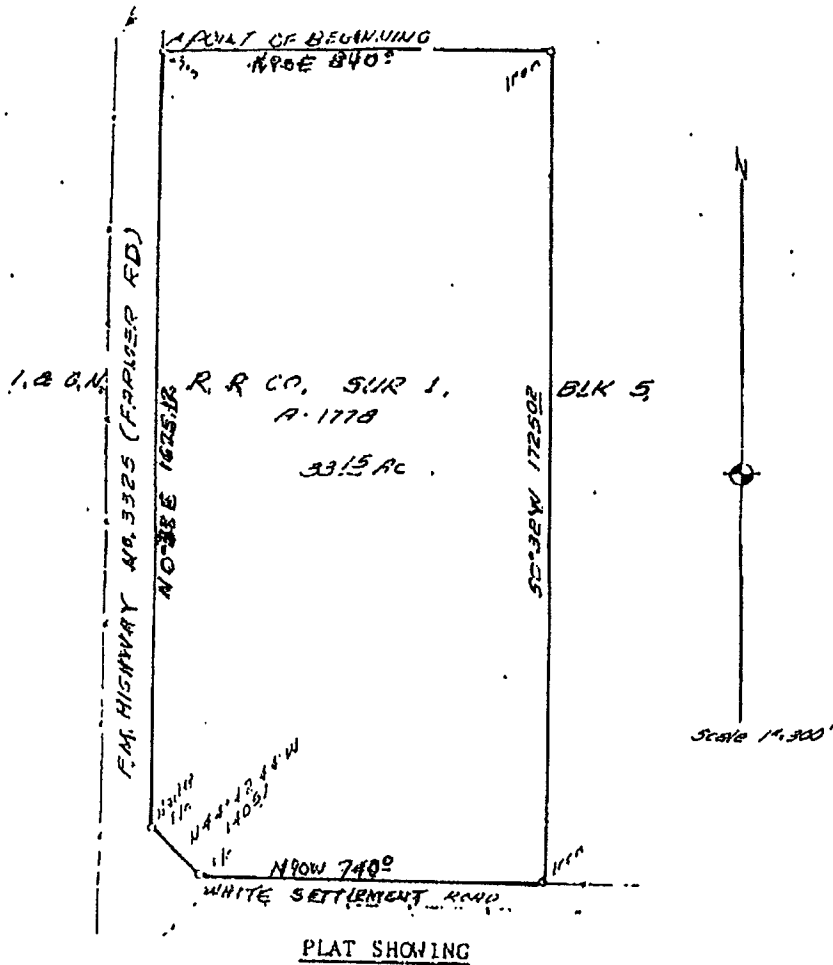
An easement for the right of ingress and egress at all time upon, over and across the following described property:  
All that certain lot, tract, or parcel of land lying and being situated in Parker County, Texas and being a tract of land out of the Robert Cunningham Survey, Abstract No. 283, described by metes and bounds as follows: BEGINNING at a fence post being S 0° 10 min 01 sec W 3743.48 ft. from the N.E. cor of the Robert Cunningham Survey; THENCE 0° 10 min 01 sec E 30 ft. to an iron pipe for corner; THENCE E 2337.53 ft. to a point for cor in the WBL of a county road; THENCE S 0° 30 min 47 sec W with the WBL of the above mentioned county road 30 ft. to a point for corner; THENCE W 2337.17 ft. to the place of beginning, together with the free and uninterrupted use, liberty and privilege of passage in and along said way together with the free ingress, egress and regress to and for the Grantee herein, his successors and assigns, in common with the Grantors, their heirs and assigns.

Attachment "F"  
Survey of original 328 Acres of Du Chane Chateaux  
And Platted portion

PUC Docket No. 43832

A CERTIFIED COPY  
Attest: August 19, 20 05  
JEANE BRUNSON, COUNTY CLERK  
Parker County, Texas  
Deputy: Patricia Melson

PATRICIA MELSON



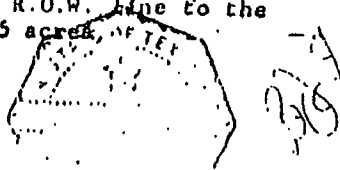
PLAT SHOWING

SURVEY AND FIELD NOTES FOR A TRACT OF LAND IN THE I. & G. N. R.R. CO. SURVEY, ABSTRACT NO. 1778, SITUATED IN PARKER COUNTY, TEXAS, AND BEING A PORTION OF THE TRACT DESCRIBED IN VOLUME 561, PAGE 491, DEED RECORDS, PARKER COUNTY, TEXAS, SAID PORTION BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING at an iron pin in the East R.O.W. line of Farm to Market Highway No. 3325, more commonly known as Farmer Road, said point being N. 89° - 45' W. 2612.04 feet and S. 0° - 36' W. 1707.35 feet from the Southeast corner of the J. G. Steele and E. E. Gillis Survey, Abstract No. 2352;
- THENCE East 840.0 feet to an iron pin for corner;
- THENCE S. 0° - 38' W. 1725.02 feet to an iron pin for corner in the Northerly right-of-way fence of White Settlement Road;
- THENCE West 740.0 feet with said right-of-way fence to a point on the South edge of a 4" metal fence corner post in the Easterly line of said Farm to Market Highway No. 3325;
- THENCE N. 44° - 42' - 44" W. 140.57 feet to a nail in concrete in the Easterly line of said Farm to Market Highway No. 3325;
- THENCE N. 0° - 36' E. 1625.12 feet along said R.O.W. line to the POINT OF BEGINNING and containing 33.15 acres.

I, Kate H. Ward, Registered Public Surveyor No. 2014, hereby certify this plat is a true and correct representation of a survey made on the ground.

Date 3-9-81



**WARD SURVEYING COMPANY**

Attachment "G"  
Survey of Aledo Ridge property

PUC Docket No. 43832