

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



APPLICATION NO. 37044-C

IN THE MATTER OF THE
APPLICATION OF TEXAS WATER
SYSTEMS, INC., TO AMEND
CERTIFICATE OF CONVENIENCE
AND NECESSITY NO. 12473 IN
LIMESTONE COUNTY, TEXAS

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

On _____, the Executive Director of the Texas Commission on Environmental Quality pursuant to Chapters 5 and 13 of the Texas Water Code considered the application of Texas Water Systems, Inc., to amend Certificate of Convenience and Necessity No. 12473 in Limestone County, Texas.

No person has requested a public hearing on the application;

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

The criteria set forth in *Texas Water Code* Section 13.246 has been considered;
and

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

Now, therefore, be it ordered by the Texas Commission on Environmental Quality that the application is granted and Certificate of Convenience and Necessity No. 12473 be amended in accordance with the terms and conditions set forth herein and in the certificate.

IT IS FURTHER ORDERED that Texas Water Systems, Inc., shall serve every customer and applicant for service within the area certified under Certificate of Convenience and Necessity No. 12473 and that such service shall be continuous and adequate.

Texas Commission on Environmental Quality

Issued date:

For the Commission

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 20, 2011

CERTIFIED MAIL

Mr. James K. Brown, President
Texas Water Systems, Inc.
7891 US Hwy. 271
Tyler, Texas 75708

Re: Application from Texas Water Systems, Inc., to Amend Certificate of Convenience and Necessity (CCN) No. 12473, in Limestone County; Application No. 37044-C

CN: 600629893; RN: 101450484

Dear Mr. Brown:

We have reviewed the above referenced application.

ENCLOSED ARE:

- ▶ CONSENT FORM
- ▶ The proposed map, order, certificate, and staff recommendation.
- ▶ A copy of your approved tariff. The original tariff will be retained by the Commission. You should retain a complete copy of your tariff at each utility business office.
- ▶ A pamphlet explaining how to obtain a copy of Commission rules.
- ▶ Information Order Form which lists all forms and other information available for your use.

YOU SHOULD DO THE FOLLOWING:

- ▶ Review the map, order, certificate, and recommendation. If these documents are **accurate and you agree** with all of the provisions of the order, you must sign the **CONSENT FORM** and mark the line that says you concur and return the signed statement. You should keep a copy of the letter you signed along with the documents listed above for your records. Failure to return the signed statement could result in your application being returned.
- ▶ Notify us (**in writing**) within **14 days** of the date of this letter, if these documents are **inaccurate or you disagree** with any of the provisions of the order. You may do this by marking the line on the **CONSENT FORM** that says you do not concur, signing the form and mailing it to the address on the form.
- ▶ Note: This letter does not authorize you to provide utility service. You must wait until the commission has approved your application and issued the CCN

Mr. James K. Brown, President

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December 20, 2011

WE WILL DO THE FOLLOWING:


- ▶ Submit the order for this application to the Executive Director for signature. However, before the Executive Director can sign the order, we **must** receive your written consent to the staff's recommendation.
- ▶ **After your signed CONSENT FORM is received**, submit your application and the staff recommendation to the Executive Director for approval on behalf of the Commission.
- ▶ Mail you a signed copy of the order and CCN after it has been approved.

After you receive the signed order and CCN, you are authorized to provide utility service. You must:

- ▶ Maintain a complete copy of your tariff at each utility business office.
- ▶ Charge only those rates and fees included on your tariff.
- ▶ Assist anyone seeking information on your approved rates or service policies.
- ▶ Make copies of your tariff available upon request at reasonable reproduction costs.
- ▶ File a certified copy of the CCN map along with a written description of the CCN service area in the county clerk's office pursuant to Texas Water Code, Chapter 13.257(r) and (s).
- ▶ Maintain a copy of the current Commission Permanent Rules, 30 Texas Administrative Code, Chapter 291, in case questions arise regarding acceptable utility practices and policies.
- ▶ **NOTE:** These rules control the way you run your business and can be complex. Please take the time to familiarize yourself with them.

If you have any questions, please contact If you have any questions, please contact Ms. Debbie Reyes Tamayo at 512/239-4683, by email at Debbie.Reyes-Tamayo@tceq.texas.gov, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality

TB/DRT/mmg

Enclosures: as stated

CONSENT FORM

Applicant's Name: Texas Water Systems, Inc.
Application No.: 37044-C

- I concur with the recommendation contained in the staff memorandum transmitted by letter dated December 20, 2011.
- I do not concur with and intend to respond to the recommendation contained in the staff memorandum transmitted by letter dated December 20, 2011.

I understand that I have 14 days from the date of this letter to provide my response.

I am authorized by Texas Water Systems, Inc., to sign this form.

Signature: _____

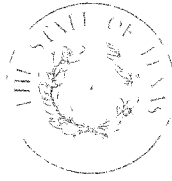
Printed Name: _____

Relationship to Applicant: _____

Date signed: _____

Mail or fax to:
Debbie Reyes Tamayo
Utilities & Districts Section, MC 153
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Fax: (512) 239-0030

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



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Protecting Texas by Reducing and Preventing Pollution

Mr. James K. Brown, President
Texas Water Systems, Inc.
7891 US Hwy. 271
Tyler, Texas 75708

Re: Application from Texas Water Systems, Inc., to Amend Certificate of Convenience and Necessity (CCN) No. 12473, in Limestone County; Application No. 37044-C

CN: 600629893; RN: 101450484

Dear Mr. Brown:

Enclosed are the following documents issued by the Commission in the above referenced application:

- certified copy of the order
- certified copy of the map
- copy of the CCN

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

You are now authorized to provide utility service in accordance with your approved tariff and with the rules and regulations of the Commission. Your last step is to file a certified copy of the CCN map along with a written description of the CCN service area in the county clerk's office pursuant to Texas Water Code, Chapter 13.257 (r) and (s).

If you have any questions, please contact Ms. Debbie Reyes Tamayo at 512/239-4683, by email at Debbie.Reyes-Tamayo@tceq.texas.gov, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

Linda Brookins, Director
Water Supply Division

LB/DRT/mmg

Enclosures: as stated

cc: mailing list

TCEQ Interoffice Memorandum

To: Marisa Weber
Offices of the Chief Clerk

From: Debbie Reyes Tamayo
Utilities Financial Review Team
Water Supply Division

Date:

Subject: Item for the Executive Director's Signature

Name of Applicant: Texas Water Systems, Inc.

Application No. 37044-C

CCN No.: 12473

CN: 600629893; RN: 101450484

The items listed above are for the Executive Director's Signature. Please present this to Marisa Weber.

Contact Name: Debbie Reyes Tamayo

Date Stamp This Page One