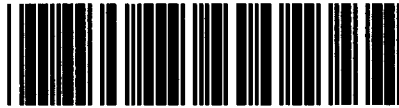


Control Number: 43890



Item Number: 21

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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

1/24/12  
Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



43591  
RECEIVED

2014 DEC -5 PM 1:37

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
*Protecting Texas by Reducing and Preventing Pollution*

QUALITY COMMISSION  
FILING CLERK

January 13, 2012

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

RECEIVED

JAN 19 2012

TCEQ  
CENTRAL FILE ROOM

RE: Texas Water Systems, Inc.  
Certificate of Convenience and Necessity No. 12473

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has issued final approval of the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the approval became effective on the date the ED signed the permit or other approval. A copy of the final approval is enclosed and cites the effective date.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ executive director's approval of the application. Any motion must explain why the commission should review the TCEQ executive director's action. According to 30 TAC Section 50.139 an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the chief clerk in person or by mail. The Chief Clerk's mailing address is Office of the Chief Clerk (MC 105), TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. On the same day the motion is transmitted to the chief clerk, please provide copies to Robert Martinez, Environmental Law Division Director (MC 173), and Blas Coy, Public Interest Counsel (MC 103), both at the same TCEQ address listed above. If a motion is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's approval. According to Texas Water Code Section 5.351 a person affected by the ED's approval must file a petition appealing the ED's approval in Travis County district court within 30 days after the effective date of the approval. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Individual members of the public may seek further information by calling the TCEQ Public Education Program, toll free, at 1-800-687-4040.

Sincerely,

*Bridget C. Bohac*

Bridget C. Bohac  
Chief Clerk

BCB/ms

01:18 PM 5-DEC-2014

cc: Blas Coy, TCEQ Public Interest Counsel (MC 103)

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*

January 13, 2012

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](mailto:Debbie.Reyes-Tamayo@tceq.texas.gov), or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Brookins".

Linda Brookins, Director  
Water Supply Division

LB/DRT/mmg

Enclosures: as stated

cc: mailing list

TCEQ:

Region 9 Office

Data Entry, Business Support Section, Water Supply Division, MC 157  
PDW Inventory Subgroup, MC 155

Please send a copy of the signed order to Central Records to be included in the following  
Certificate of Convenience and Necessity (CCN) permanent files:

Texas Water Systems, Inc., CCN 12473

# 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

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

On **January 10, 2012**, 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: **January 10, 2012**

  
For the Commission



# **Texas Commission On Environmental Quality**

**By These Presents Be It Known To All That**

**Texas Water Systems, Inc.**

having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

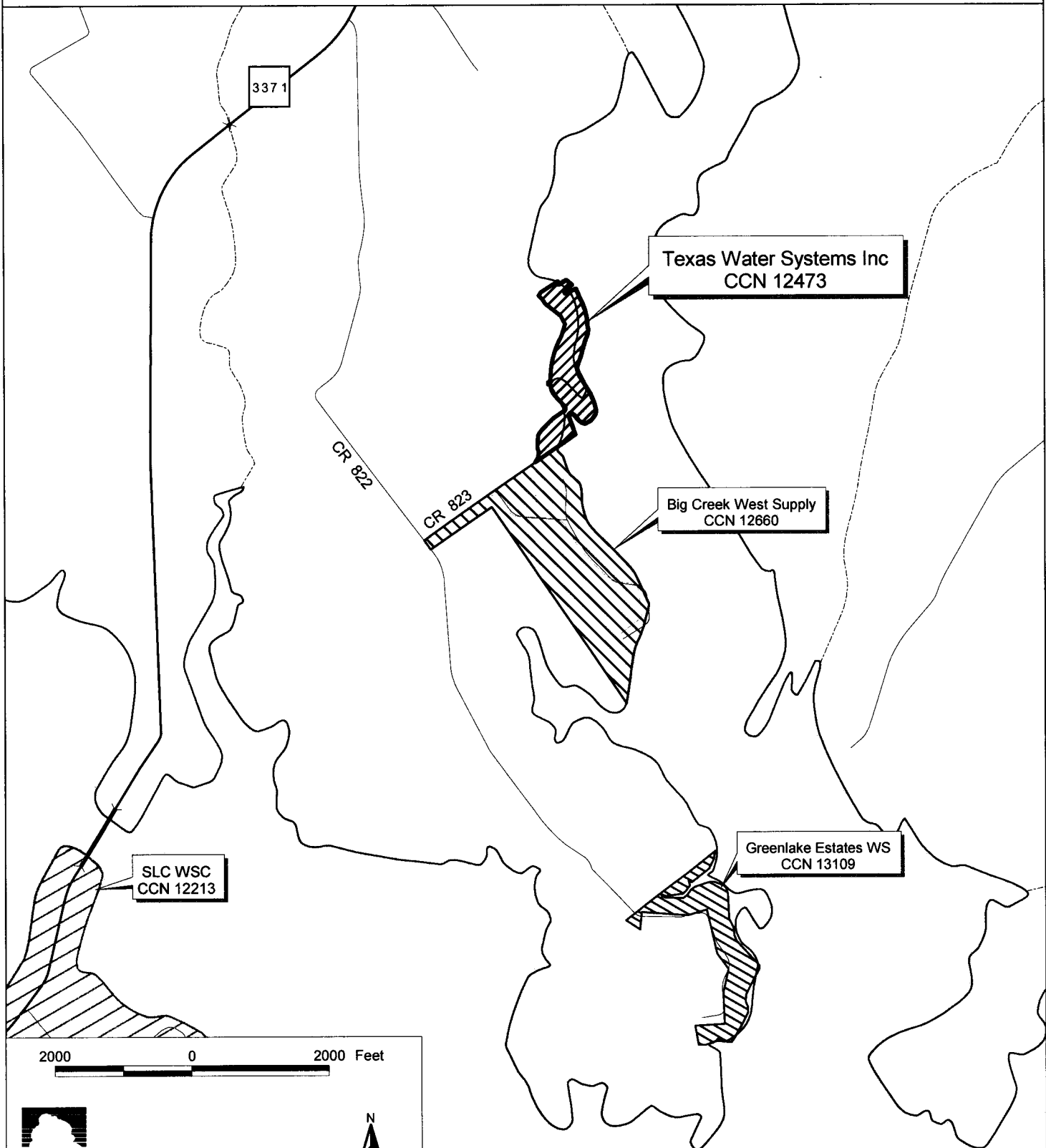
## **Certificate of Convenience and Necessity No. 12473**

to provide continuous and adequate water utility service to those service area in Gregg, Henderson, Limestone, Smith and Upshur Counties as by final Order or Orders duly entered by this Commission, which Order resulting from Application No. 37044-C is on file at the Commission offices in Austin, Texas; and is a matter of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Texas Water Systems, Inc., to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this **January 10, 2012**

  
For the Commission

Texas Water Systems, Inc.  
Portion of Water Service Area  
CCN No. 12473  
Application No. 37044-C  
Limestone County



LAKE LIMESTONE



Map by S. Jaster 12/7/2011  
Data path: c:\gis\projects\shpsforapplications\37044-c.shp  
Project path: c:\gis\projects\applications\37044-c.apr

s, Inc.

1891 S. (Business Address)

(903) 595-2128  
(Area Code/Telephone)

Tex) 8

ctive for utility operations under the following Certificate of  
d Necessity:

effective in the following counties:

derson, Limestone, Smith and Upshur

his tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

See attached list.

### 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):

SECTION 1.0 -- RATE SCHEDULE .....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES .....	3
SECTION 3.0 -- EXTENSION POLICY .....	8
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN .....	10
APPENDIX A -- SAMPLE SERVICE AGREEMENT	
APPENDIX B -- APPLICATION FOR SERVICE	



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

**Texas Water Systems, Inc.**

This tariff is effective in the following subdivisions or systems:

SUBDIVISION	PWS ID NUMBER	COUNTY
Cape Tranquility	1070176	Henderson
Country Club Estates	2300021	Upshur
Friendship Community	2300020	Upshur
Garden Acres Subdivision	0920031	Gregg
Garden Valley Water System	2120081	Smith
Mount Sylvan Community	2120034	Smith
Rosewood Community	2300026	Upshur
Stallion Lake	2120104	Smith
Tall Oaks Subdivision	1470037	Limestone

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

**WATER UTILITY TARIFF  
FOR**

Texas Water Systems, Inc.  
(Utility Name)

7891 U.S. Highway 271  
(Business Address)

Tyler, Texas 75708  
(City, State, Zip Code)

(903) 595-2128  
(Area Code/Telephone)

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

12473

This tariff is effective in the following counties:

Gregg, Henderson, Limestone, Smith and Upshur

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

See attached list.

**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):

SECTION 1.0 -- RATE SCHEDULE .....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES.....	3
SECTION 3.0 -- EXTENSION POLICY.....	8
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN .....	10

APPENDIX A -- SAMPLE SERVICE AGREEMENT  
APPENDIX B -- APPLICATION FOR SERVICE

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

**Texas Water Systems, Inc.**

This tariff is effective in the following subdivisions or systems:

<b>SUBDIVISION</b>	<b>PWS ID NUMBER</b>	<b>COUNTY</b>
Cape Tranquility	1070176	Henderson
Country Club Estates	2300021	Upshur
Friendship Community	2300020	Upshur
Garden Acres Subdivision	0920031	Gregg
Garden Valley Water System	2120081	Smith
Mount Sylvan Community	2120034	Smith
Rosewood Community	2300026	Upshur
Stallion Lake	2120104	Smith
Tall Oaks Subdivision	1470037	Limestone

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

**WATER UTILITY TARIFF  
FOR**

Texas Water Systems, Inc.  
(Utility Name)

7891 U.S. Highway 271  
(Business Address)

Tyler, Texas 75708  
(City, State, Zip Code)

(903) 595-2128  
(Area Code/Telephone)

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

12473

This tariff is effective in the following counties:

Gregg, Henderson, Limestone, Smith and Upshur

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

See attached list.

**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):

SECTION 1.0 -- RATE SCHEDULE .....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES.....	3
SECTION 3.0 -- EXTENSION POLICY.....	8
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN .....	10
APPENDIX A -- SAMPLE SERVICE AGREEMENT	
APPENDIX B -- APPLICATION FOR SERVICE	

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

**Texas Water Systems, Inc.**

This tariff is effective in the following subdivisions or systems:

<b>SUBDIVISION</b>	<b>PWS ID NUMBER</b>	<b>COUNTY</b>
Cape Tranquility	1070176	Henderson
Country Club Estates	2300021	Upshur
Friendship Community	2300020	Upshur
Garden Acres Subdivision	0920031	Gregg
Garden Valley Water System	2120081	Smith
Mount Sylvan Community	2120034	Smith
Rosewood Community	2300026	Upshur
Stallion Lake	2120104	Smith
Tall Oaks Subdivision	1470037	Limestone

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

TEXAS COMM. ON ENVIRONMENTAL QUALITY  
37044-C, CCN 12473, AUGUST 15, 2011  
APPROVED TARIFF BY 21 DET

# TCEQ Interoffice Memorandum

---

**To:** Linda Brookins, Director  
Water Supply Division  
Texas Commission on Environmental Quality

**Thru:** 12/16/11  
9B  
Tammy Benter, Manager  
Utilities & Districts Section  
Water Supply Division

12/16/11  
9B  
for  
Lisa Fuentes, Team Leader  
Utilities Financial Review Team  
Water Supply Division

**From:** 12/16/11  
9B  
for  
Debbie Reyes Tamayo  
Utilities Financial Review Team  
Water Supply Division

**Date:** December 20, 2011

**Subject:** Executive Summary and Staff Recommendation for Executive Director  
Approval of Application No. 37044-C

CN: 600629893; RN: 101450484

Texas Water Systems, Inc., has applied to amend Certificate of Convenience and Necessity (CCN) No. 12473, in Limestone County, Texas. They are adding the Tall Oaks Subdivision.

The applicant meets all of the statutory requirements of Texas Water Code Chapter 13 and the Commission's Chapter 291 rules and regulations. Approving this application and amending CCN No. 12473 is necessary for the service, accommodation, convenience and safety of the public.

The applicant is capable of providing continuous and adequate service. This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. Staff recommends approval of the order.

TB/DRT/mmg

CHIEF CLERKS OFFICE

2012 JAN 10 PM 3:46

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

## **TCEQ Interoffice Memorandum**

80512

Limestone County

**To:** Marisa Weber  
Offices of the Chief Clerk

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

**Date:** January 4, 2012

**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

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2012 JAN - 4 AM 9:49  
CHIEF CLERKS OFFICE

**Date Stamp This Page One**

CCN 12473/Co

**WATER UTILITY TARIFF  
FOR**

Texas Water Systems, Inc.  
(Utility Name)

7891 U.S. Highway 271  
(Business Address)

Tyler, Texas 75708  
(City, State, Zip Code)

(903) 595-2128  
(Area Code/Telephone)

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

12473

This tariff is effective in the following counties:

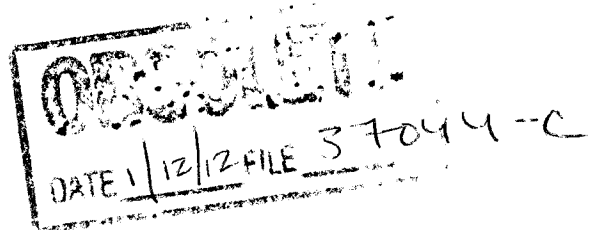
Gregg, Henderson, Smith and Upshur

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

See attached list.



RECEIVED  
FEB 01 2012  
ICEQ  
CENTRAL FILE ROOM

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):

SECTION 1.0 -- RATE SCHEDULE.....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES .....	3
SECTION 3.0 -- EXTENSION POLICY .....	8
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN .....	10
APPENDIX A -- SAMPLE SERVICE AGREEMENT	
APPENDIX B -- APPLICATION FOR SERVICE	

TEXAS COMM. ON ENVIRONMENTAL QUALITY  
36729-R, CCN 12473, AUGUST 2, 2010  
APPROVED TARIFF BY SP/KA



This tariff is effective in the following subdivisions or systems:

SUBDIVISION	PWS ID NUMBER	COUNTY
Cape Tranquility	1070176	Henderson
Country Club Estates	2300021	Upshur
Friendship Community	2300020	Upshur
Garden Acres Subdivision	0920031	Gregg
Garden Valley Water System	2120081	Smith
Mount Sylvan Community	2120034	Smith
Rosewood Community	2300026	Upshur
Stallion Lake	2120104	Smith

TEXAS COMM. ON ENVIRONMENTAL QUALITY  
36729-R, CCN 12473, AUGUST 2, 2010  
APPROVED TARIFF BY: SP/RA

## **TCEQ Interoffice Memorandum**

---

**To:** Marisa Weber  
Offices of the Chief Clerk

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

**Date:** January 4, 2012

**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**