



Control Number: 43890



Item Number: 23

Addendum StartPage: 0

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

Karen Blaschke - Texas Water Systems, Inc., App. No. 37044-C

RECEIVED

2014 DEC -5 PM 1:37

From: Karen Blaschke
To: mspawatkins@yahoo.com
Date: 6/14/2011 2:02 PM
Subject: Texas Water Systems, Inc., App. No. 37044-C
Attachments: 37044-C Texas Water Systems Inc (nod ltr).docx

PUBLIC UTILITY COMMISSION
FILING CLERK

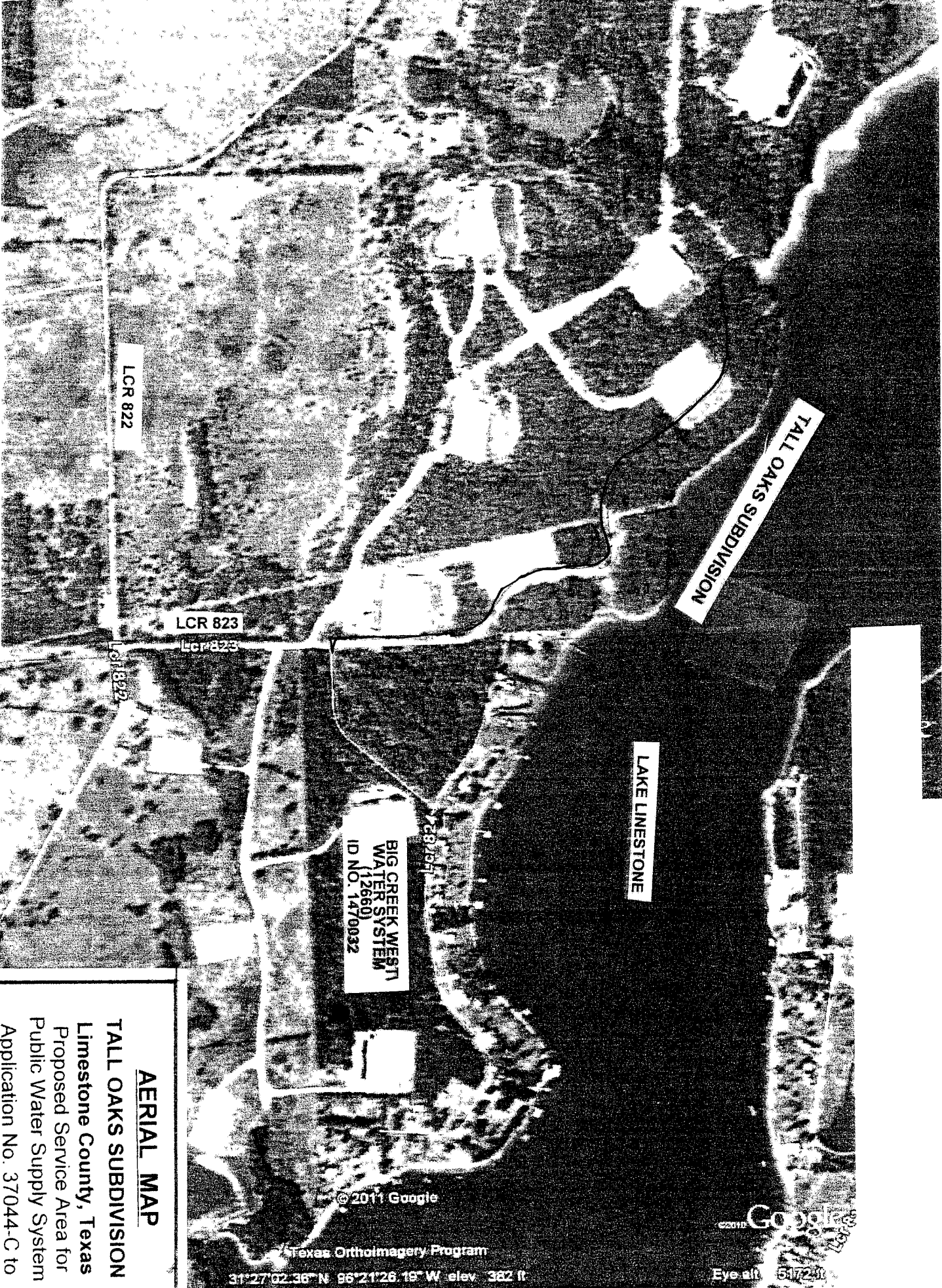
Dear Ms. Watkins:

This email is in response to our recent telephone conversation. Attached is a copy of the Notice of Deficiency letter sent for the referenced application.

Let me know if you have any questions.

Sincerely,
Karen Blaschke
Water Supply Division
Utilities & Districts Section
512/239-6932
fax 512/239-0030

2014 DEC -5 AM 8:10



LCR 822

LCR 823

TALL OAKS SUBDIVISION

LAKE LIMESTONE

BIG CREEK WEST
WATER SYSTEM
ID NO. 1470032

AERIAL MAP
TALL OAKS SUBDIVISION
Limestone County, Texas
Proposed Service Area for
Public Water Supply System
Application No. 37044-C to
Amend CCN No. 12473
Not to Scale

© 2011 Google

Texas Orthoimagery Program

31°27'02.36" N 96°21'26.19" W elev. 382 ft

© 2011 Google
Eye alt 5172 ft

**JOE L. HANEY, P. E., R. P. L. S. 3282
710 E. MILAM ST. (P. O. BOX 307)
MEXIA, TEXAS 76667
PH. NO. 254-562-6954**

July 5, 2011

Karen Blaschke
Utilities and Districts Section
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13807
Austin, Texas 78711

RECEIVED
JUL 06 2011
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

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 Ms. Blaschke:

I am responding to your letter dated June 14, 2011 requesting location maps of the proposed service area which is named Tall Oaks Subdivision. This subdivision is owned by Lake Limestone Properties, of which I am a managing member, but the area is to be included in the CCN of Tyler Water Systems. I have expanded the area of Tall Oaks Subdivision to include not only the initial 8 lots to be served but also the possible future expansion to a total of 20 lots.

I have included a plat and metes and bounds description of the proposed service areas. I have checked the description thoroughly and hope there are no omissions.

The vicinity map and location map that I am submitting are similar to the previous maps but with some added information showing the location of adjacent public water systems. Perhaps this will help to locate the system within the county on your maps. There are no existing facilities for the proposed service area of Tall Oaks Subdivision.

The proposed service area of Tall Oaks Subdivision is located in the J. L. Chavert Survey, A-4, Limestone County, Texas and adjoins the West bank of Lake Limestone. It is part of a 149.01 acres tract and a 14.995 acres tract owned by Lake Limestone Properties LLC and Joe L. Haney. The subdivision is located adjacent to the North boundary of Big Creek West Water Supply System. The service area is 25.59 acres and, except for the access road, is covered with native timber consisting mainly of post oak, cedars and underbrush. The soil is generally permeable sand underlain with a sandy clay. The topography ranges from the lake at elevation 363 to an elevation of approximately Elev. 389. Proposed lots in the service area range in size from approximately 0.75 acres to 1.3 acres. The subdivision is designed for individual on-site sewage systems. Access to the proposed services is from Limestone County Road 823. The proposed

Karen Blaschke
Water Supply Division
Texas Commission on Environmental Quality
Pg. 2
July 5, 2011

water well site has a 150 ft. diameter sanitary easement and no prohibited facilities or activities are located with the easement.

Please let me know as soon as possible additional information is needed. It has been over 7 months since I first contacted Tyler Water Systems. This system was initially intended to service the first eight lots that we laid out, however, Brazos River Authority, pointed out that any lot of less than one acre had to be served by a public water system. That is when I contacted Tyler Water Systems in December 2010. The say the least, this delay in complying with the water system requirements is a tremendous financial burden for us.

Sincerely



Joe L. Haney,
Lake Limestone Properties LLC

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

June 15, 2011

**BY FAX TO 903/526-0076 AND
 BY CERTIFIED MAIL**

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

NOTICE OF DEFICIENCY

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:

Your CCN application for Texas Water Systems, Inc., received on May 23, 2011, has been assigned Application No. 37044-C, but has not been accepted for filing. Please refer to the application number in future correspondence.

Processing of the above referenced application cannot proceed and notices cannot be published or mailed until we receive maps meeting the mapping requirements.

The maps do not delineate the proposed areas, and do not have detail needed to accurately locate the area. The metes and bounds do not close. Please submit four (4) copies of the following to meet the mapping requirements:

1. General location maps delineating the proposed service area with enough detail to accurately locate the proposed service area within the county.
2. Maps showing **only** the proposed service area by:
 - a. metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor; or
 - b. 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
 - c. following verifiable natural and man-made landmarks; or
 - d. copies of recorded plat map with metes and bounds.
3. Written descriptions of the proposed service area.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • www.tceq.texas.gov

How is our customer service? www.tceq.texas.gov/goto/customersurvey

** Transmit Conf. Report **

P. 1

Jun 15 2011 15:02

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919035260076	NORMAL	15, 15:02	0'25"	2	# O K	

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



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CN: 600629893; RN: 101450484

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The maps do not delineate the proposed areas, and do not have detail needed to accurately locate the area. The metes and bounds do not close. Please submit four (4) copies of the following to meet the mapping requirements:

1. General location maps delineating the proposed service area with enough detail to accurately locate the proposed service area within the county.
2. Maps showing **only** the proposed service area by:

To: Administrative Reviewer

Date Complete: July 13, 2011

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-054-11/37044-C
Texas Water Systems (12473) to amend water CCN in Limestone county.

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?

7. Map submitted is digital request digital data.

9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:
TWO MILES:

- X 11. Notice: **DO NOT NOTICE**
- X 12. Other comments: **Maps do not meet requirements. Please submit original and copies of the following. (Location map and plat map do not show the same area. Location map does not delineate the proposed area and does not have detail needed to accurately locate.)**
 - A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.



Kent Steelman

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-054-11/37044-C
Texas Water Systems (12473) to amend water CCN in Limestone county.

- 1. No new overlap of service areas exists.
- 2. An overlap:
- 3. Dual certification:
- 4. An overlap exists with the city limits of:
- 5. If this is a Sale, Transfer, or Merger, is additional area being requested?

- 7. Map submitted is digital request digital data.

- 9. Utility notice was sufficient.
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TWO MILES:

X 11. Notice: **DO NOT NOTICE**

X 12. Other comments: **Maps do not meet requirements. Please submit original and copies of the following. (location map does not delineate the proposed area and does not have detail needed to accurately locate. Metes and bounds do not close.)**

- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.

- B. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
 - iii. following verifiable natural and man-made landmarks; or
 - iv. a copy of recorded plat map with metes and bounds.
 - v.

- C. A written description of the proposed service area.

- D. Provide separate and additional maps of the proposed area(s) to show the following:
 - i. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
 - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s).

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: <u>Joe Henry</u>	Call from: <u>Karen B.</u>
Date of call: <u>7/14/11</u>	File no.: <u>37044-C</u>
Phone no.: <u>(903) 388 7550</u>	Subject: <u>Texas Water Systems, Inc.</u>

Information for file: Called Steve used IMPS meeting preparing
requirements. I left a message for Kent to call him.

Signed _____

LAKE LIMESTONE PROPERTIES, LLC
P. O. Box 307
Mexia, Texas 76667
Tel. No. 903-388-7550

September 29, 2011

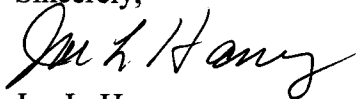
Debbie Reyes
Utilities and Districts Section
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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

Dear Ms. Reyes;

Enclosed are an original and three copies of the publisher's affidavit of the newspaper Publication with tear sheets of the published notice attached as required in Item a) in the letter from Tammy Benter dated August 15, 2011 regarding the referenced application. I have been advised by Glenn Trimble of Texas Water Systems, Inc. that he has submitted the documents required in items b) thru e) of Ms. Benter's letter. I am sure that you will let us know if anything else is needed.

Sincerely,



Joe L. Haney
Managing Member
Lake Limestone Properties, Inc.

RECEIVED
TCEQ
WATER SUPPLY DIV.
2011 SEP 30 PM 3 44

Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37044-C

RECEIVED
TCEQ
WATER SUPPLY DIV.
2011 SEP 30 PM 3 44

STATE OF TEXAS
COUNTY OF Limestone

Before me, the undersigned authority, on this day personally appeared
Thomas E. Hawkins, who being by me
duly sworn, deposes and says that (s)he is the Editor - Publisher
(TITLE)
of the Lo Roesbeck Journal
(NAME OF NEWSPAPER);

that said newspaper is regularly published in Limestone
(COUNTY/COUNTIES)

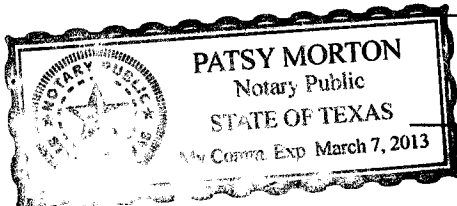
and generally circulated in Limestone, Texas; and
(COUNTY/COUNTIES)

that the attached notice was published in said newspaper on the following date(s), to wit:

Sept. 22-29, 2011
(DATES)

Thomas E. Hawkins
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 29 day of Sept., 2011,
to certify which witness my hand and seal of office.



Patsy Morton
Notary Public in and for the State of Texas
Patsy Morton
Print or Type Name of Notary Public
Commission Expires 3-7-2013