

Control Number: 43901



Item Number: 42

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

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Marisa Weber
Offices of the Chief Clerk

Date: February 27, 2008

From: Angela Littlejohn
Administrative Support
Water Supply Division

Subject: Item for the Executive Director's Signature

City of Corsicana, Application Number 34418-C, CCN 10776,
CN: 600334494 RN: 101384493

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

Contact Name: Lisa Fuentes

RECEIVED
2014 DEC -9 PM 2:55
PUBLIC UTILITY COMMISSION
FILING CLERK

Texas Commission on Environmental Quality

To: Todd Chenoweth, Division Director
Water Supply Division

Date: January 30, 2008

Texas Commission on Environmental Quality

1/28/08 TB
Thru: Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division

1/28/08 TB
Tammy Benter, Team Leader
Utilities Financial Review Team
Water Supply Division

1/28/08 TB
From: Elisa V. Fuentes
Utilities Financial Review
Water Supply Division

Subject: Executive Summary and Staff Recommendation for Executive Director Approval of Application No. 34418-C

CN: 600334494; RN: 101384493 (water)

City of Corsicana has applied to amend Certificate of Convenience and Necessity (CCN) No. 10776 in Navarro County, Texas.

Protests were received from Angus Water Supply Corporation (WSC), Community WSC, and MEN WSC. They were subsequently withdrawn per letters dated October 1, 2004 (Angus WSC and Community WSC) and October 4, 2004 (MEN WSC).

The applicant meets all of the statutory requirements of Texas Water Code Chapter 13 and the Commission's Chapter 291 rules and regulations. Approving these applications and amending CCN No. 10776 are 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.

DH/TB/LVF/al



Texas Commission On Environmental Quality

By These Presents Be It Known To All That

City of Corsicana

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. 10776

to provide continuous and adequate water utility service to that service area or those service areas in Navarro County as by final as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application No. 34418-C are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Corsicana, 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 _____

For the Commission

MAILING LIST FOR Application No. 34418-C

Ms. Elizabeth Drews
Carroll, Reeder & Drews, L.L.P.
Attorneys at Law
Austin Centre, Suite 970
701 Brazos
Austin, Texas 78701

Representing: City of Corsicana

Ms. Lara Nehman Zent
Texas Rural Water Association
1616 Rio Grande
Austin, Texas 78701

Representing: Angus WSC

TCEQ:

Region 4 Office

Irma Santana, Data Entry Team, MC 153
Utilities & District Section, Water Supply Division, MC 153

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:

City of Corsicana, CCN No. 10776

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Application No. 34418-C

IN THE MATTER OF THE APPLICATIONS OF THE CITY OF CORSICANA, TO AMEND CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10776 IN NAVARRO 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 the City of Corsicana to amend Certificate of Convenience and Necessity No. 10776 in Navarro County, Texas.

Protests were received from Angus Water Supply Corporation (WSC), Community WSC, and MEN WSC. They were subsequently withdrawn per letters dated October 1, 2004 (Angus WSC and Community WSC) and October 4, 2004 (MEN WSC);

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

The criteria set forth in *Texas Water Code* Sections 13.246(c) 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. 10776 be amended in accordance with the terms and conditions set forth herein and in the certificate.

IT IS FURTHER ORDERED that City of Corsicana, shall serve every customer and applicant for service within the area certified under Certificate of Convenience and Necessity No. 10776 and that such service shall be continuous and adequate.

Texas Commission on Environmental Quality

Issued date:

For the Commission

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

Ms. Elizabeth Drews
Brown McCarroll, L.L.P.
111 Congress Avenue, Suite 1400
Austin, Texas 78701-4043

Re: Application No. 34418-C, Applications of the City of Corsicana to amend Certificate of Convenience and Necessity (CCN) No. 10776 in Navarro County, Texas

CN: 600334494; RN: 101384493 (water)

Dear Ms. Drews:

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.

The City of Corsicana is authorized to provide utility service in accordance with the rules and regulations of the Commission. Their last step is to file certified copies of the CCN maps along with written descriptions of the CCN service areas 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. Lisa V. Fuentes by phone at 512/239-6117, by fax at 512/239-6972, by email at lfuentes@tceq.state.tx.us, or if by correspondence, include MC 153 in the letterhead address.

Sincerely,

Todd Chenoweth, Division Director
Water Supply Division

TC/LVF/al

Enclosures

cc: mailing list

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: www.tceq.state.tx.us

OFFICE OF THE CHIEF INFORMATION OFFICER

Texas Commission on Environmental Quality

To: Todd Chenoweth, Division Director
Water Supply Division

Date: January 30, 2008

*1/28/08
TB*
Thru: Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division

*1/28/08
TB*
Tammy Benter, Team Leader
Utilities Financial Review Team
Water Supply Division

*1/28/08
TB*
From: Elisa V. Fuentes
Utilities Financial Review
Water Supply Division

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Issued at Austin, Texas, this _____

For the Commission

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Carroll, Reeder & Drews, L.L.P.
Attorneys at Law
Austin Centre, Suite 970
701 Brazos
Austin, Texas 78701

Representing: City of Corsicana

Ms. Lara Nehman Zent
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1616 Rio Grande
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Application No. 34418-C

IN THE MATTER OF THE APPLICATIONS OF THE CITY OF CORSICANA, TO AMEND CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10776 IN NAVARRO COUNTY, TEXAS

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Issued date:

For the Commission

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 30, 2008

CERTIFIED MAIL

Ms. Elizabeth Drews
Carroll, Reeder & Drews, L.L.P.
Attorneys at Law
Austin Centre, Suite 970
701 Brazos
Austin, Texas 78701

Re: Application No. 34418-C, Applications of City of Corsicana, to amend Certificate of Convenience and Necessity (CCN) No. 10776 in Navarro County, Texas

CN: 600334494; RN: 101384493 (water)

Dear Ms. Drews:

We have reviewed the above referenced application.

ENCLOSED ARE:

- ▶ CONSENT FORM
- ▶ The proposed map, certificate, and staff recommendation.
- ▶ 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, 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 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 provision 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.

Ms. Elizabeth Drews
Page 2
January 30, 2008

WE WILL DO THE FOLLOWING:

- ▶ Submit the order for the 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 they have been approved.

After you receive the signed order and CCN, you are authorized to provide utility service. Your last step is to file certified copies of the CCN maps along with a written description of the CCN service areas 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. Lisa V. Fuentes by phone at 512/239-6117, by fax at 512/239-6972, by email at lfuentes@tceq.state.tx.us, or if by correspondence, include MC-153 in the letterhead address.

Sincerely,



Tammy Benter, Team Leader
Utilities & Districts Section
Water Supply Division

TB/LVF/al

Enclosures

CONSENT FORM

Applicant's Name: City of Corsicana
Application No.: 34418-C

- I concur with the recommendation contained in the staff memorandum transmitted by letter dated January 30, 2008
- I do not concur with and intend to respond to the recommendation contained in the staff memorandum transmitted by letter dated January 30, 2008

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

I am authorized by the City of Corsicana, to sign this form.

Signature: _____

Printed Name: _____

Relationship to Applicant: _____

Date signed: _____

Mail to or fax to:
Lisa V. Fuentes
Utilities & Districts Section, MC 153
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Fax (512) 239-6972

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



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Carroll, Reeder & Drews, L.L.P.
Attorneys at Law
Austin Centre, Suite 970
701 Brazos
Austin, Texas 78701

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Sincerely,

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Water Supply Division

TC/LVF/al

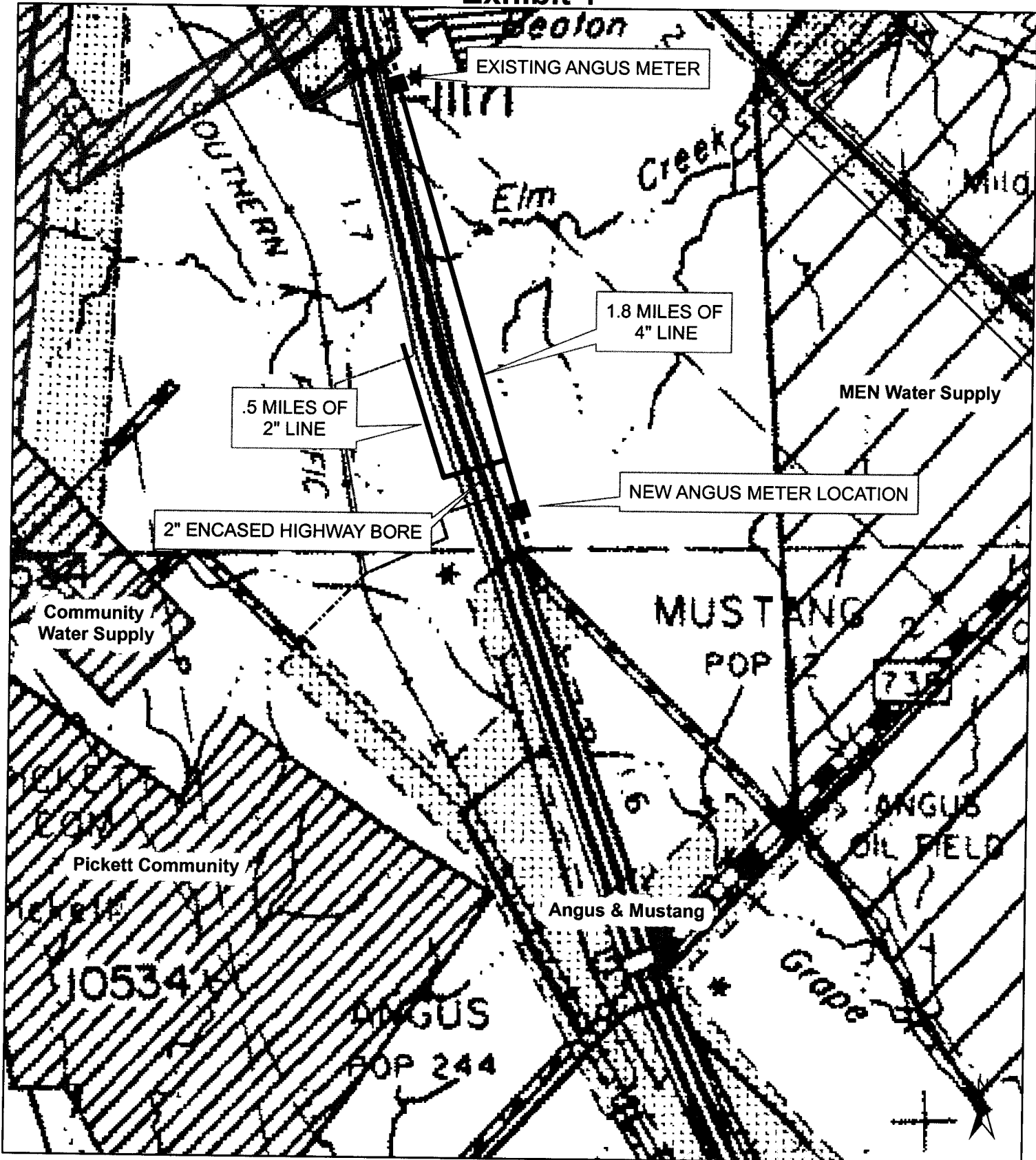
Enclosures

cc: ~~mailing list~~ 512-3087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address www.tceq.state.tx.us

OFFICE OF THE EXECUTIVE DIRECTOR

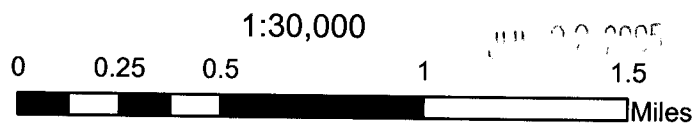
Facilities to be transferred from Angus to Corsicana

Exhibit 1



Legend

- CCN_Boundary
- City_Limits
- Facilities to be transferred



City of Corsicana
 Engineering Dept
 200 N. 12th St
 Corsicana, TX 75110
 903.654.4803