

Control Number: 005 43917



Item Number: 1

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TCEQ Interoffice MemorandumCCN 12305 1-29-14 CO
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To: Linda Brookins, Director
Water Supply Division
Texas Commission on Environmental Quality

PUBLIC UTILITY COMMISSION
FILING CLERK

Thru: *JB* Tammy Benter, Manager
Utilities & Districts Section
2/11/17 Water Supply Division

LB Lisa Fuentes, Team Leader
Utilities & Districts Section
2/11/17 Water Supply Division

From: *9* Elizabeth Flores
Utilities Financial Review Team
12/16/13 Water Supply Division

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Date: December 16, 2013

Subject: Executive Summary and Staff Recommendation for Executive Director Approval of Application No. 37489-S and 37490-S

CN: 603827353; RN: 104333844 (water) and 104966783 (sewer) (Nerro Supply, LLC)

CN: 600642581; RN: 102903853 (water) and 104339908 (sewer) (HUI Enterprises, Inc.)

Nerro Supply, LLC, Certificate of Convenience and Necessity (CCN) Nos. 12252 and 20366, has applied to purchase facilities, and to transfer and cancel CCN Nos. 12305 and 20894 held by HUI Enterprises, Inc., in Walker County, Texas.

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 transferring and canceling CCN Nos. 12305 and 20894 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/EF/sd



CANCELATION OF CERTIFICATE OF CONVENIENCE AND NECESSITY

To Provide Water Service Under V.T.C.A., Water Code
and Texas Commission on Environmental Quality Substantive Rules

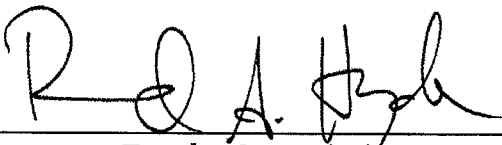
Certificate No. 12305

Certificate No. 12305 was canceled by Order of the Commission in Docket No. 37489-S. HUI Enterprises, Inc.'s facilities and lines were transferred to Nerro Supply, LLC, CCN No. 12252, in Walker County.

Please reference Certificate No. 12252 for the location of maps and other information related to the service area transferred.

Certificate of Convenience and Necessity No. 12305 is hereby canceled by Order of the Texas Commission on Environmental Quality.

Issued Date: **January 29, 2014**



For the Commission



CANCELATION OF CERTIFICATE OF CONVENIENCE AND NECESSITY

To Provide Sewer Service Under V.T.C.A., Water Code
and Texas Commission on Environmental Quality Substantive Rules

Certificate No. 20894

Certificate No. 20894 was canceled by Order of the Commission in Docket No. 37490-S. HUI Enterprises, Inc.'s facilities and lines were transferred to Nerro Supply, LLC, CCN No. 20366, in Walker County.

Please reference Certificate No. 20366 for the location of maps and other information related to the service area transferred.

Certificate of Convenience and Necessity No. 20894 is hereby canceled by Order of the Texas Commission on Environmental Quality.

Issued Date: **January 29, 2014**



For the Commission



Texas Commission On Environmental Quality

By These Presents Be It Known To All That

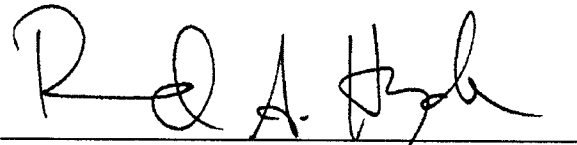
Nerro Supply, LLC

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. 12252

to provide continuous and adequate water utility service to that service area or those service areas in Chamber, Harris, Liberty, Montgomery and Walker Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application No. 37489-S 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 Nerro Supply, LLC 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 29, 2014**


For the Commission



Texas Commission On Environmental Quality

By These Presents Be It Known To All That

Nerro Supply, LLC

having duly applied for certification to provide sewer 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. 20366

to provide continuous and adequate sewer utility service to that service area or those service areas in Chamber, Harris, Montgomery and Walker Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application No. 37490-S 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 Nerro Supply, LLC 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 29, 2014**


For the Commission

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



APPLICATION NOS. 37489-S AND 37490-S

IN THE MATTER OF THE
APPLICATIONS OF NERRO
SUPPLY, LLC, CERTIFICATE OF
CONVENIENCE AND NECESSITY
NOS. 12252 AND 20366, TO
PURCHASE FACILITIES, AND
CANCEL CERTIFICATE OF
CONVENIENCE AND NECESSITY
NOS. 12305 AND 20894 HELD BY
HUI ENTERPRISES, INC., IN
WALKER COUNTY, TEXAS

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

On January 29, 2014, the Executive Director of the Texas Commission on Environmental Quality pursuant to Chapters 5 and 13 of the Texas Water Code considered the applications of Nerro Supply, LLC, Certificate of Convenience and Necessity Nos. 12252 and 20366, to purchase facilities and cancel Certificate of Convenience and Necessity Nos. 12305 and 20894 held by HUI Enterprises, Inc. in Walker County, Texas.

No person has requested a public hearing on the applications;

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

The criteria set forth in Texas Water Code Section 13.301 has been considered;
and

The certificate amendments and cancelations requested in these applications are 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 applications are granted and Certificate of Convenience and Necessity Nos. 12252 and 20366 be amended and Certificate of Convenience and Necessity Nos. 12305 and 20894 be canceled in accordance with the terms and conditions set forth herein and in the certificates.

IT IS FURTHER ORDERED that Nerro Supply, LLC shall serve every customer and applicant for service within the area certified under Certificate of Convenience and Necessity Nos. 12252 and 20366 and that such service shall be continuous and adequate.

ISSUED DATE: **January 29, 2014**

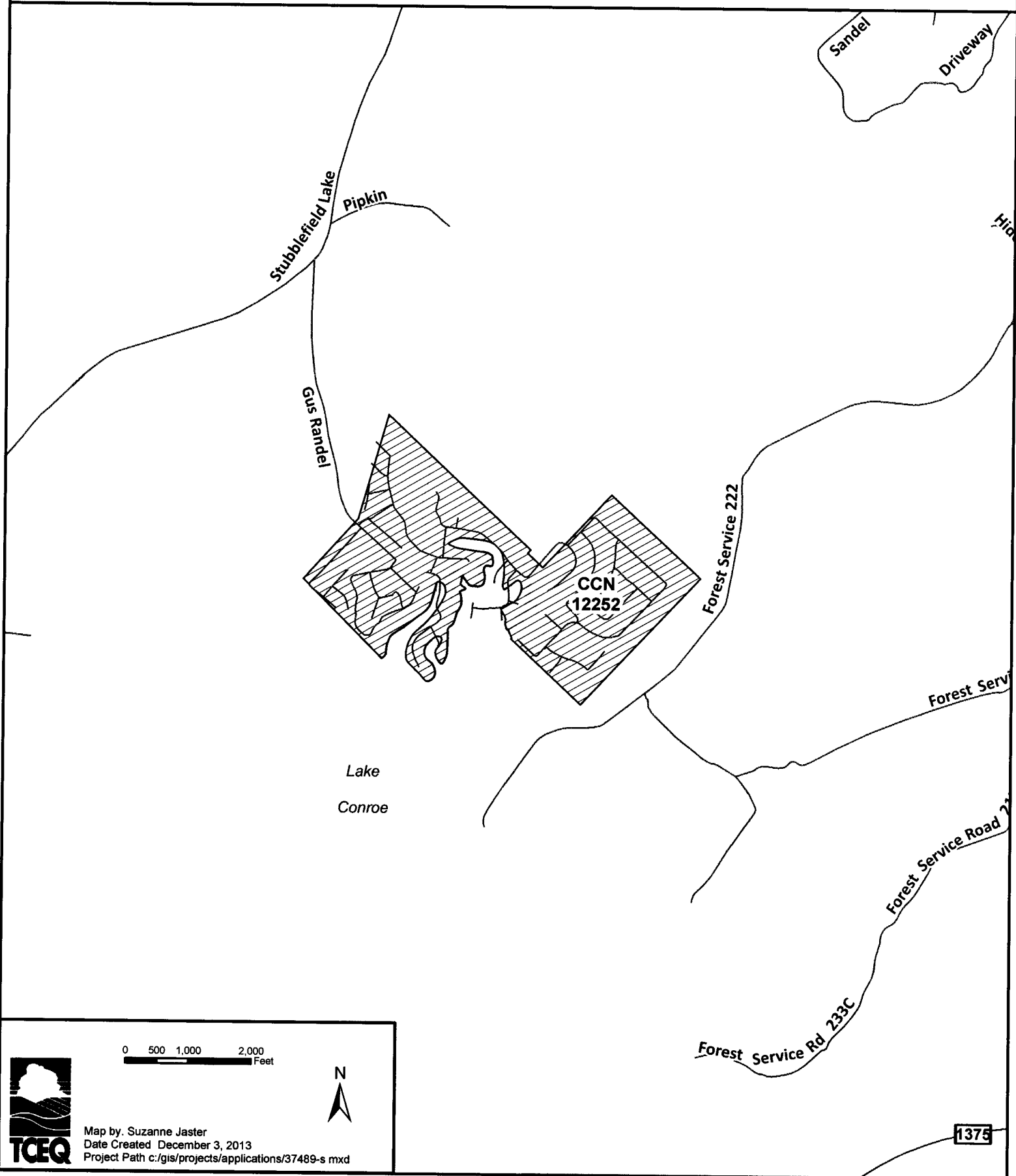
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

A handwritten signature in black ink, appearing to read "R. A. H. H.", written over a horizontal line.
For the Commission

Nerro Supply, LLC
CCN No. 12252

Portion of Water Service Area

Application No. 37489-S (Transferred and Cancelled CCN No. 12305 from HUI Enterprises, Inc.)
Walker County



CONSENT FORM

Applicant's Name: Nerro Supply, LLC

Application Nos.: 37489-S & 37490-S

- ☒ I concur with the recommendation contained in the staff memorandum transmitted by letter dated December 16, 2013.
- ☐ I do not concur with and intend to respond to the recommendation contained in the staff memorandum transmitted by letter dated December 16, 2013. I understand that I have 14 days from the date of this letter to provide my response.

I am authorized by Nerro Supply, LLC to sign this form.

Signature: *[Handwritten Signature]*

Printed Name: Bret Fenner

Relationship to Applicant: representative

Date signed: 1/2/14

Mail, email or fax to:
Elizabeth Flores
Utilities & Districts Section, MC 153
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Fax Number 512/239-6972
elizabeth.flores@tceq.texas.gov

CONSENT FORM

Applicant's Name: Nerro Supply, LLC
Application Nos.: 37489-S & 37490-S

- ☒ I concur with the recommendation contained in the staff memorandum transmitted by letter dated December 16, 2013.
- ☐ I do not concur with and intend to respond to the recommendation contained in the staff memorandum transmitted by letter dated December 16, 2013. I understand that I have 14 days from the date of this letter to provide my response.

I am authorized by the HUI Enterprises, Inc. to sign this form.

Signature: 

Printed Name: JUSTIN LAND

Relationship to Applicant: PRESIDENT, HUI ENTERPRISES, INC.

Date signed: 12/20/13

Mail, email or fax to:
Elizabeth Flores
Utilities & Districts Section, MC 153
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Fax Number 512/239-6972
elizabeth.flores@tceq.texas.gov