Developer Contributions and the Effect on Invested Capital

- 32. DDU did not include developer contributions in either the August 2007 or December 2007 application for test year 2006.
- DDU acquired assets from 2001 through June 2006 that had a "developer cost." Some of these asset additions include "CL Lake pump improvements," "CL water system improvement," "RT Phase 1 & 2 Water/Sewer," and "RT water well & tank."
- There were \$930,547 worth of developer contributions for the White Bluff and the Cliffs water systems. For the "WB" and "CL" water systems, there was \$249,153.86 in developer contributions in aid of construction in 1998.
- 35. DDU's subsequent application for a rate change, dated October 24, 2008, listed \$1,904,489 in developer contributions. DDU's October 23, 2008 rate change application also showed that for the vast majority of developer contributed assets listed, the installation dates occurred before the 2006 test year that is the subject of this proceeding.
- 36. Developers contributed a percentage of the cost of some of DDU's assets. DDU's application should have identified some amount of developer contributions to accurately determine DDU's total invested capital.
- 37. DDU claimed a total invested capital of \$1,840,362 in its December 2007 application.

 The accuracy of this amount is questionable in light of DDU's failure to account for developer contributions.

General Concerns with DDU's Application

38. DDU's accounting documents in the evidentiary record do not separate expenses and assets for the water systems from those for the wastewater systems.

- Few of the amounts in DDU's exhibits match the corresponding entries in the application.

 DDU's accounting documents and invoices do not generally reconcile with its application.
- 40. DDU's witnesses did not have sufficient knowledge of the application to answer specific questions about how the entries in the application were determined.
- 41. DDU did not provide a sufficient explanation of its application and the proposed rates.

 Amounts in the application could not be verified through either DDU's exhibits or its witnesses.

One Combined Revenue Requirement for Three Water Systems

- 42. DDU grouped all three water systems together to develop one revenue requirement. For test year 2006, DDU's revenue requirement for all three systems combined was \$1,043,958 as shown in the December 2007 application. DDU did not demonstrate how just and reasonable rates for the three separate water systems could be derived from one revenue requirement.
- 43. The Cliffs, the Retreat, and the White Bluff water systems are different in terms of age, size, type of development served, cost of service, and sources of water.
- 44. DDU should have prepared three separate revenue requirements for the three separate water systems.

Return on Invested Capital

DDU listed the assets for each water system in its depreciation schedule in the December 2007 application. DDU then totaled the entries for all three systems and added in DDU's general items to obtain the total net book value. DDU's general items include backhoes and trucks that are used for both the water and wastewater systems. DDU did

- not show that it allocated the cost of its general items between the water and wastewater systems.
- 46. Rounded to the nearest dollar, the following table summarizes DDU's depreciation schedule and annual depreciation expense:

	Total Original Cost	Total Annual Depreciation	Total Net Book Value
General Items	\$300,100	\$ 26,502	\$ 94,295
The Cliffs	898,290	63,504	305,309
The Retreat	603,709	18,591	552,969
White Bluff	1,167,269	35,965	813,434
Total	\$2,969,368	\$144,562	\$1,766,007

- 47. DDU did not provide sufficient evidence to prove the original cost of all of the assets it claimed in its depreciation schedule in the application.
- 48. There is no prior TCEQ order establishing a rate base for any of DDU's water systems.

Invested Capital, Rate of Return, and Return

- 49. To determine its invested capital for all three systems combined, DDU showed on its application a net book value of \$1,766,007, working cash allowance of \$72,855, and materials and supplies of \$1,500 for a total of \$1,840,362. DDU showed \$0 for developer contributions.
- 50. In calculating a utility's invested capital, developer contributions are subtracted from the utility's total of net book value, working cash allowance, and materials and supplies.
- 51. To calculate its rate of return (ROR), DDU used one worksheet for all three water systems combined.

- 59. In calculating just and reasonable rates, 10 percent is not an appropriate interest rate for a loan from an affiliated interest because a loan between affiliated interests is not an arm's length transaction.
- 60. DDU did not demonstrate that the 10 percent interest rate paid to its affiliated interest was reasonable and necessary.
- 61. In determining the weighted average cost of investment/equity, DDU listed \$3,024,118 as its equity in the three water systems combined. DDU did not prove how it calculated that it had \$3,024,118 in equity in the water systems.
- 62. DDU used the erroneous calculation of 12 percent from the ROR worksheet to calculate its weighted average cost of investment/equity.
- 63. In its December 2007 application, DDU's revenue requirement in Table VI.A. claimed a return of \$216,054. This is a \$2,572 discrepancy from the amount of DDU's return of \$213,462 shown in DDU's application at Table IV.E, line [H].
- 64. Based on errors in calculating its ROR, its weighted average costs of debt and equity, and its failure to include developer contributions in its total invested capital calculations, DDU erroneously calculated its return.

Operation and Maintenance Expenses

- 65. For each expense category, DDU presented one amount for all three water systems combined.
- 66. DDU should have calculated the expenses for each water system separately.

Salary Expenses

67. In its application, DDU claimed that its salary expense was \$272,369 for all three water systems combined.

DDU did not demonstrate that the \$272,369 in salary expenses claimed in its application was an allowable expense that was reasonable and necessary to provide water service.

Purchased Water

- 69. In its application, DDU indicated that it incurred a purchased water expense of \$7,363.
- 70. DDU did not demonstrate that the amount of \$7,363 as a purchased water expense is an allowable expense that is reasonable and necessary to provide water service.

Chemicals

- 71. In its application, DDU indicated that it incurred \$12,300 as a chemical expense for the three water systems combined.
- 72. DDU did not demonstrate how the claimed amount for chemical expenses excluded expenses for the wastewater systems.
- 73. DDU did not demonstrate that the amount of \$12,300 as a chemical expense is an allowable expense that is reasonable and necessary to provide water service.

Utilities (electricity)

- 74. In its application, DDU listed \$58,775 in electric utility expenses, purportedly for the three water systems combined.
- 75. DDU did not demonstrate how the claimed amount for electric utility expenses excluded expenses for the wastewater systems.
- 76. DDU did not demonstrate that the amount of \$58,775 in electric utility expenses is an allowable expense that is reasonable and necessary to provide water service.

Repairs/Maintenance/Supplies

- 77. In its application, DDU listed \$203,729 as an allowable expense for repairs, maintenance, and supplies for all three water systems combined.
- 78. DDU did not demonstrate how the claimed amount for the expense of repairs, maintenance, and supplies excluded expenses for the wastewater systems.
- 79. DDU did not demonstrate that the amount of \$203,729 for the expense of repairs, maintenance, and supplies is an allowable expense that is reasonable and necessary to provide water service.

Office Expense

- 80. DDU included the amount of \$5,500 as an office expense in its application.
- 81. DDU did not demonstrate how the claimed amount for office expenses excluded expenses for the wastewater systems.
- 82. DDU did not demonstrate that the amount of \$5,500 as an office expense is an allowable expense that is reasonable and necessary to provide water service.

Accounting and Legal Fees

- 83. In its application, DDU represented that it incurred \$6,100 as an allowable expense for accounting and legal fees.
- 84. DDU did not demonstrate how the claimed amount for the expense of accounting and legal fees excluded expenses for the wastewater systems.
- 85. DDU did not demonstrate that the amount of \$6,100 as an expense for accounting and legal fees is an allowable expense that is reasonable and necessary to provide water service.

Insurance

- 86. In its application, DDU indicated an amount of \$12,200 as an allowable expense for insurance.
- 87. DDU did not demonstrate how the claimed amount for insurance expenses excluded expenses for the wastewater systems.
- 88. DDU did not demonstrate that the amount of \$12,200 as an insurance expense is an allowable expense that is reasonable and necessary to provide water service.

Rate Case Expense

- 89. In its application, DDU claimed \$4,500 for rate case expenses.
- 90. DDU did not demonstrate that the amount of \$4,500 as a rate case expense is an allowable expense that is reasonable and necessary to provide water service.
- 91. DDU's rates as a result of the hearing are less than 51 percent of the increase in revenue that would have been generated by DDU's proposed rate.

Payroll Taxes

- 92. In its application, DDU claimed \$90,789 in expenses for payroll taxes.
- 93. DDU did not demonstrate how the claimed amount for payroll expenses excluded expenses for the wastewater systems.
- 94. DDU did not demonstrate that the amount of \$90,789 for payroll tax expenses is an allowable expense that is reasonable and necessary to provide water service.

Property and Other Taxes

- 95. DDU claimed \$4,500 in property and other taxes.
- 96. DDU did not demonstrate how the claimed amount for the expense of property and other taxes excluded expenses for the wastewater systems.

97. DDU did not demonstrate that the amount of \$4,400 for property and other tax expenses is an allowable expense that is reasonable and necessary to provide water service.

Annual Depreciation and Amortization

- 98. DDU calculated its annual depreciation expense for all three water systems combined.
- 99. In the depreciation schedule included in its December 2007 application, DDU listed the amount of \$144,560.90 as an annual depreciation expense. In its revenue requirement found on its Table VI.A. of its application, DDU listed the amount of \$144,573 as its amount of annual depreciation. This is a \$12 discrepancy between the amounts shown for this expense in its application.
- 100. DDU failed to provide sufficient documentation to support its depreciation schedule and the amount of its depreciation expense in its application.
- 101. DDU failed to demonstrate that the amount of \$144,573 for annual depreciation is an allowable expense that is reasonable and necessary to provide water service.

Federal Income Taxes

- 102. As set out in the application, DDU calculated its claimed income tax by taking its claimed return of \$213,482 and subtracting the product of its claimed total invested capital (\$1,840,362) and its claimed 10 percent weighted cost of debt capital, to derive a taxable income of \$29,446. Based on that income, DDU listed an income tax expense of \$5,206.
- 103. Since DDU did not properly calculate its total invested capital, its ROR, and its return, DDU did not properly calculate its federal income tax expense.

104. DDU did not demonstrate that the amount in its application for its federal income tax expense is an allowable expense that is reasonable and necessary to provide water service.

Return

105. Since DDU did not properly calculate its total invested income and its ROR, DDU did not properly calculate the amount of its return.

Other Revenues

- 106. DDU did not enter any amount for other revenues in its revenue requirement.
- 107. The evidence does not indicate that DDU recovered \$48,336 in tap fees during the test year as other revenues.
- 108. For each water system, \$0 is the proper amount for "other revenues."

Financial Integrity

109. Although DDU has operated at a loss between 2001 and 2006, DDU is not at risk of financial collapse if the application to change its rates is denied.

Rate Design

- 110. In its application, DDU calculated a monthly base rate per meter of \$49.22 through its calculations of fixed and variable costs and total meter equivalents.
- 111. (blank)
- DDU proposed two rates: one rate for the Cliffs water system and a different rate for the White Bluff and the Retreat water systems.
- 113. The notice to the Cliffs ratepayers was included in DDU's August 2007 application but was not included in the December 2007 application. The notice showed that the Cliffs ratepayers would pay a \$52 monthly base rate that included 1,000 gallons. There would

- also be the following gallonage charges per 1,000 gallons over the minimum: \$2.60 per 1,000 gallons, 1,001-10,000 gallons; \$5.20 per 1,000 gallons, 10,001-20,000 gallons; \$7.80 per 1,000 gallons, 20,001 gallons and over thereafter.
- 114. Although DDU reduced the revenue requirement in its December 2007 application by \$237,518, DDU did not revise the Cliffs' rates.
- 115. DDU's August 2007 application included a notice to White Bluff and the Retreat ratepayers with a \$42 monthly base rate that included 1,000 gallons. DDU indicated that the White Bluff and Retreat ratepayers would pay the following gallonage charges: \$2.50 per 1,000 gallons, 1001-10,000 gallons; \$2.75 per 1,000 gallons, 10,001-20,001 gallons; and \$5.25 per 1,000 gallons, 20,001 gallons thereafter.
- 116. In DDU's December 2007 application, DDU reduced its revenue requirement by \$237,518 and revised the notice for the White Bluff and the Retreat ratepayers. The only change in the rates for these two developments was in the highest tier of the gallonage charges. DDU reduced the amount per 1,000 gallons used over 20,001 gallons from \$5.25 to \$3.20.
- 117. Even though DDU lowered its gallonage charge for the highest tier for the White Bluff and the Retreat ratepayers in its December 2007 application, DDU did not charge the lower rate and did not send out the December 2007 notice.
- DDU charged the rates in the August 2007 application from September 28, 2007 until December of 2008, when the rates requested in DDU's October 2008 rate application went into effect. Therefore, the rates requested in the August 2007 application were in effect for approximately 15 months.
- 119. DDU did not demonstrate how it calculated two rates from one revenue requirement.

- 120. DDU did not demonstrate how the proposed gallonage charges were determined.
- 121. DDU did not demonstrate how much revenue would be recovered from its proposed rates.
- DDU did not demonstrate whether the revenue from its proposed rates would fail to meet, meet, or exceed its revenue requirement.

Refunds

123. DDU collected the proposed rates between September 28, 2007 and December 2008.

Miscellaneous Items

- DDU's application requested tariff charge increases for 1) tap fee from \$400 to \$525; 2) returned check charge from \$20.00 to \$30.00; 3) customer deposit from \$0 to \$50.00; and 4) meter test fee from \$0 to \$25.00. No other parties contested these increases and the ED indicated that these increase are approvable.
- 125. DDU should review any future construction and purchase costs closely and maintain its records by National Association of Regulatory Utility Commissioners property accounts.

Transcription Costs

- 126. DDU was required to pay the cost of recording and transcription subject to an allocation of those costs among all the parties at the end of the case.
- 127. DDU, WBSR, OPIC, and the ED benefitted from the use of a transcript.
- 128. DDU did not request that the reporting and transcription costs be allocated among the parties.
- 129. No party presented evidence or argument on the issue of assessment of reporting and transcription costs.
- 130. The assessment of the reporting and transcription costs is not an issue in this case.

II. CONCLUSIONS OF LAW

Procedural History and Jurisdiction

- 1. DDU is a retail public utility. Tex. Water Code Ann. § 13.002(19).
- 2. DDU is a water and sewer utility. TEX. WATER CODE ANN. § 13.002(23).
- 3. The Commission has jurisdiction to consider an application for a rate increase filed by a water and sewer utility. Tex. Water Code Ann. § 13.042(e).
- 4. All required notices of the application and the contested case hearing on it were given as required by law. Tex. Water Code Ann. § 13.187; Tex. Gov't Code Ann. §§ 2001.051 & 2001.052.
- 5. The ALJ conducted a contested case hearing and proposed a decision on the application under the authority of chapter 2003 of the Texas Government Code and chapter 13 of the Texas Water Code.

Multiple Systems Consolidated Under One Tariff and Rate Design

- 6. "Every utility is required to file tariffs showing all rates that are subject to the jurisdiction of the regulatory authority." The utility's rules and regulations are part of the tariff. Tex. WATER CODE ANN. § 13.136(a).
- 7. The TCEQ defines tariff as "[t]he schedule of a retail public utility containing all rates, tolls, and charges stated separately by type or kind of service and the customer class, and the rules and regulations of the retail public utility stated separately by type or kind of service and the customer class." 30 Tex. ADMIN. CODE (TAC) § 291.3(48).
- 8. Before multiple systems can be consolidated under a single tariff or rate design, a utility must meet certain conditions. "A utility may consolidate its tariff and rate design for more than one system if: the systems included in the tariff are substantially similar in

- terms of facilities, quality of service, and cost of service; and the tariff provides for rates that promote water conservation for single-family residences and landscape irrigation." 30 TAC § 291.21(m); see also Tex. Water Code Ann. § 13.145(a).
- 9. DDU has the burden of proving that its proposed rates are just and reasonable. Tex. Water Code Ann. § 13.184(c).
- 10. Based on the above Findings of Fact, DDU failed to meet its burden of proof that the Retreat and White Bluff water systems are substantially similar in terms of their costs of service.
- 11. Because the costs of service for the two systems are not substantially similar, DDU has not met the 30 TAC § 291.21(m)(1) requirements and the White Bluff and the Retreat water systems cannot be consolidated under a single rate design.

Developer Contributions and the Effect on Invested Capital.

- 12. Developer contributions are not included in a utility's invested capital. 30 TAC § 291.31(c)(3)(A)(iv) & (v).
- 13. Based on the above Findings of Fact, DDU included developer contributions in its claimed total invested capital, although the exact amount cannot be determined.

Return

14. The Commission, in setting the rates for water service, must fix a utility's overall revenues at a level that will permit the utility a reasonable opportunity to earn a reasonable return on its invested capital used and useful in rendering service to the public over and above its reasonable and necessary operating expenses and preserve the financial integrity of the utility. Tex. Water Code Ann. § 13.183.

- 15. The Commission is generally prohibited from setting rates that would allow DDU to earn more than a fair return on its capital that is used and useful in providing water service.

 Tex. Water Code Ann. § 13.184(a).
- 16. The Commission may promulgate reasonable rules with respect to the allowance or disallowance of certain expenses for ratemaking purposes. Tex. WATER CODE ANN. § 13.185(g).
- 17. Rates are based on a utility's cost of rendering service. The two components of cost of service are allowable expenses and return on invested capital. Only those expenses that are reasonable and necessary to provide service to the ratepayers may be included in allowable expenses. In computing a utility's allowable expenses, only the utility's historical test year expenses as adjusted for known and measurable changes may be considered. 30 TAC § 291.31(a) & (b).
- 18. "Test year" means the most recent 12-month period for which representative operating data for a retail public utility are available. A utility rate filing must be based on a test year that ended less than 12 months before the date on which the utility made the rate filing. Tex. Water Code Ann. § 13.002(22).
- 19. Utility rates shall be based on the original cost of property used by and useful to the utility in providing service, including, if necessary to the financial integrity of the utility, construction work in progress at cost as recorded on the books of the utility. Utility property funded by explicit customer agreements or customer contributions in aid of construction such as surcharges may not be included in invested capital. Tex. WATER CODE ANN. § 13.185(b).

- 20. Depreciation on all currently used and useful developer or governmental entity contributed property shall be allowed in the cost of service. Depreciation expense included in the cost of service includes depreciation on all currently used, depreciable utility property owned by the utility, except for property provided by explicit customer agreements or funded by customer contributions in aid of construction. Tex. Water Code Ann. § 13.185(j).
- 21. The rate of return is applied to the invested capital, also referred to as rate base. 30 TAC § 291.31(c)(2). Components to be included in determining the rate base are as follows:
 - (A) original cost, less accumulated depreciation, of utility plant, property, and equipment used by and useful to the utility in providing service:
 - (i) original cost is the actual money cost, or the actual money value of any consideration paid other than money, of the property at the time it was dedicated to public use, whether by the utility that is the present owner or by a predecessor;
 - (ii) reserve for depreciation is the accumulation of recognized allocations of original cost, representing recovery of initial investment, over the estimated useful life of the asset. Depreciation must be computed on a straight line basis over the expected useful life of the item or facility;
 - (iii) the original cost of plant, property, and equipment acquired from an affiliated interest may not be included in invested capital except as provided in TWC, § 13.185(e);
 - (iv) utility property funded by explicit customer agreements or customer contributions in aid of construction such as surcharges may not be included in original cost or invested capital; and
 - (B) working capital allowance to be composed of, but not limited to, the following:
 - (i) reasonable inventories of materials and supplies, held specifically for purposes of permitting efficient operation of the utility in providing normal utility service;

- (ii) reasonable prepayments for operating expenses (prepayments to affiliated interests) are subject to the standards set forth in TWC, § 13.185(e); and
- (iii) a reasonable allowance up to one-eighth of total annual operations and maintenance expense excluding amounts charged to operations and maintenance expense for materials, supplies, and prepayments (operations and maintenance expense does not include depreciation, other taxes, or federal income taxes).
- 22. In determining the return on investment that would be reasonable, the Commission must consider several factors. Those include the efforts and achievements of the utility in the conservation of resources, the quality of the utility's services, the efficiency of the utility's operations, and the quality of the utility's management. Tex. Water Code Ann. § 13.184 (b).
- Payment to affiliated interests for costs of any services, or any property, right or thing, or for interest expense may not be allowed either as capital cost or as an expense except to the extent that the regulatory authority finds that payment is reasonable and necessary.

 Tex. Water Code Ann. § 13.185(e).
- 24. Based on the above Findings of Fact, DDU did not meet its burden of proof that the interest expense on the loan from its affiliated interest, Double Diamond Delaware, Inc., is reasonable and necessary.
- 25. Under 30 TAC § 291.31(c)(1), the return on invested capital is the rate of return multiplied by invested capital. The commission shall allow each utility a reasonable opportunity to earn a reasonable rate of return, which is expressed as a percentage of invested capital. The Commission fixes the rate of return in accordance with the following principles:

- (A) The return should be reasonably sufficient to assure confidence in the financial soundness of the utility and should be adequate, under efficient and economical management, to maintain and support its credit and enable it to raise the money necessary for the proper discharge of its public duties.
- (B) The commission shall consider the efforts and achievements of the utility in the conservation of resources, the quality of the utility's services, the efficiency of the utility's operations, and the quality of the utility's management, along with other relevant conditions and practices.
- (C) The commission may, in addition, consider inflation, deflation, the growth rate of the service area, and the need for the utility to attract new capital. In each case, the commission shall consider the utility's cost of capital, which is the composite of the cost of the various classes of capital used by the utility.
- 26. Based on the above Findings of Fact, DDU failed to meet its burden of proof that its calculations regarding total invested capital, rate of return, and return comply with the TCEQ's rules.

Revenue Requirement

- 27. Under 30 TAC § 291.31(b)(1), allowable expenses, to the extent they are reasonable and necessary, and subject to that section, may include, but are not limited to, the following general categories:
 - (A) operations and maintenance expense incurred in furnishing normal utility service and in maintaining utility plant used by and useful to the utility in providing such service (payments to affiliated interests for costs of service, or any property, right, or thing, or for interest expense are not allowed as an expense for cost of service except as provided in Texas Water Code (TWC), §13.185(e));
 - (B) depreciation expense based on original cost and computed on a straight line basis over the useful life of the asset as approved by the commission. Depreciation is allowed on all currently used depreciable utility property owned by the utility except for property provided by explicit customer agreements or funded by customer contributions in aid of construction. Depreciation on all currently used and useful developer or governmental entity contributed property is allowed in the cost of service;

- (C) assessments and taxes other than income taxes;
- (D) federal income taxes on a normalized basis (federal income taxes must be computed according to the provisions of TWC, § 13.185(f), if applicable);
- reasonable expenditures for ordinary advertising, contributions, and donations; and
- (F) funds expended in support of membership in professional or trade associations, provided such associations contribute toward the professionalism of their membership.
- 28. Certain types of expenses are not allowed as a component of cost of service, such as those expenditures found by the Commission to be unreasonable or unnecessary, including civil penalties or fines. Tex. Water Code Ann. § 13.185(h)(3); 30 TAC § 291.31(b)(2)(I).
- 29. Based on the above Findings of Fact, DDU failed to meet its burden of proof that its claimed allowable expenses are reasonable and necessary to provide water service.

Rate Design

- 29. The Commission has adopted rules concerning alternative rate methods. 30 TAC § 291.34. To ensure that retail customers receive a higher quality, more affordable, or more reliable water or sewer service, to encourage regionalization, or to maintain financially stable and technically sound utilities, the Commission may utilize alternate methods of establishing rates. The Commission shall assure that rates, operations, and service are just and reasonable to the consumers and to the utilities.
- 30. (blank)
- 31. Based on the above Findings of Fact and Conclusions of Law, reverting to DDU's existing rates instead of setting lower rates is justified in order to preserve DDU's financial integrity.

- 32. Based on the above Findings of Fact and Conclusions of Law, DDU has failed to meet its burden of proving that its application should be granted. DDU has failed to meet its burden of proof that its proposed rates are just and reasonable.
- 33. Based on the above Findings of Fact and Conclusions of Law, DDU's application for a change in its water utility rates should be denied.

Rate Case Expenses

- 34. Regarding rate case expenses, 30 TAC § 291.28(7) and (8) provide:
 - (7) A utility may recover rate case expenses, including attorney fees, incurred as a result of a rate change application only if the expenses are reasonable, necessary, and in the public interest.
 - (8) A utility may not recover any rate case expenses if the increase in revenue generated by the just and reasonable rate determined by the commission after a contested case hearing is less than 51% of the increase in revenue that would have been generated by a utility's proposed rate.
- 35. Based on the above Findings of Fact and Conclusions of Law, DDU has failed to demonstrate that its rates should be increased. Therefore, in accordance with 30 TAC § 291.28(7) and (8), DDU should not be allowed to recover any rate case expenses for this case.
- 36. Based on the above Findings of Fact and Conclusions of Law, DDU's rates should revert back to those in effect before the filing of the August 2007 application to change DDU's water rates.

Refund

- 36. "Unless otherwise agreed to by the parties to the rate proceeding, the utility shall refund or credit against future bills all sums collected during the pendency of the rate proceeding in excess of the rate finally ordered plus interest as determined by the [Commission]." Tex. Water Code Ann. § 13.187(i).
- 37. Based on the above Findings of Fact and Conclusions of Law, DDU should refund or credit to its customers all sums collected from September 28, 2007, which was the effective date of the rates at issue in this case until December 2008, that exceed the rates approved by the Commission in this case, plus 3.21% interest on the over-collection.

Transcription Costs

- 38. The Commission will consider the following factors in allocating reporting and transcription costs among the parties, according to 30 TAC § 80.23(d)(1):
 - (1) Upon the timely filed motion of a party or upon its own motion, the commission may assess reporting and transcription costs to one or more of the parties participating in the proceeding. The commission shall consider the following factors in assessing reporting and transcription costs:
 - (A) the party who requested the transcript;
 - (B) the financial ability of the party to pay the costs;
 - (C) the extent to which the party participated in the hearing;
 - (D) the relative benefits to the various parties of having a transcript;
 - (E) the budgetary constraints of a state or federal administrative agency participating in the proceeding;
 - (F) in rate proceedings, the extent to which the expense of the rate proceeding is included in the utility's allowable expenses; and
 - (G) any other factor which is relevant to a just and reasonable assessment of costs.

- 39. The Public Interest Counsel may not appeal a ruling, decision, or other act of the Commission. Tex. Water Code Ann. § 5.275.
- 40. The Executive Director may not appeal a ruling, order, or other act of the Commission.

 Tex. Water Code Ann. § 5.356.
- 41. The Commission may not assess reporting or transcription costs to the Public Interest Counsel and the ED who, as statutory parties, are precluded by law from appealing any ruling, decision, or other act of the Commission. 30 TAC § 80.23(d)(2).
- 42. Based on the above Findings of Fact and Conclusions of Law, DDU shall be assessed the full amount of the reporting and transcription costs.

III. EXPLANATION OF CHANGES

- 1. The Commission sustained the ED's Exceptions regarding Findings of Fact Nos. 69 and 111 and Conclusions of Law Nos. 30 and 37, as recommended by the ALJ in her reply to the parties' post-PFD submissions. The Commission deleted the second sentence in Findings of Fact Nos. 69: "The Cliffs is the only surface water-based system." The Commission added the ED's proposed phrases to Conclusion of Law No. 37 in order to identify all sums collected from September 28, 2007 until December 2008. The Commission deleted the sentences proposed for Finding of Fact No. 111 and Conclusion of Law No. 30 regarding an alternative rate method for calculating rates, and left these two provisions "(blank)" in order to avoid the confusion from re-numbering the findings of fact and conclusions of law.
 - 2. The Commission sustained the ED's suggested typographical-style corrections to Findings of Fact Nos. 5, 17, 22, 27, 35, 99, and 115 and Conclusion of Law No. 38 as set

out in the ED's Exceptions, pages 11 - 12, as recommended by the ALJ in her reply to the parties' post-PFD submissions. The Commission amended Finding of Fact No. 5 in order to correct DDU's application filing date to August 2, 2007. The Commission amended Finding of Fact No. 17 in order to identify the year 2009. The Commission amended Finding of Fact No. 22 in order to correct DDU's tiered gallonage charge categories to match DDU's notice. The Commission amended Finding of Fact Nos. 27 and 35 in order to correct DDU's latest application filing date to October 23, 2008. The Commission amended Finding of Fact No. 99 in order to correct the table reference to Table VI.A. The Commission amended Finding of Fact No. 115 in order to correct DDU's middle tiered gallonage charge range to 20,001 to match DDU's notice. The Commission amended Conclusion of Law No. 38 in order to correct the citation to section 80.23(d)(1).

- 3. The Commission sustained the DDU's exception regarding Ordering Provision No. 3 to allow DDU to either refund or credit, over a 15 month timeframe, amounts it received from its customers that exceed the rates finally set in this case.
- 4. The Commission determined to add Ordering Provision No. 9 to require that the Chief Clerk mail a copy of the Order to all parties.
- of DDU's financial integrity. The Commission determined to amend Finding of Fact No. 109 to state: "Although DDU has operated at a loss between 2001 and 2006, DDU is not at risk of financial collapse if the application to change its rates is denied." The Commission determined to amend Conclusion of Law No. 31 to state: "Based on the above Findings of Fact and Conclusions of Law, reverting to DDU's existing rates instead of setting lower rates is justified in order to preserve DDU's financial integrity."

The Commission determined to amend Ordering Provision No. 3 to add the following at the end of the provision: "DDU's Tariff shall continue to reflect its previously approved water rates."

- 6. The Commission determined to change the ALJ's proposed interest rate that applies to refunds or credits of DDU's overcharges. The Commission acknowledged that the Public Utility Commission has set refund interest rates for calendar year 2009 at 3.21%, based on the 90-day US prime commercial paper rate over the prior twelve months. The Commission determined to amend Conclusion of Law No. 37 and Ordering Provision No. 3 to specify a 3.21% interest rate for refunds/credits for DDU's overcharges.
- 7. The Commission determined to change the approve DDU's other Tariff charges. The Commission determined to replace Finding of Fact No. 124 with: "DDU's application requested tariff charge increases for 1) tap fee from \$400 to \$525; 2) returned check charge from \$20.00 to \$30.00; 3) customer deposit from \$0 to \$50.00; and 4) meter test fee from \$0 to \$25.00. No other parties contested these increases and the ED indicated that these increase are approvable." The Commission determined to amend Ordering Provision No. 1 to add the sentence: "DDU's requested tariff charge increases for tap fee, returned check charge, customer deposit, and meter test fee are approved."

IV. ORDERING PROVISIONS

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, IN ACCORDANCE WITH THESE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THAT:

- 1. The application of Double Diamond Utilities to increase the rates that it charges for the retail water utility service that it provides under Certificate of Convenience and Necessity No. 12087 in Hill, Johnson, and Palo Pinto Counties, is denied. DDU's requested tariff charge increases for tap fee, returned check charge, customer deposit, and meter test fee are approved.
- 2. DDU shall immediately cease collecting the rates it proposed in this case.
- 3. Over a 15 month timeframe, DDU shall refund or credit to customers all sums collected between September 28, 2007 and December of 2008, that exceed the rates approved by the Commission in this case, plus 3.21% interest on the over-collection. DDU's Tariff shall continue to reflect its previously approved water rates.
- 4. DDU shall review any future construction and purchase costs closely and maintain its records by National Association of Regulatory Utility Commissioners property accounts.
- 5. DDU shall be assessed the full amount of the reporting and transcription costs.
- 6. All other motions, requests for entry of specific Findings of Fact or Conclusions of Law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.
- 7. The effective date of this Order is the date the Order is final, as provided by 30 TAC § 80.273 and Texas Government Code § 2001.144.
- 8. If any provision, sentence, clause, or phrase of this Order is for any reason held to be

invalid, the invalidity of any provision shall not affect the validity of the remaining portions of this Order.

9. The Office of the Chief Clerk shall mail a copy of the Order to all parties.

ISSUED: NOV 1 2 2009

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Bryan W. Shaw, PhD, Chairman

For the Commission

WATER UTILITY TARIFF FOR

Double Diamond Utilities Company, Inc. (Utility Name)

10100 N. Central Expressway, Suite 400 (Business Address)

Dallas, Texas 75231 (City, State, Zip Code)

(214) 7<u>06-9801</u> (Area Code/Telephone)

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

12087

This tariff is effective in the following counties:

Hill, Palo Pinto, and Johnson

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:

The Cliffs (PWS #1820061), The Retreat Water Supply (PWS #1260127), and White Bluff(PWS #1090073),

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):

	 2
SECTION 1.0 RATE SCHEDULE	 6
SECTION 1.0 RATE SCHEDOLE SECTION 2.0 SERVICE RULES AND POLICIES	 13
SECTION 2.0 SERVICE RULES AND I OLICIES SECTION 3.0 EXTENSION POLICY	 18
SECTION 4.0 DROUGHT CONTINGENCY FLAX	1

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

Double Diamond Utilities Company, Inc.

The Cliffs

SECTION 1.0 - RATE SCHEDULE

Section	1	01	_	Rates
CCHOIL	т.	. •	-	TCHLOD

Meter Size 5/8" or 3/4" 1" 1½" 2" 3"	Monthly Minimum Char; \$30.00 (Includes 1,000 gallons \$50.10 \$99.90 \$159.80 \$320.00	\$\frac{1.85}{2.85}\$ per 1000 gallons, 1001 - 10,000 gallons \$\frac{4.75}{2.75}\$ per 1000 gallons, 10,001 -20,000 gallons \$\frac{6.75}{2.75}\$ per 1000 gallons, 20,001 gallons and thereafter
FORM OF PAYMENT: TO Cash X , Check X , M. THE UTILITY MAY REQ PAYMENTS MADE USIN FOR CASH PAYMENTS.	Ioney Order X , Credit	YMENTS AND MAY REFUSE TO ACCEPT L COINS. A WRITTEN RECEIPT WILL BE GIVEN
REGULATORY ASSESSING TCEQ RULES REQUIRE TO BILL.	TENTTHE UTILITY TO COLLECT A FI	EE OF ONE PERCENT OF THE RETAIL MONTHLY
Section 1.02 - Miscellaneo	us Fees	
TAP FEE TAP FEE COVERS THE U RESIDENTIAL 5/8" or 3 LISTED ON THIS TARIE	/4" METER AN ADDITIONAL F	ALS AND LABOR TO INSTALL A STANDARD EE TO COVER UNIQUE COSTS IS PERMITTED IF
TAP FEE (Large meter)	Y'S ACTUAL COST FOR MATER	Actual Cost LABOR FOR METER SIZE INSTALLED.
		ual Relocation Cost, Not to Exceed Tap Fee 35TS THAT AN EXISTING METER BE RELOCATED.
METER TEST FEE THIS FEE WHICH SHO		\$25.00 COST MAY BE CHARGED IF A CUSTOMER YEAR PERIOD AND THE TEST INDICATES THAT

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

<u>Double Diamond Utilities Company, Inc.</u> <u>The Cliffs</u>

SECTION 1.0 - RATE SCHEDULE (CONT.)

RECONNECTION FEE THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO THE RECONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):
a) Non payment of bill (Maximum \$25.00)\$25.00 b) Customer's request that service be disconnected\$25.00
TRANSFER FEE
LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL)
RETURNED CHECK CHARGE\$30.00 RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.
CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)\$50.00
COMMERCIAL & NON-RESIDENTIAL DEPOSIT1/6TH OF ESTIMATED ANNUAL BILL
GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING 30 TAC 291.21(K)(2).
LINE EXTENSION AND CONSTRUCTION CHARGES: REFER TO SECTION 3.0-EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

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

<u>Double Diamond Utilities Company, Inc.</u> White Bluff and The Retreat Water Supply

SECTION 1.0 - RATE SCHEDULE (CONT.)

·	PECHON IN THIS POLICE	
Section 1.01 - Rates Meter Size	Monthly Minimum Charge	Gallonage Charge
5/8" or 3/4" 1" 1½" 2" 3"	\$ <u>159.80</u> \$ <u>320.00</u>	\$1.85 per 1000 gallons, 1001 - 10,000 gallons \$2.10 per 1000 gallons, 10,001 -20,000 gallons .75 per 1000 gallons, 20,001 gallons and thereafter
Cash X, Check X THE UTILITY MAY PAYMENTS MADE TOR CASH PAYMEN	USING MORE THAN \$1.00 IN SMELLE OF	YMENTS AND MAY REFUSE TO ACCEPT OINS. A WRITTEN RECEIPT WILL BE GIVEN
REGULATORY ASSEST TCEQ RULES REQUESTED.	SMENTre the utility to collect a fee (DF ONE PERCENT OF THE RETAIL MONTHLY
Section 1.02 - Miscellan	eous Fees	
TAP FEE COVERS RESIDENTIAL 5/8" LISTED ON THIS TA	or 3/4" METER. AN ADDITIONAL TES	TO COVER UNIQUE COSTS IS PERMITTED IF
TAP FEE (Large meter)	LITY'S ACTUAL COST FOR MATERIAL	Actual Cost S AND LABOR FOR METER SIZE INSTALLED.
	13	Relocation Cost, Not to Exceed Tap Fee THAT AN EXISTING METER BE RELOCATED.
METER TEST FEE		COST MAY BE CHARGED IF A CUSTOMER AR PERIOD AND THE TEST INDICATES THAT

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

Double Diamond Utilities Company, Inc. White Bluff, and The Retreat Water Supply

SECTION 1.0 - RATE SCHEDULE (CONT.)

·
RECONNECTION FEE THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):
a) Non payment of bill (Maximum \$25.00)\$25.00 b) Customer's request that service be disconnected\$25.00
TRANSFER FEE\$25.00 THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED
LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL)
RETURNED CHECK CHARGE\$30.00 RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.
CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)\$50.00
COMMERCIAL & NON-RESIDENTIAL DEPOSIT1/6TH OF ESTIMATED ANNUAL BILL
GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING 30 TAC 291.21(K)(2).
LINE EXTENSION AND CONSTRUCTION CHARGES: REFER TO SECTION 3.0-EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

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

Page 14 of 41

SECTION VI - UTILITY INCOME & EXPENSE INFORMATION - WATER

A. REVENUE REQUIREMENT
Please provide the following information regarding the cost to the utility service over your selected twelve month "test year."
Note 1 - instead of using the percentages listed, you may take the Total Cost and multiply it by 67% to determine the fixed portion and 33% for the variable portion.

TABLE VI. A.

4

0.50

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	-						- 1 1 1
Test Year 1/1/2007 to 12/31/2007	Lije	12 Month "test year" per books	Known and Measurable Changes	Revenue Requirement for next yr	% of ® that is fixed (Note 1)	Fixed Expenses (Note 1)	Variable Expenses (Note 1)
35							1000
						500	111 600
A Monogo	Æ	229,384		229,384	क्ष	114,632	114,032
and a vages	죝	6,456		6,456	8	5,811	946
Contract Labor	2	10.846		10,846	0	0	10,846
Purchased water	2 2	40.050		10,050	0	0	10,050
Chemicals for treatment	<u> </u>	130 240		132.249	0	0	132,249
Utilities (electricity)	<u> </u>	106.7		287 773	<u>27</u>	193.862	193,862
Repairs/maintenance/supplies	E	387,723		0.562	4—	4.781	4,781
Office expenses	<u>o</u>	7,36,6		700-10	`	28 774	o
Accounting & Legal fees	王	28,774		±1/07		01,000	
hermano	E	28,479		28,479	198	20,4/3	
on many	5	0		٥	100	2	
Kate case expense	: 2	147 228		147,228	50	73,614	73,614
Miscellaneous	3			990.751		450,013	540,739
Subtatel - Sum of Line (A) thru Line (K)	[]	990,751			₩-	42 000	000 03
	[M]	25,780		25,780		12,030	
Demonth and other taxes	Z	5,806			}-	5,806	
. From Table III. B.	ō	137,020	0 61,475		160	198,495	
man representation and representations	_		49,160	49,160	130	49,160	
Income Taxes - From Table V, Line [F]	2 2		168.914	168,914	100	168,914	0
Retun - From Table IV. E., Line [H]		4 4 KD 9 KR		1,438,906		885,278	553,629
Subtotal - Sum of Line [L] thru Line [Q]		20,201,1	_	_	00 × 0	21.738	0
Other Revenues	<u>55</u>	21,738	270 540	7	201	863,539	® 553,629 @
Total Cost = Line [R] - Line [S]	E	1,137,619		- -		u	aka 467 665
	101			1,417,168 @	67	- 11	
Albertative Amcauca confeen a con-	1						

KNOWN & MEASURABLE

В.

If you listed anything in TABLE VI. A. above as an increase/decrease expected in the next 12 months, please provide a short explanation by item why there will be a change and frow you projected the cost. Changes in cost must be known and measurable and supported by invoices or other documentation.

Known and Measureable change to Annual Depreciation and Amerization reflects the requested deferred accounting treatment of the cash advances payable from Double Diamond Utilities Co. to Double Diamond Delaware. This treatment is Illustrated on Attachment 10, WP-15.

-Attach additional sheet(s) or a separate listing for sewer service if necessary-

SECTION VII - CUSTOMER INFORMATION - WATER

NUMBER OF CUSTOMERS

How many customers (active connections) did you have at the beginning and at the end of the twelve month test year? TABLE VII

Connection Type	Line	Beginning of period	End of period	Equivalericy Factor	Meter Equivalents ⊕=®*®
Non-Metered Connections:					
Residential	IAL			1	
Commercial	[8]			1	
Standby	[C]	A	ere na recovine	1	
Metered Connections:					
%" X %"	[0]	764	800	11	. 800
9/4"	[E]		ļ.	1.5	
1"	(F)	30	30	2.5	76
11/2"	[G]	9	10	6	50
2"	(H)	26	25	8	200
3 ^u		0	1	16	15
Other:	[J]			A STATE OF THE STA	
Total	[K]	829	866		1,140 🚳

To Table IX. B., Line [B] AND Table X. A., Line [F]

Page 15 of 41 ·

CTION VIII - PRODUCTION & CONSUMPTION INFORMATION - WATER

Prease provide the following information regarding water utility operations over your selected twelve month "test year".

Table Viti

Table VIII	***		
Total number of gallons pumped	[A]	123,072,236	gallons
(total master meter reading for the year) Total number of gallons purchased from another source for sale to	rei	27,304,247	gallons .
customers (if any) Total number of gallons provided to customers [C]=[A]+[B]	[C]	150,376,483	gallons
Total number of gallons billed to your customers	[D]	113,156,603 ①	gallons
(total customer consumption) System losses: ([C] - [D]) × 100% = [E]	(E)	24.8	%
Source of Purchased water	Brazos Riv	er Authority	

① To Table IX. A., Line [B] and Table X. A., Line [B]

SECTION IX - RATE DESIGN - WATER

VARIABLE RATE CALCULATIONS

	T	able IX. A.	
	Lin e		Instructions
Total Variable Costs	[A]	\$ 563,629	From Table VI. A., Line [T], Box @ or Line [U], Box @
Total # of Gallons Billed to Customers	[B]	113,156,803	From Table VIII, Line [8]
Total # of 1,000 Gailons billed	[C]	113,157	Divide Line [B] by 1,000
Variable Cost per 1,000 gallons	(D)	\$ 4,89	Divide Line [A] by Line [C] Transfer to Table IX. B., Lines [E] through [J], Box @

D.	BASE	RATE	CAL	CHI	ATIONS

Table IX. B.							
		Lin e		# of 1000 gallons in base bill	Variable cost per 1,000 gals	Variable cost to be added to base rate	Total base rate per meler size
			0	8	(3)	@=@*®	Ø=0+ Ø
rotal fixed costs - From Table VI. A., Line [T], Box ® or Line [U], Box ®		[A]	\$ 863,539				
Total meter equivalents at end of test year - From Table VII, Line [K], Box ®		[B]	1,140				
Base charge per meter equivalent or for each unmetered connection [A]+[B] and then divide by 12		[C]	\$ 63.13				
Base charge per meter size							
%"×%" or unmetered	Multiply [C] by 1	[D]	63,13		4.89		63,13
0/4"	Multiply [C] by 1.5	[E]	94,69		4.89 ⊚		94.69
.! 1"	Multiply [C] by 2.5	(F)	157.82		4.89 @		157,82
11/2"	Multiply [C] by 5.0	[G]	. 315.65		4.89 @		315.65
2"	Multiply [C] by 8.0	[H]	505.04		4.89· @·		505,04
3"	Multiply [C] by 15.0	(0	946.95		4.89 ®		946.95
Other:		[J]			. 0		

@ From Table IX. A., Line [D]

TCEQ-10423 (02/05/07)

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Principles of Water Rates, Fees, and Charges

AWWA MANUAL M1

Fifth Edition



American Water Works Association

MANUAL OF WATER SUPPLY PRACTICES—M1, Fifth Edition Principles of Water Rates, Fees, and Charges

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The allocations of costs to cost components by the base-extra capacity method and the commodity-demand method are discussed and illustrated in the remainder of this section. Distribution of component costs to customer classes is discussed in chapter 8.

It is useful to consider the distinctions between variable and fixed cost categories in performing base-extra capacity or demand-commodity cost allocations. Variable costs are those costs that tend to vary directly with the volume of water produced. Examples of variable costs include chemicals used in treatment and the energy portion of the costs of power used in pumping. Water purchased on a charge per unit of volume basis is also a variable cost. Fixed costs are those capital and operating costs that remain relatively unchanged over a given operating period, such as a year. Fixed costs include virtually all capital costs such as debt service, or depreciation expense and return, as well as costs of operating and maintaining system facilities.

Categorizing expenses as either variable or fixed is useful to understanding how the utility incurs costs. This data can help utilities recognize the impact on revenues of significantly changing volumes of production and the revenue instability that may result. Moreover, minimum required revenue levels, based on fixed cost needs, can be evaluated with respect to each customer class. Contractual charges to large customers, which include a fixed cost component, can be appropriately evaluated. Finally, the evaluation process itself provides a useful consideration of a utility's revenue requirements, potentially leading to improved recordkeeping, budgeting, and recognition of the nature of the utility's costs.

BASE-EXTRA CAPACITY METHOD

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Using the base-extra capacity method, costs of service are usually separated into four primary cost components: (1) base costs, (2) extra capacity costs, (3) customer costs, and (4) direct fire-protection costs. In detailed rate studies, some of these elements may be broken down further into two or more subcomponents.

Base costs are costs that tend to vary with the total quantity of water used plus those O&M expenses and capital costs associated with service to customers under average load conditions, without the elements of cost incurred to meet water use variations and resulting peaks in demand. Base costs include O&M expenses of supply, treatment, pumping, and distribution facilities. Base costs also include capital costs related to water plant investment associated with serving customers to the extent required for a constant, or average, annual rate of use.

Extra capacity costs are costs associated with meeting rate of use requirements in excess of average and include O&M expenses and capital costs for system capacity beyond that required for average rate of use. These costs may be subdivided into costs necessary to meet maximum-day extra demand, maximum-hour demand in excess of maximum day demand, or other extra-demand criteria (such as the maximum fiveday demand) that may be appropriate for a particular utility.

Customer costs comprise those costs associated with serving customers, irrespective of the amount or rate of water use. They include meter reading, billing, and customer accounting and collecting expense, as well as maintenance and capital costs related to meters and services. In detailed studies, the costs for meter reading and billing and for customer accounting and collecting may be considered one subcomponent; maintenance and capital costs on customer meters and services may be considered another subcomponent.

Direct fire-protection costs are those costs that apply solely to the fire-protection function. Usually, such costs are simply those directly related to public fire hydrants and related branch mains and valves. It should be noted that the costs allocated to

Double Diamond Utilites, Co. Utility Name: System Name:

ltem

B

White Bluff-1090073

Number of Connections:

Test Year - End Date

31-Dec-06

[F] [G] = [D] - [F]
Accumulated Net Book Value \$18,287.09 \$69,964.18 \$83,528.53 \$91,397.10 \$49,255.83 \$5,653.90 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$39,551.79 \$18,596.10 \$25,612.22 \$10,908.90 \$24,444.17 \$18,785.82 \$15,131.47 \$7,237.91 \$0.00 \$0.00 \$0.00 [E] = [D] / [C] Annual (\$) \$2,425.00 \$2,385.00 \$2,420.00 \$2,552.50 \$1,474.00 \$1,775.00 \$1,973.20 \$2,046.12 \$0.00 \$0.00 \$0.00 Depreciation Days 8888 99 ဓ္က 윘 अअ 3 Years in Service Years | Months 7 7 |= ω φ တ ŝ ω 9 106 106 106 16 19 9 9 2 Ŋ Service Life Original Cost \$24,200.00 \$102,306.00 \$24,250.00 \$23,850.00 \$25,525.00 installed (\$) \$98,660.00 \$73,700.00 \$88,750.00 * (years) 5 원 9 9 n/a 50 20 ιΩ S G Installation See General 1-Jun-90 1-May-99 1-Mar-04 1-May-99 1-Jun-96 1-Jun-96 1-Sep-01 1-Jun-90 Date of [8] greater than 5 hp

5 hp or less

Well Pumps:

Wells

表. #3

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Land

/

Böoster Pumps:

忠. 君

艺

5 hp or less

		-			-	-			
greater than 5 hp	4_Apr-04	=	\$1.850.00	2	æ	30	\$185.00	\$508.88	\$1,341.12
	1-001-04	2 6	\$1.850.00	0	2	8	\$185.00	\$46.12	\$1,803.88
Morinatore			-						
dominators.	1-Mav-99	10,	\$2,575.00	^	7	8	\$257.50	\$1,974.64	\$600.36
	1-Mar-04	2	\$2,650.00	2	6	30	\$265.00	\$751.44	\$1,898.56
		<u></u>							
nuctures:									
	1-Jun-90	15	\$7,695.00	16	9	30	\$513.00	\$8,507.37	\$0.00
	1-Jun-96	15	\$8,150.00	10	9	30	\$543.33	\$5,750.40	\$2,399.60
	1-May-99	15	\$8,330.00	7	7	30	\$555.33	\$4,258.57	\$4,071.43
	1-Sep-01	15	\$8,882.00	5	3	30	\$592.13	\$3,156.96	\$5,725.04
torage Tanks									
	1-Jun-90	50	\$85,000.00	16	9	30	\$1,700.00	\$28,192.05	\$56,807.95
	1-Dec-97	50	\$93,171.00	6	0	30	\$1,863.42	\$16,923,94	\$76,247.06
	1-Jun-99	20	\$96,240.00	7	9	30	*\$1,924.80	\$14,596.84	\$81,643.16
		50		106	41	31	\$0.00	\$0.00	\$0.00
rėssure Tanks									
	1-Jun-90	20	\$60,000.00	9	9	30	\$1,200.00	\$19,900.27	\$40,099.73
Distribution System mains and lines)									
	1-Jan-94	50	\$165,000.00	12	7	30	\$3,300.00	\$42,890.96	\$122,109.04
		. 55		106	7	31	\$0.00	\$0.00	\$0.00
								•	
				-					

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leters and Service										
aps not covered by fees)										į
		,		(L	000	000
	1-Jun-96	8	~	\$200,500.00	19	Q:	25	\$10,025.00	\$100,300.21	\$54,339.79
		20			106	.	31	\$0.00	\$0.00	\$0.00

encing										
	1-Jun-90	20		\$2,850.00	16	9	30	\$142.50	\$2,363.16	\$486.84
	1-Jun-96	20		\$2,935.00	10	9	30	\$146.75	\$1,553.14	\$1,381.86
	1-May-99	20		\$3,100.00	7	7	30	\$155.00	\$1,188.62	\$1,911.38
	1-Sep-01	20	<u> </u>	\$3,300.00	ស	3	30	\$165.00	\$879.70	\$2,420.30
Other: (please list)										
			10		106	7	31	\$0.00	\$0.00	\$0.00
			2		106	11	31	\$0.00	\$0.00	\$0.00
			20		106	11	31	\$0.00	\$0.00	\$0.00
Total			3	\$1,215,319.00				\$40,769.59	\$419,811.64	\$813,433.74

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1

Brian King

John Nickell - 1254 HOUSTONWW [john.nickell@ferguson.com] From:

Sent: Wednesday, October 07, 2009 2:10 PM

To: Brian King

Subject: Email Bid# B135269

CALL IF YOU HAVE ANY QUESTIONS THANKS

Price Quotation # B135269

Ferguson Waterworks #1254

200 Park Central Blvd Georgetown, TX 78626

Phone: 512-930-2262 Fax: 512-930-2388

Bid No.....: B135269

Bid Date ...: 10/07/09 Quoted By: JJN

Cust Phone:

Customer.: FERGUSON QUOTATIONS 1108/1254

QUOTES ONLY

GEORGETOWN, TX 78626

Terms.....: NET 10TH PROX

Ship To.....: FERGUSON QUOTATIONS 1108/1254

QUOTES ONLY

GEORGETOWN, TX 78626

Cust PO# ..: PIPE

Job Name.:

Description	Quautity	Net Price	UMI	Total
ATTN: BRYAN KING				<u> </u>
ESPEY CONSULTANTS				
DATE: 10/7/09				
1X20 PVC SCH40 BE PIPE	20	46,000	С	9,20
2X20 FT PVC SCH40 BE PIPE	20	55.000	С	11.00
2 SDR21 CL200 PVC GJ PIPE	20	0,460	FT	9,20
3X20 FT PVC SCH40 BE PIPE	20	118.650	С	23.73
3 SDR21 CL200 PVC GJ PIPE	20	1,010	FT	20,20
4 C900 DR18 PVC GJ PIPE	20	1.850	FT	37.00
6 C900 DR18 PVC GJ PIPE	20	3.650	FT	73.00
8 C900 DR18 PVC GJ PIPE	20	6,350	ET	127.00
10 C900 DR18 PVC GJ PIPE	20	10.860	FT	217.20
12 C900 DR18 PVC GJ PIPE	20	15.430	FT	308.60
16 C905 DR18 CL235 PVC GJ PIPE	20	26.650	FT	533.00
18 C905 DR18 CL235 PVC GJ PIPE	20	32.750	FT	655.00
16 C905 DR25 CL165 PVC GJ PIPE	20	19,750	FT	395.00
	ATTN: BRYAN KING ESPEY CONSULTANTS DATE: 10/7/09 1X20 PVC SCH40 BE PIPE 2X20 FT PVC SCH40 BE PIPE 2 SDR21 CL200 PVC GJ PIPE 3 X20 FT PVC SCH40 BE PIPE 3 SDR21 CL200 PVC GJ PIPE 4 C900 DR18 PVC GJ PIPE 6 C900 DR18 PVC GJ PIPE 10 C900 DR18 PVC GJ PIPE 10 C900 DR18 PVC GJ PIPE 12 C900 DR18 PVC GJ PIPE 16 C905 DR18 CL235 PVC GJ PIPE 18 C905 DR18 CL235 PVC GJ PIPE	ATTN: BRYAN KING ESPEY CONSULTANTS DATE: 10/7/09 1X20 PVC SCH40 BE PIPE 220 2X20 FT PVC SCH40 BE PIPE 250 2 SDR21 CL200 PVC GJ PIPE 3X20 FT PVC SCH40 BE PIPE 3 SDR21 CL200 PVC GJ PIPE 4 C900 DR18 PVC GJ PIPE 6 C900 DR18 PVC GJ PIPE 20 8 C900 DR18 PVC GJ PIPE 20 10 C900 DR18 PVC GJ PIPE 20 10 C900 DR18 PVC GJ PIPE 20 10 C900 DR18 PVC GJ PIPE 20 11 C900 DR18 PVC GJ PIPE 20 12 C900 DR18 PVC GJ PIPE 20 16 C905 DR18 CL235 PVC GJ PIPE 20 18 C905 DR18 CL235 PVC GJ PIPE 20	ATTN: BRYAN KING ESPEY CONSULTANTS DATE: 10/7/09 1X20 PVC SCH40 BE PIPE 20 46,000 2X20 FT PVC SCH40 BE PIPE 20 55,000 2 SDR21 CL200 PVC GJ PIPE 20 0,460 3X20 FT PVC SCH40 BE PIPE 20 118,650 3 SDR21 CL200 PVC GJ PIPE 20 1,010 4 C900 DR18 PVC GJ PIPE 20 1,850 6 C900 DR18 PVC GJ PIPE 20 3,650 8 C900 DR18 PVC GJ PIPE 20 6,350 10 C900 DR18 PVC GJ PIPE 20 10,860 12 C900 DR18 PVC GJ PIPE 20 15,430 16 C905 DR18 CL235 PVC GJ PIPE 20 32,750	ATTN: BRYAN KING ESPEY CONSULTANTS DATE: 10/7/09 1X20 PVC SCH40 BE PIPE 20 46,000 C 2X20 FT PVC SCH40 BE PIPE 20 55,000 C 2 SDR21 CL200 PVC GJ PIPE 20 0,460 FT 3X20 FT PVC SCH40 BE PIPE 20 118,650 C 3 SDR21 CL200 PVC GJ PIPE 20 1,010 FT 4 C900 DR18 PVC GJ PIPE 20 1,850 FT 6 C900 DR18 PVC GJ PIPE 20 3,650 FT 8 C900 DR18 PVC GJ PIPE 20 6,350 FT 10 C900 DR18 PVC GJ PIPE 20 10,860 FT 12 C900 DR18 PVC GJ PIPE 20 15,430 FT 16 C905 DR18 CL235 PVC GJ PIPE 20 26,650 FT 18 C905 DR18 CL235 PVC GJ PIPE 20 32,750 FT

Price Quotation

Page 2 of 2

DR25P18	18 C905 DR25 CL165 PVC GJ PIPE	20	24.040	FT	480.80
		Net Total: Tax: Total:	2899.93 239.26 3139.19		

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at http://wolseleyna.com/terms_conditionsSale.html. Govt Buyers: All items quoted are open market unless noted otherwise.



PVC Pipe: Schedule 40

>> PVC Schedule 40 Pipe - Plain End

PVC SCHI	ÉDULE 40 (V	(HITE)	P	LAIN END	-	PVC 11:	20	AST	N D 1785
PARY (IO.	HOM. SIZE	UPC# 611942-	TRUCKLOAD PERCENT PER SKID	QTV. PER SKID	ave. od (DE)	MIN. WALL (IN.)	MAX WORK PRESSURE AT 23°C OR 73°F	Wr. PER 100FT, (LBS.)	UST PRICE PER 100 FT.
PVC 4005	½"x10'	06658	2.083	4500'	.840	.109	600 PSI	15.9	\$ 41.60
PVC 4005	½"x20'	03922	4.166	9000'	.840	.109	600 PSI	15,9	\$ 41.60
PVC 4007	¾"x10'	06661	2.083	3500'	1.050	.113	480 PSI	21.1	\$ 54.00
PVC 4007	¾"x201	03925	4.166	7000'	1,050	,113	480 PSI	21.1	\$ 54.00
PVC 4010	1"x10'	06664	2.083	3000'	1.315	.133	450 PSI	31.3	\$ 79.60
PVC 4010	1"x20'	03928	4.166	6000'	1.315	.133	450 PSI	31.3	\$ 79,60
PVC 7100*	1¼"x10	03945	1.780	2120'	1.660	.140	370 PSI	42.4	\$106.00
PVC 7100*	11/4"x20'	03946	4.166	4240'	1.660	.140	370 PSI	42.4	\$106.00
PVC 7112*	1½"x10'	03947	2.083	1720'	1.900	.145	330 PSI	50.7	\$124.00
PVC 7112*	1½"x20'	03948	4.165	34401	1.900	.145	330 PSI	50.7	\$124.00
PVC 7200*	2"x10'	03949	1.780	990'	2,375	.154	280 PSI	68.1	\$162.00
PVC 7200*	2"x20'	03950	3.570	1980'	2.375	.154	280 PSI	68.1	\$162.00
PVC 4025*	2½"x20'	04205	3.570	1360'	2.875	.203	300 PSI	108.0	\$257.00
PVC 7300*	3"x10'	03951	4.160	1040'	3.500	,216	260 PSI	141.2	\$326.00
PVC 7300*	3"x20'	03952	3,570	920'	3.500	.216	260 PSI	141.2	\$326.00
PVC 7400*	4"x10'	03953	4.160	600'	4.500	.237	220 PSI	201.2	\$460,00
PVC 7400*	4"x20'	03954	7,144	1200'	4.500	.237	220 PSI	201.2	\$460.00
PVC 7500*	5"x20'	04837	7.144	760'	5.563	.258	190 PSI	272.5	\$630.00
PVC 7600*	6"x10'	03955	4.160	280'	6.625	.280	180 PSI	353.7	\$816.00
PVC 7600*	6"x20"	03956	8.330	560'	6.625	.280	.180 PSI	353.7	\$816.00
PVC 7800*	8"x20"	03958	8.330	360'	8.625	.322	160 PSI	532.3	\$1240.00
PVC 7910*	10"x20'	03959	8.330	220'	10.750	,365	140 PSI	754.7	\$1900.00
PVC 7912*	12"x20'	03961	7.144	120'	12.750	.406	130 PSI	997.9	\$2778.00
PVC 7914*	14"x20"	04862	4.160	60'	14.000	.437		1180.1	\$3281.00
PVC 7916*	16"x20'	04918	5.000	60'	16.000	.500		1543.1	\$4290.00

^{*} Dual marked ASTM D 1785 and ASTM D 2665.

NOTE: When ordering, please specify plain end or bell end. NSF Listed, Meats All Requirements of ASTM D 1784 and ASTM D 1785.



You can't beat the system.®

AN MARKING

Use of compressed air or gas in PVC / ABS / CPVC pipe or fittings can result in explosive failures and cause severe injury or death.

245/014



- NEVER use compressed air or gas in PVC / ABS / CPVC pipe or fittings.
 NEVER test PVC / ABS / CPVC pipe or fittings.
- NEVER test PVC / ABS / CPVC pipe or fittings with compressed air or gas, or air over water boosters.
- ONLY use PVC / ABS / CPVC pipe for water or approved chemicals.
- Refer to warnings in PPFA User Bulletin 4-80 and ASTM D 1785.

7



>> PVC Schedule 40 Pipe - Bell End*

VC Schedu			TH CIIU		ELL END		PVC 112	20	ASTM [1785
PVC SCHE	BULE 40	(WHITE)	TOWN TANK	Bi			MAX WORK PRESSURE AT 23°C OB 73°F	BELLDEPTH	WT. PER 100 FT. (1 185.)	LIST PRICE PER 100 FT.
PART NO.	HOM. SIZE	UPC # 611942-	TRUCKLOAD PERCENT PER SKID	OTY, PER Skild	AVB. 00 (IN.)	MIN. WALL (CIL.)	600 PS1	2.00	15.9	\$ 41.60
VC 4005B**	1/2"x10'	04986	2.083	6000'	.840	.109	600 PSI	2,00	15.9	\$ 41.60
VC 4005B**	½"x20'	03923	4.166	9000'	.840	.109	480 PSI	2.25	21.1	\$ 54.00
VC 4007B**	¾"x10'	04987	2.083	4000	1.050	.113	480 PSI	2,25	21.1	\$ 54.00
VC 4007B**	³¼"x20'	03926	4.166	7000'	1.050	.113	450 PSI	2.50	31.3	\$ 79.60
VC 4010B**	J"x10'	04988	1.780	3000	1.315	.133	450 PSI	2.50	31.1	\$ 79.60
PVC 4010B**	1"x20'	03929	3.570	6000'	1.315	.140	370 PSI	2.75	42,4	\$108.40
PVC 4012B§	1¾"x10'	04989	2.083	2000'	1.660	.140	370 PSI	2.75	42.4	\$108.40
PVC 4012B§	11/4"x20"	03930	3.570	4000	1.660 1.900	.145	330 PSI	3.00	50.7	\$127.60
PVC 4015B§	1½"x10	04990	2,083	1720'	1.900	.145	330 PSI	3.00	50.7	\$127.60
PVC 4015B§	1½"x20	03931	4.165	3440'	2,375	.154	280 PSI	4.00	69.2	\$165.60
PVC 4020B†	2"x10'	04991	1.786	990'	2,375	.154	280 PSI	4.00	69.2	\$165.60
PVC 4020B†	2"x20'	03932	3.570	1980	2.875		300 PSI	4.00	110.0	\$262.00
PVC 4025B‡	2½"x10	04992	1.786	680'	2,875	_	300 PSI	4.00	110.0	\$262.00
PVC 4025B‡	2½"x20	04206	3.570	1360	3,500		260 PSI	4.00	145.1	\$340.00
PVC 7300B§	3"x10	_	4.160	1040' 920'	3,500		260 PSI	4.00	144.5	\$340.00
PVC 4030B†	3"x20			540	4,500		220 PSI	4.00	207.9	\$489.00
PVC 7400B§	4"x10			1080	4,500		220 PSI	5.00	206.2	\$489.00
PVC 9400B	4"x20				6.62		180 PS	6.50	371.4	\$852.00
PVC 7600B	§ 6"x10			1001	6.62		180 PS	6.50	365.5	\$852.00
PVC 9600B	**				8.62		160 PS	7.00		\$1296.00
PVC 7800B				22.01	8.62	200	160 PS	I 7.00		\$1296.0
PVC 9800B	T-11			<u> </u>		-	5 140 PS	I 9.DI		\$1940.0
PVC 7910B			<u> </u>				6 130 PS	1 10.0		\$2836.0 \$3350.0
PVC 7912E	- 11		-	-			7 130 PS			
PVC 7914E				-			0 130 PS	10.0	0 1543.1	34360.0
PVC 79168	3† 16"X		19 3.000	<u> </u>						

^{*} Bell dimensions meet either ASTM D 2672 or ASTM F 486, depending upon pipe diameter

§ Dual Marked ASTM D 1785 & ASTM D 2665

Use of compressed air or gas in PVC / ABS / CPVC pipe or fittings can result in explosive failures and cause severe injury or death. · NEVER use compressed air or gas in

PVC / ABS / CPVC pipe or fittings.

NEVER test PVC / ABS / CPVC pipe or

- - fittings with compressed air or gas, or air over water boosters. ONLY use PVC / ABS / CPVC pipe for water
 - or approved chemicals.
 - Refer to warnings in PPFA User Bulletin 4-80 and ASTM D 1785.

^{**} ASTM D 1785

[†] Triple Marked ASTM D 1785 & ASTM D 2665 & ASTM F 480

[†] Dual Marked ASTM D 1785 & ASTM F 48D

JM Eagle Waterworks Block Pricing

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DDU008205

THURMAN/BALLARD SEPTIC SOLUTIONS & WATER SYSTEMS, LLC.

Jerry Thurman 259 Shawnee Trail Whitesboro, Texas 76273 Jim Ballard P.O. Box 698 Gordonville, Texas 76245

Cost of pipe and installation

Water pipe

12 ¹¹	\$28.53
10"	\$24.88
8"	\$21.83
6"	\$15.41
д ээ	\$13,74
-	\$12.77
3"	\$12.38
2"	W.E.Z 0

Valves

12"	\$1641.25
10"	\$1381.54
811	\$924.13
•	\$673.50
6"	\$552.50
4"	\$521.34
3"	\$321.43
2"	نه ۲۰۰۰ پر تیز کی آن

Fire Hydrant + Installation

\$2000.00

Gravity Flow No Deeper Then 5ft.

10"	\$34.88
8"	\$31.38
6"	\$25.41

Force Main

DDU008230

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Double Diamond Utilities

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