



Control Number: 43930



Item Number: 1

Addendum StartPage: 0

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

43930

**Katten**

KattenMuchinRosenman LLP

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111 Congress Avenue  
Suite 1000  
Austin, TX 78701  
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December 4, 2014

SARA M. BURGIN  
sara.burgin@kattenlaw.com  
(512) 691-4005 direct  
(512) 532-0745 fax

VIA HAND DELIVERY

Public Utility Commission of Texas  
Attention: Filing Clerk  
William B. Travis Building  
1701 N. Congress Avenue, 7<sup>th</sup> Floor  
Austin, TX 78701

**Re: Application to Amend Sewer Certificate of Convenience and Necessity No. 20465;  
Chambers County, Texas**

Dear Sir or Madam:

Please accept for filing the attached original and six (6) copies of an Application to Amend Certificate of Convenience and Necessity (CCN) No. 20465 held by Gulf Coast Waste Disposal Authority (GCA) in Chambers County, Texas. Also attached are two (2) copies of digital mapping data as required by Commission guidance documents. GCA is submitting this petition to voluntarily decertify a portion of sewer CCN No. 20465 to accommodate the provision of wastewater services to an area coterminous with the boundaries of Chambers County Improvement District No. 2 (CCID No. 2) at the request of CCID No. 2. GCA currently provides no wastewater services within CCID No. 2, nor does its current plans include the installation of the necessary infrastructure to do so. CCID No. 2, in turn, has obtained an agreement with the City of Baytown, Texas, to obtain wastewater services to its district provided GCA relinquishes its CCN service area at such location.

Should the Public Utility Commission have any questions or need additional information to process this application, please contact the undersigned as reflected in this letterhead or, in the alternative, contact Bob Renbarger at Fritz, Byrne, Head & Harrison, PLLC, 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701 (telephone 512.476.2020). Thank you for your prompt attention to this matter.

Sincerely,

*Sara Burgin*

Sara M. Burgin

Enclosures

cc: Ricky Clifton, GCA General Manager  
Bob Renbarger, Attorney for CCID No. 2



PURSUANT TO PUC CHAPTER 24, SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER  
SERVICE PROVIDERS, SUBCHAPTER G: CERTIFICATES OF CONVENIENCE AND NECESSITY

## Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

Docket Number: **43930**

(this number will be assigned by the Public Utility Commission after your application is filed)

7 copies of the application, including the original, shall be filed with

Public Utility Commission of Texas  
Attention: Filing Clerk  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

If submitting digital map data, two copies of the portable electronic storage medium (such as CD or DVD) are required.

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## Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

### Purpose of Application

<input type="checkbox"/> Obtain	<input type="checkbox"/> New Water CCN	<input type="checkbox"/> New Sewer CCN
<input type="checkbox"/> Amend	<input type="checkbox"/> Water CCN# (s) _____	
<input checked="" type="checkbox"/> Amend	<input checked="" type="checkbox"/> Sewer CCN#(s) <u>20465</u>	

### 1. Applicant Information

#### Applicant

Utility name: Gulf Coast Waste Disposal Authority

Certificate number: 20465

Street address (City/ST/ZIP/Code): 910 Bay Area Boulevard, Houston, Texas 77058

Mailing address(City/ST/ZIP/Code): 910 Bay Area Boulevard, Houston, Texas 77058

Utility Phone Number and Fax: (281) 488-4115

#### Contact information

Please provide information about the person(s) to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant manager, or other title related to the applicant.

Name: Ricky Clifton

Title: General Manager

Mailing address: 910 Bay Area Boulevard, Houston, Texas 77058

Email: rclifton@gcwda.com

Phone and Fax: (281) 488-3331

List all counties in which service is proposed:

N/A; This application is to amend sewer CCN No. 20465 to remove a small portion of its service area which is currently unserved in Chambers County.

A. Check the appropriate box and provide information regarding the legal status of the applicant:

- ☐ Investor Owned Utility      ☐ Individual      ☐ Partnership
- ☐ Home or Property Owners Association      ☐ For-profit Corporation
- ☐ Non-profit, member-owned, member-controlled cooperative corporation  
(Water Code Chapter 67, Water Supply or Sewer Service Corporation)
- ☐ Municipality      ☒ District      ☐ Other - Please explain:

B. If the applicant is a For-Profit business or corporation, please include the following information: N/A

- i. A copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts.
- ii. The corporation's charter number as recorded with the Office of the Texas Secretary of State: \_\_\_\_\_
- iii. A listing of all stockholders and their respective percentages of ownership.
- iv. A copy of the company's organizational chart, if available.
- v. A list of all directors and disclose the title of each individual.
- vi. A list of all affiliated organizations (if any) and explain the affiliate's business relationship with the applicant.

C. If the applicant is a Texas Water Code (TWC) Chapter 67 water supply or sewer service corporation please provide: N/A

- i. A copy of the Articles of Incorporation and By-Laws.
- ii. The corporation's charter number as recorded with the Office of the Texas Secretary of State.
- iii. Identification of all board members including name, address, title, and telephone number.
- iv. A copy of the corporation's *Certificate of Account Status* from the Texas Comptroller of Public Accounts.

## 2. Location Information

- A. Are there people already living in the proposed area?      ☐ Yes      ☒ No
- If YES, are any currently receiving utility service?      ☐ Yes      ☐ No
- If YES, from WHOM? \_\_\_\_\_

B. Demonstrate the Need for Service by providing the following:

Have you received any requests for service in the requested service area?

☐ Yes ☒ No

If YES, provide the following:

- i. Describe the service area and circumstances driving the need for service in the requested area. Indicate the name(s) and address(es) of landowner(s), prospective landowner(s), tenant(s), or resident(s) that have requested service; and/or
- ii. Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, septic tank permits, hospitals, etc.); and/or
- iii. Discuss in detail the environmental need(s) for service in the requested area (i.e. failing septic tanks in the requested area, fueling wells, etc.); and/or
- iv. Provide copies of any written application(s) or request(s) for service in the requested area; and/or
- v. Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area.
- vi. If none of these items exist or are available, please justify the need for service in the proposed area in writing.

Note: Failure to demonstrate a need for additional service in the proposed service area may result in the delay and /or possible denial of the application.

- C. Is any portion of the proposed service area inside an incorporated city or district? N/A. This application is to amend CCN No. 20465 to decertify a portion of an existing sewer CCN.

☐ Yes ☒ No

If YES, within the corporate limits of: \_\_\_\_\_

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

N/A; This application is to amend CCN No. 20465 to decertify a portion of an existing sewer CCN

- D. Is any portion of the proposed service area inside another utility's CCN area? N/A. This application is to amend CCN No. 20465 to decertify a portion of an existing sewer CCN.

☐ Yes ☒ No

If YES, has the current CCN holder agreed to decertify the proposed area?

If NO, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest:

Decertification of the area described in this application will facilitate the availability of retail sewer service to the Chambers County Improvement District No. 2 (CCID No. 2) from another service provider. Gulf Coast Waste Disposal Authority (GCA) does not currently provide such service in the area comprising CCID No. 2 and is voluntarily decertifying this small portion of its service area at the request of CCID No. 2 to accommodate the timely provision of sewer services to CCID No. 2 from an alternate service provider. (See attached Exhibit A)

### 3. Map Requirements

See attached maps (Exhibit B)

Attach the following hard copy maps with each copy of the application: and digital data.

- A. A location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
- B. A map showing only the proposed area by:
  - i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
  - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
  - iii. following verifiable natural and man-made landmarks; or
  - iv. a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area.
- D. Provide separate and additional maps of the proposed area(s) to show the following:
  - i. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
  - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s).

**Note:** Failure to provide adequate mapping information may result in the delay or possible denial of your application.

Digital data submitted in a format other than ArcView shape file or Arc/Info E00 file may result in the delay or inability to review applicant's mapping information.

For information on obtaining a CCN base map or questions about sending digital map data, please visit the Water Utilities section of the PUC website for assistance.

### 4. New System Information or Utilities Requesting a CCN for the First Time

Section 4. is not applicable to this application.

- A. Please provide the following information:
  - i. a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
  - ii. copies of written requests seeking to obtain service from each of the public drinking water systems or sewer systems listed in a. 1 above or documentation that it is not economically feasible to obtain service from each entity;
  - iii. copies of written responses from each system or evidence that they did not reply; and
  - iv. for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
- B. Were your requests for service denied? ☐ Yes ☐ No

- D. Date of plat approval, if required: \_\_\_\_\_  
Approved by: \_\_\_\_\_
- E. Date Plans & Specifications submitted to the TCEQ for approval:  
\_\_\_\_\_ Attach copy of approval letter, if available. If the letter is not available by the time your CCN application is submitted, please supplement your application with a copy of the letter once you receive it from the TCEQ.
- F. Date construction is scheduled to commence: \_\_\_\_\_
- G. Date service is scheduled to commence: \_\_\_\_\_

A. Please provide the following information for each water and/or sewer system, attach additional sheets if necessary.

- 

ii. Sewer system(s): TCEQ Discharge Permit number(s) N/A; sewer service is not being provided to the area within CCID No. 2





TCEQ Water System			TCEQ Sewer System		
Other:			Other:		
Total Water			Total Sewer		

- E. If this application is for a water CCN only, please explain how sewer service is or will be provided:

N/A

- F. If this application is for a sewer CCN only, please explain how water service is or will be provided:

N/A

- G. Effect of Granting a Certificate Amendment.

Explain in detail the effect of granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following:

- i. the applicant,
- ii. any retail public utility of the same kind already serving the proximate area; and
- iii. any landowner(s) in the requested area.

Granting this amendment will relieve GCA of any regulatory responsibility to provide sewer service in an area currently unserved, will permit the City of Baytown, Texas to serve the subject area without interference with GCA's sewer CCN No. 20465 and assist the future landowners in CCID No. 2 to obtain needed sewer services.

- H. Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?

- i. ☒ No, (skip the rest of this question and go to #6)

- ii. Yes, Water

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Water Source	% of Total Treatment
	0.00%

Water Source	% of Total Treatment
	0.00%
	0.00%

iii. ☐ Yes, Sewer treatment capacity

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Sewer Source	% of Total Treatment
	0.00%
	0.00%
	0.00%

iv. Provide a signed and dated copy of the most current water or sewer treatment capacity purchase agreement or contract.

- I. Ability to Provide Adequate Service. N/A; the purpose of this amendment is to decertify the subject area. Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration:
- i. the current and projected density; and
  - ii. the land use of the requested area.

J. Effect on the Land. Explain the effect on the land to be included in the certificated area. N/A

## 6. Financial Information

Section 6. is not applicable to this decertification application.

- A. For new water and/or sewer systems and for applicants with existing CCNs who are constructing a new stand-alone water and/or sewer system:
- i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system, and the source of that capital (such as a financial statement for the developing entity) for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing retail water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
  - ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates

should correlate to the projected growth in connections, shown on the projected profit and loss statement.

- iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.

B. For existing water and/or sewer systems:

- i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
- ii. Attach a proposed rate schedule or tariff.

❖ **Note: An existing water and/or sewer system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application**

- C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.

- D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.

❖ **Note: Failure to provide adequate financial information may result in the delay or possible denial of your application.**

## 7. Notice Requirements

- A. All proposed notice forms must be completed and submitted with the application. Do not mail or publish the notices until you receive written approval from the commission to do so.
- B. The commission cannot grant a CCN until proper notice of the application has been given. Commission rules do not allow a waiver of notice requirements for CCN applicants.
- C. It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more, and customers are included with this application for use in preparing proposed notices. (Notice forms are available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully before providing the notice.
- F. **Notice For Publication:**  
The applicant shall publish the notice in a newspaper with general circulation in the county(ies) where a CCN is being requested. The notice must be published once each week for two consecutive weeks beginning with the week after the notice is received from the commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. **Notice To Neighboring Utilities:**
  - i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area.
  - ii. For applications for the issuance of a NEW CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within five (5) miles of the requested service area.

- iii. For applications for the AMENDMENT of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within two (2) miles of the requested service area.

H. Notice to Customers:

Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application.

- I. The commission may require the applicant to deliver notice to other affected persons or agencies.

See attached Exhibit C - List of Neighboring Systems, Landowners and Political Subdivisions who shall receive mailed public notice of this application.

**Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the commission. Wait until you receive written authorization to do so. Authorization occurs after the commission has reviewed the notices for completeness, and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public. It is the applicant's burden to ensure that correct and accurate notice is provided.**


## OATH

STATE OF TEXAS  
COUNTY OF HARRIS

I, RICKY CLIFTON, being duly sworn, file this application as GENERAL MANAGER (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Public Utility Commission of Texas.

I further represent that the application form has not been changed, altered or amended from its original form.

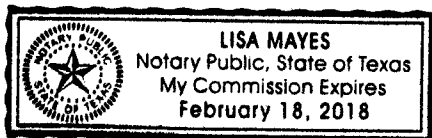
**I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.**


  
\_\_\_\_\_  
AFFIANT  
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas,  
This day 2nd of December 20 14

SEAL



  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

Lisa Mayes  
\_\_\_\_\_  
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES 2/18/18

## Notice for Publication

AMENDMENT OF

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO  
PROVIDE ~~WATER~~/SEWER UTILITY SERVICE IN  
CHAMBERS COUNTY(IES), TEXAS

Name of Applicant Gulf Coast Waste Disposal Authority has filed an application for a  
~~CCN~~ to obtain or amend CCN No. (s) 20465 and to  
decertify a portion(s) of Gulf Coast Waste Disposal Authority CCN No. 20465 with the  
(Name of Decertified Utility)

Public Utility commission of Texas to provide

sewer  
(specify 1) water or 2) sewer or 3) water & sewer)

utility service in Chambers County  
(ies).

to be decertified

The proposed utility service area is located approximately 1 miles east  
[direction] of downtown Baytown, [City or Town] Texas, and is  
generally bounded on the north by F.M. 565; on the east by  
Highway 99 (Grand Parkway); on the south by Dutton Lake Canal; and on the west by F.M. 1405

### **See enclosed map of the proposed service area.**

to be decertified

The total area being requested includes approximately 723 acres and 0  
current customers.

A copy of the proposed service area map is available at (Utility Address and Phone  
Number): 910 Bay Area Boulevard, Houston, Texas 77058 (281) 488-3331

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

**Persons who wish to intervene or comment should file with the PUC at the following address:**

Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

**Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:**

Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

***Si desea informacion en Espanol, puede llamar al 1-888-782-8477***



## Notice to Neighboring Systems, Landowners and Cities

AMENDMENT OF  
NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO  
PROVIDE WATER/SEWER UTILITY SERVICE IN  
CHAMBERS COUNTY(IES), TEXAS

To: \_\_\_\_\_ Date Notice Mailed \_\_\_\_\_ 20 14  
(Neighboring System, Landowner or City)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
City State Zip

Name of Applicant Gulf Coast Waste Disposal Authority has filed an application for a  
CCN to obtain or amend CCN No. (s) 20465 and to  
decertify a portion(s) of Gulf Coast Waste Disposal's CCN No. 20465 with the  
(Name of Decertified Utility)

Public Utility Commission of Texas to provide sewer  
(specify 1) water or 2) sewer or 3) water & sewer  
utility service in Chambers County(ies).

The proposed utility service area <sup>to be decertified</sup> is located approximately 1 miles east  
[direction] of downtown Baytown, [City or Town] Texas, and is  
generally bounded on the north by F.M. 565; on the east by  
Highway 99 (Grand Parkway); on the south by Dutton Lake Canal; and on the west by F.M. 1405

### See enclosed map of the proposed service area.

<sup>to be decertified</sup>  
The total area being requested includes approximately 723 acres and 0  
current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

**Persons who wish to intervene or comment should write the:**

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within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

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**Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:**

Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

**Si desea informacion en Espanol, puede llamar al 1-888-782-8477**

It does not appear that this Notice is applicable to this Petition.  
No customers exist in the area to be decertified.

## Notice to Customers of IOUs in Proposed Area

### AMENDMENT OF

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO  
PROVIDE WATER/SEWER UTILITY SERVICE IN

CHAMBERS

COUNTY(IES), TEXAS

Dear Customer: \_\_\_\_\_ Date Notice Mailed \_\_\_\_\_ 20 \_\_\_\_\_

Name of Applicant Gulf Coast Waste Disposal Authority has filed an application for a  
~~CCN to obtain or~~ amend CCN No. (s) 20465 and to  
decertify a portion(s) of Gulf Coast Waste Disposal Authority with the  
(Name of Decertified Utility)

Public Utility commission of Texas to provide

sewer

(specify 1) water or 2) sewer or 3) water & sewer)

utility service in Chambers

County(ies).

to be decertified

The proposed utility service area is located approximately 1 miles east  
[direction] of downtown Baytown, [City or Town] Texas.

A copy of the proposed service area map is available at (Utility Address and Phone  
Number): 910 Bay Area Boulevard, Houston, Texas 77058 (281) 488-3331

The current utility rates which were first effective on N/A, 20  
no customers exist in area to be  
decertified.

Monthly Flat Rate of \$ N/A Per connection

-OR-

Monthly Base Rate Including per N/A gallons  
connection for:

5/8" meter	\$
1" meter	\$
1 1/2" meter	\$
2" meter	\$

Other \$ N/A

Gallage charge of \$ N/A Per 1,000  
Gallons above minimum (same for all meters sizes)

### Miscellaneous Fees

#### Regulatory Assessment

Tap Fee (Average Actual Cost)

#### Reconnecting fee:

- Non Payment (\$25.00 max)
- Transfer
- Customer's request

#### Late fee

#### Returned Check charge

Customer Deposit (\$50.00 max)

#### Meter test fee

(Actual Cost not Exceed \$25.00)

#### Other Fees

1%
\$
\$
\$
\$
\$
\$5.00 or 10%
\$
\$
\$

**Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.**

**A request for a public hearing must be in writing.** You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

**Persons who wish to intervene or comment should write the:**

Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

**IF A HEARING IS HELD,** it is important that you or your representative attend to present your concerns. Your request serves only to cause a hearing to be held and is not used during the hearing.

If you are a landowner with a tract of land at least 25 acres or more, and is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

**Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:**

Filing Clerk  
Public Utility Commission of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

**Si desea informacion en Espanol, puede llamar al 1-888-782-8477**

# HISTORICAL BALANCE SHEETS

N/A

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
<b>CURRENT ASSETS</b>						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
<b>FIXED ASSETS</b>						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
<b>TOTAL ASSETS</b>						
<b>CURRENT LIABILITIES</b>						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
<b>LONGTERM LIABILITIES</b>						
Notes Payable, Long-term						
Other						
<b>TOTAL LIABILITIES</b>						
<b>OWNER'S EQUITY</b>						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
<b>TOTAL OWNER'S EQUITY</b>						
<b>TOTAL LIABILITIES AND EQUITY</b>						
<b>WORKING CAPITAL</b>						
<b>CURRENT RATIO</b>						
<b>DEBT TO EQUITY RATIO</b>						
<b>EQUITY TO TOTAL ASSETS</b>						

## HISTORICAL INCOME STATEMENT N/A

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
<b>METER NUMBER</b>						
Existing Number of Taps						
New Taps per Year						
Total Meters at Year End						
<b>METER REVENUE</b>						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
<b>GROSS WATER REVENUE</b>						
Fees						
Other						
Gross Income						
<b>OPERATING EXPENSES</b>						
General & Administrative						
Interest						
Other						
<b>NET INCOME</b>						

## HISTORICAL EXPENSES STATEMENT N/A

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
<b>GENERAL/ADMINISTRATIVE EXPENSES</b>						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
<b>Total</b>						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>OPERATIONAL EXPENSES</b>						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
<b>Total</b>						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>ASSUMPTIONS</b>						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

# PROJECTED BALANCE SHEETS

N/A

	START UP	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
<b>CURRENT ASSETS</b>						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
<b>FIXED ASSETS</b>						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
<b>TOTAL ASSETS</b>						
<b>CURRENT LIABILITIES</b>						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
<b>LONGTERM LIABILITIES</b>						
Notes Payable, Long-term						
Other						
<b>TOTAL LIABILITIES</b>						
<b>OWNER'S EQUITY</b>						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
<b>TOTAL OWNER'S EQUITY</b>						
<b>TOTAL LIABILITIES AND EQUITY</b>						
<b>WORKING CAPITAL</b>						
<b>CURRENT RATIO</b>						
<b>DEBT TO EQUITY RATIO</b>						
<b>EQUITY TO TOTAL ASSETS</b>						



## PROJECTED INCOME STATEMENT N/A

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
METER NUMBER						
Existing Number of Taps						
New Taps per Year						
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

## PROJECTED EXPENSES STATEMENT N/A

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
<b>GENERAL/ADMINISTRATIVE EXPENSES</b>						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
<b>OPERATIONAL EXPENSES</b>						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
<b>ASSUMPTIONS</b>						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

## PROJECTED SOURCES AND USES OF CASH STATEMENTS N/A

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
<b>SOURCES OF CASH</b>						
Net Income						
Depreciation (if Funded)						
Loan Proceeds						
Other						
Total Sources						
<b>USES OF CASH</b>						
Net Loss						
Principle Portion of Pmts.						
Fixed Asset Purchase						
Reserve						
Other						
TOTAL USES						
<b>NET CASH FLOW</b>						
<b>DEBT SERVICE COVERAGE</b>						
Cash Available for Debt						
Service (CADS)						
Net Income (Loss)						
Depreciation , or Reserve Interest						
TOTAL						
<b>REQUIRED DEBT SERVICE (RDS)</b>						
Principle Plus Interest						
<b>DEBT SERVICE COVERAGE RATIO</b>						
CADS Divided by RDS						

**EXHIBIT A**

Letter Authorizing Decertification

VIA FEDERAL EXPRESS  
TRK #7979 8442 0930



Gulf Coast Waste Disposal Authority  
910 Bay Area Boulevard • Houston, Texas 77058  
Phone: 281.488.4115 • Fax: 281.488.3331 • www.gcwda.com

February 20, 2014

Mr. Robert Renbarger  
Fritz, Byrne, Head & Harrison, PLLC  
98 San Jacinto Blvd., Suite 2000  
Austin, Texas 78701

Re: Request of Chambers County Improvement District No. 2 for Release of a  
Specified Portion of Sewer Certificate of Convenience and Necessity No. 20465

Dear Mr. Renbarger:

The purpose of this letter is to respond to your correspondence to Gulf Coast Waste Disposal Authority ("GCA") dated February 4, 2014, on behalf of your client, Chambers County Improvement District No. 2 ("CCID No. 2"), a copy of which is attached. Your letter requests that GCA agree to decertify from Sewer Certificate of Convenience and Necessity No. 20465 ("CCN No. 20465") specified lands that are within the jurisdictional boundaries of CCID No. 2 to facilitate CCID No. 2 obtaining wastewater service from the City of Baytown, Texas, for land within the CCID No. 2. You also state that CCID No. 2 currently consists of several tracts of land totaling 723.06 acres and is in the process of annexing 132.79 additional acres. Two maps attached to your letter show the currently annexed 723.06 acres and the combined 723.06 acres and 132.79 acres (855.85 acres), respectively.

Based upon the information and representations in the attached correspondence, GCA hereby agrees to decertification from CCN No. 20465 of 723.06 acres that represent the current acreage within CCID No. 2. GCA also agrees that should CCID No. 2 complete timely annexation of the additional 132.79 acres and GCA current operations have not changed, GCA will provide to CCID No. 2 a letter agreeing to decertify that acreage. GCA acknowledges that CCID No. 2 intends to file a decertification petition to release the agreed acreage from CCN No. 20465. To the extent the petition or decertification proceedings require affirmation or cooperation from GCA, GCA will provide such assistance upon request.

If you need additional information, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ricky Clifton", is written over a horizontal line.

Ricky Clifton  
General Manager

RC:PF/lm

Enclosure

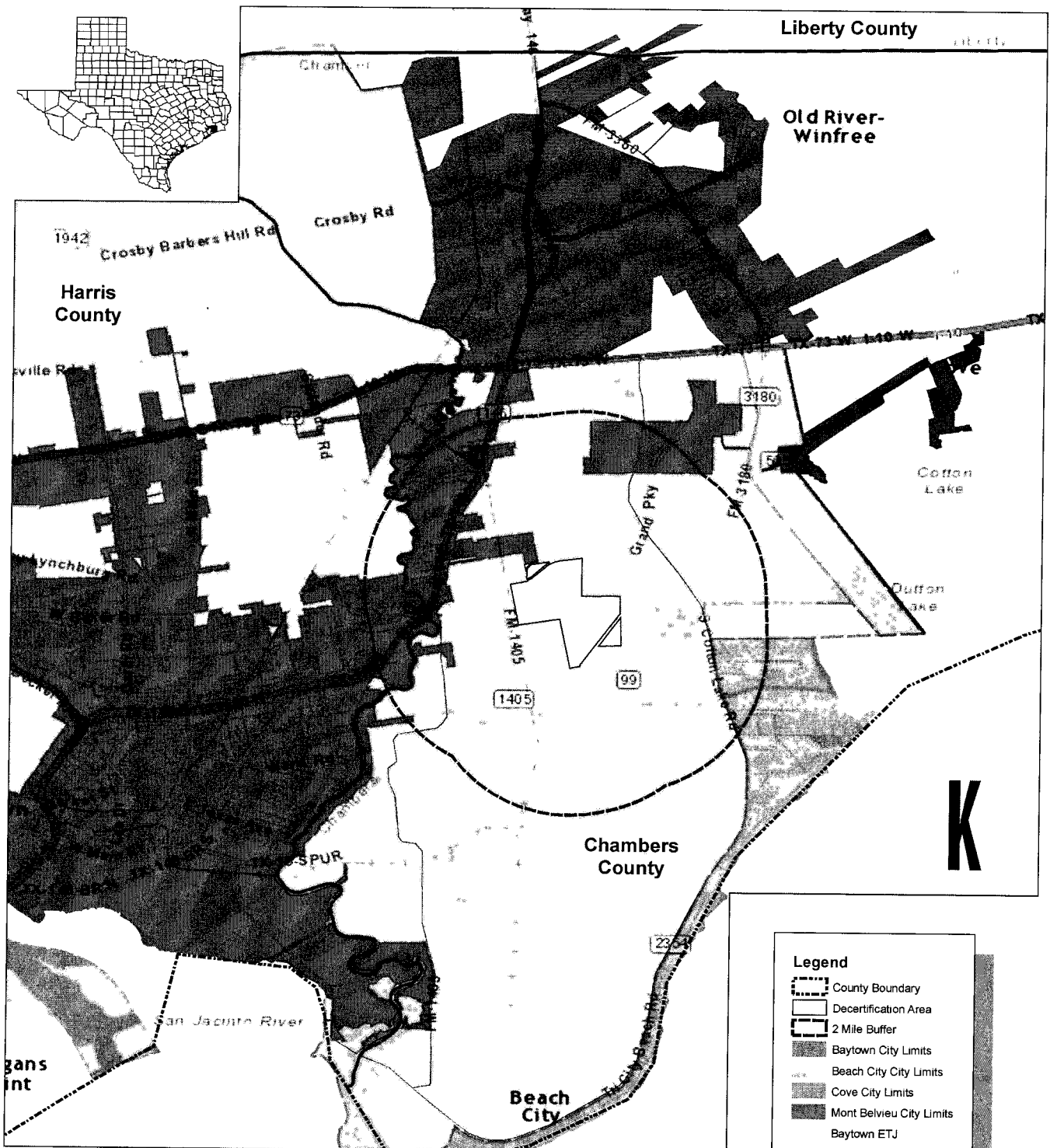
cc: Sara Burgin, Katten  
Gordon Pederson

TRK #7979 8449 5630

## **EXHIBIT B**

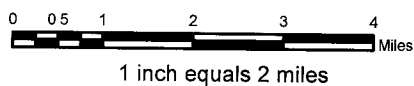
Maps of Sewer CCN No. 20465 and Area to be Decertified





#### Jurisdictions Within Buffer:

Chambers County  
Harris County  
City of Baytown (City Limits & ETJ)  
Beach City (City Limits & ETJ)



Date Drawn. 14-November-2014  
WJN 51916  
By AA

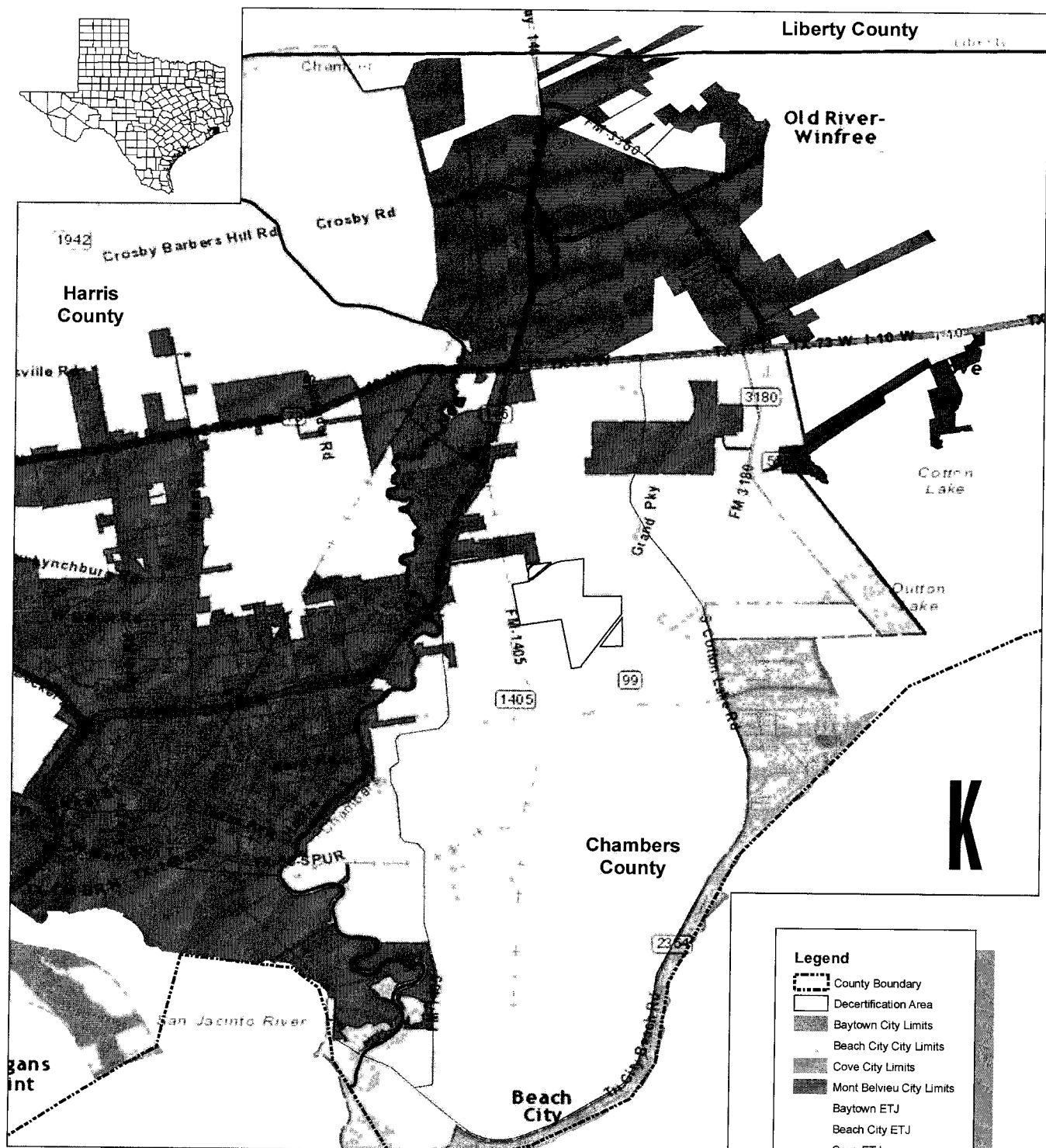
#### Legend

- County Boundary
- Decertification Area
- 2 Mile Buffer
- Baytown City Limits
- Beach City City Limits
- Cove City Limits
- Mont Belvieu City Limits
- Baytown ETJ
- Beach City ETJ
- Cove ETJ
- Houston ETJ

**Windrose Land Services, Inc.**  
3200 Wilcrest, Suite 325  
Houston, Texas 77042  
Phone (713) 458-2281 Fax (713) 461-1151  
Firm Registration No. 10108800

**Professional Development Consultants**  
Land Surveying, Platting, Project Management and GIS Services





0 0.5 1 2 3 4  
Miles

1 inch equals 2 miles

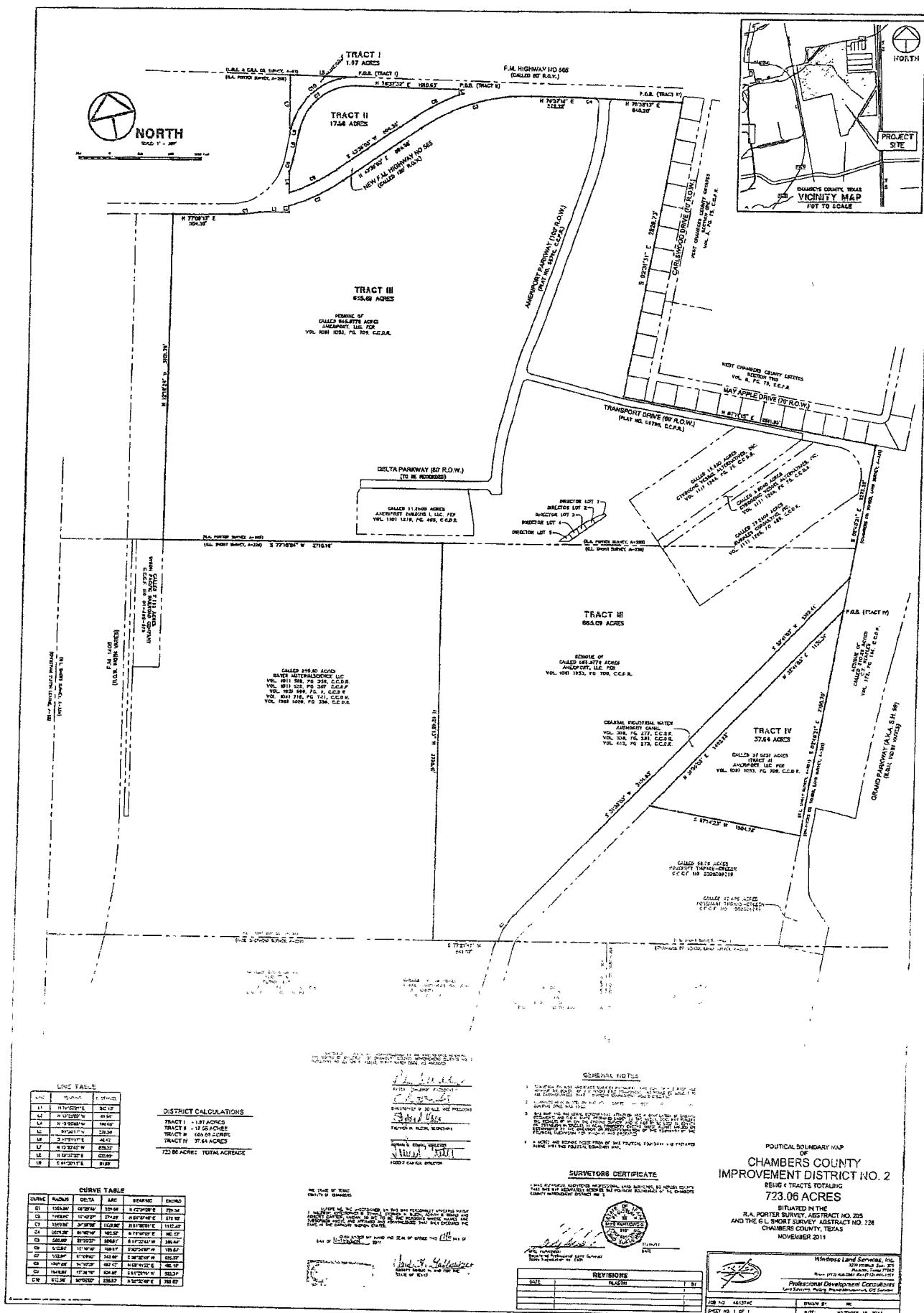
Date Drawn. 14-November-2014

WJN 51916

By AA

**Windrose Land Services, Inc.**  
3200 Wilcrest, Suite 325  
Houston, Texas 77042  
Phone (713) 458-2281 Fax (713) 461-1151  
Firm Registration No. 10108800

**Professional Development Consultants**  
Land Surveying, Platting, Project Management and GIS Services



**EXHIBIT C**

List of Neighboring Systems, Landowners and Political Subdivisions Receiving  
Notice

# NOTIFIED DISTRICTS

TYPE	ID#	DISTRICT NAME	MANAGER	MAILING ADDRESS	MAILING ADDRESS 2	CITY	ST	ZIP	PHONE
CITY GOVERNMENT		BAYTOWN (CITY LIMITS AND ETJ)		2407 Market Street		Baytown	TX	77520	281-422-8281
CITY GOVERNMENT		BEACH CITY (CITY LIMITS AND ETJ)		12723 FM 2354		Beach City	TX	77523	281-383-3180
COUNTY GOVERNMENT		COVE (ETJ)		7811 Cove Loop		Baytown	TX	77523	281-573-8309
COUNTY GOVERNMENT		CHAMBERS COUNTY		404 Washington Avenue		Anahuac	TX	77514	409-267-2400
NAVIGATION DISTRICT	2280000	CHAMBERS-LIBERTY COUNTIES NAVIGATION DISTRICT	Mary Beth Stengler	1001 Preston		Houston	TX	77002	713-735-5000
SEWER CCN	20333	CITY OF BAYTOWN		2123 Market Street		Anahuac	TX	77514	409-267-3541
SEWER CCN	20465	GULF COAST WASTE DISPOSAL AUTH	Ricky Clinton	910 Bay Area Blvd		Baytown	TX	77520	281-420-5300
SEWER CCN	20889	MONARCH UTILITIES I L P	Michael Quinn	12535 Reed Road		Houston	TX	77058	281-488-4115
WATER CCN	11157	AQUA TEXAS INC	Bob Laughman	1421 Wells Branch Parkway, Suite 105		Sugar Land	TX	77478	281-240-1700
WATER CCN	10872	BAYTOWN AREA WATER AUTHORITY		7425 Thompson Road		Placenterville	TX	78660	512-989-9891
WATER CCN	11572	C & H WATER PRODUCTION	Norman Barnett	PO Box 3104		Baytown	TX	77521	281-425-3517
WATER CCN	13038	CC WATER WORKS INC	Cindy Riley	114 S Danville Street		Wills	TX	77522	
WATER CCN	10860	CITY OF BAYTOWN		5602 FM 3180 Road		Baytown	TX	77520	281-422-8281
WATER CCN	12983	MONARCH UTILITIES I L P		2407 Market Street		Baytown	TX	77520	281-422-8281
WATER DISTRICT (MMD)	12078	VILLA UTILITIES	Michael Quinn	12535 Reed Road		Sugar Land	TX	77478	281-240-1700
WATER DISTRICT (MMD)	2265300	CHAMBERS COUNTY IMPROVEMENT DISTRICT 1	Norman Barnett	1001 Fleetwood Street		Baytown	TX	77520	281-422-8281
WATER DISTRICT (MMD)	2265400	CHAMBERS COUNTY IMPROVEMENT DISTRICT 2	Kelly Parker	2727 Allen Parkway, Suite 1100		Baytown	TX	77520	281-422-8281
WATER DISTRICT (MUD)	2265450	CHAMBERS COUNTY IMPROVEMENT DISTRICT 3	Patsy Waldrop	1300 Post Oak Boulevard, Suite 1400		Houston	TX	77019	713-632-6500
WATER DISTRICT (MUD)	2265500	CHAMBERS COUNTY MUD 1	Brian Cunningham	10000 Memorial Drive, Suite 1400		Houston	TX	77056	713-623-4531
WATER DISTRICT (ND)	2280000	CHAMBERS-LIBERTY COUNTIES NAVIGATION DISTRICT	Richard Greer	211 Miller Street	Schwartz Page & Harding LLP	Houston	TX	77024	281-421-2821
WATER DISTRICT (ND)	7133000	PORT OF HOUSTON AUTHORITY	Janiece Longoria	111 East Loop North		Anahuac	TX	77514	409-267-3541
WATER DISTRICT (OTH)	1211100	BAYTOWN AREA WATER AUTHORITY		7425 Thompson Road		Houston	TX	77028	713-670-2400
WATER DISTRICT (OTH)	2308000	COASTAL WATER AUTHORITY		1801 Main Street, Suite 800		Houston	TX	77521	281-425-3517
WATER DISTRICT (OTH)	3444000	GULF COAST WASTE DISPOSAL AUTH		910 Bay Area Blvd		Houston	TX	77002	713-668-9020
WATER DISTRICT (OTH)	3633000	HARRIS COUNTY FCD		9900 Northwest Freeway		Houston	TX	77058	281-488-4115
WATER DISTRICT (RA)	8030000	TRINITY RIVER AUTHORITY OF TEXAS		3300 South Collins		Houston	TX	77052	713-664-4000
WATER DISTRICT (WCID)	2257000	CEDAR BAYOU PARK UTILITY DISTRICT		1300 Rollingbrook Street		Arlington	TX	76018	817-467-4343
						Baytown	TX	77521	281-422-8166

# NOTICED PARCELS 25 ACRES OR MORE NCCID NO. 2

ACCOUNT #	PARCEL #	OWNER ID #	OWNER NAME	OWNER ADDRESS 1	CITY, ST ZIP	LEGAL DESCRIPTION	SITE ADDRESS	SITE CITY/ST	ACRES
00205-00101-00000-220001	1044	46203	AMERIPOINT LLC	3330 S SAM HOUSTON PARKWAY EAST	HOUSTON TX 77047	205 1A-0 R A PORTER	1238 FM 565 S	BAYTOWN TX	307.306
00228-00100-00200-220001	1045	46203	AMERIPOINT LLC	3330 S SAM HOUSTON PARKWAY EAST	HOUSTON TX 77047	228 1-2 GEO L SHORT SUR		BAYTOWN TX	228.188
00205-00101-00000-220300	50611	49887	RAIL LOGIX AMERIPOINT LLC	3330 S SAM HOUSTON PARKWAY EAST	HOUSTON TX 77047	205 1A-0-3 R A PORTER	FM 565 S	BAYTOWN TX	42.800