



Control Number: 43976



Item Number: 5

Addendum StartPage: 0

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

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



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
PUBLIC UTILITY COMMISSION
FILING CLERK

Protecting Texas by Reducing and Preventing Pollution

January 19, 2010

REVISED LETTER

Mr. Samuel W. Jones, P.E.
Jones-Heroy & Associates, Inc.
1900 Gregg Lane, Bldg. A, Ste 6
Pflugerville, Texas 78660

Re: Application from Sonterra Municipal Utility District (MUD), P1337, to have a Dual Certification with a Portion of Certificate of Convenience and Necessity (CCN) No. 10002 from Jarrell Schwertner Water Supply Corporation (WSC) and to Obtain a Water CCN in Williamson County; Application No. 36534-C

Application from Sonterra MUD, A1915, to have a Dual Certification with a Portion of CCN No. 20998 from the City of Jarrell and to Obtain a Sewer CCN in Williamson County; Application No. 36535-C

CN: 603151614; RN: 105161053 (water) 105830152 (sewer) (Sonterra MUD)

CN: 600657803; RN: 101457513 (Jarrell Schwertner WSC)

CN: 602777716; RN: 104858592 (City of Jarrell)

Dear Mr. Jones:

We received your letter dated January 8, 2010 in response to our letter dated December 28, 2009 with reference to the above mentioned applications for Sonterra MUD. Based on the information received we have revised the notices for your applications.

Your next step is to provide the **revised** public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Williamson County. It is the responsibility of the applicant to provide correct notice of the applications to any utilities within five (5) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area or other affected parties in your requested area. **You will also be required to provide mailed notice to all landowners with more than 25 acres in your proposed CCN area pursuant to TCEQ 30 TAC Chapter 291 Rules adopted on January 5, 2006. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN lies.** Check the notices carefully before mailing or publishing.

A review of our files and maps indicates that, **in addition to the neighboring utilities noted on your applications, you must provide notice to the following utilities:**

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CLL MUD 1
Williamson County

Information related to utilities and districts including addresses can be obtained from the TCEQ web site located at www10.tceq.state.tx.us/iwud.

As proof that notice was provided, you are required to send us the following:

- a) an original and three copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
- b) four copies of each individual notice and map sent to neighboring utilities and affected parties;
- c) four copies of notice and map sent to each landowner; and
- d) an original and three copies of the signed affidavits that individual notice to neighboring utilities, affected individuals and each landowner has been given. (Copies of the Affidavit forms are enclosed with this letter.)

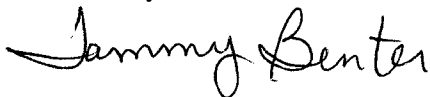
Please be sure to include a map showing the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner. It is the applicant's burden to provide an accurate map delineating the proposed area with each individual notice.

After further technical review additional financial, technical or other information may also be requested through future correspondence.

These items must be completed and returned to our office by **February 19, 2010**. Processing of this application cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. If we do not receive the requested information by this date, your applications will be returned for failure to prosecute.

If you have any questions, please contact Mr. Kamal Adhikari at 512/239-0680, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Tammy Benter, Team Leader
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality

THB/KA/ln

Enclosures: as stated

Notice for Publication

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

Sonterra Municipal Utility District has filed an application to obtain CCNs and to have dual certifications with portions of Jarrell Schwertner Water Supply Corporation and the City of Jarrell with the Texas Commission on Environmental Quality to provide water and sewer utility service in Williamson County.

The proposed utility service area is located approximately 1/2 mile southeast of downtown Jarrell, Texas, and is generally bounded on the north by Farm to Market Road No. 487; on the east by a line approximately 2,250 feet east of County Road 314; on the south by County Road 315; and on the west by Interstate Highway 35. The total area being requested includes approximately 1,458 acres and 556 current customers. The proposed application affects customers and/or areas located in the following zip code: 76537.

A copy of the proposed service area map is available at 8500 Bluffstone Cove, Suite B-104, Austin, Texas 78759 or by calling 512/451-6689.

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:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

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 Executive Director 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 exclude the tract from the proposed area (o

“opt out”) by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request 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:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

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 1-512-239-0200.

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE A
(CCN) TO PROVIDE WATER AND SEWER UTILITY SERV
WILLIAMSON COUNTY, TEXAS

To: _____ Date Notice Mailed: __
(Neighboring System, Landowner or City)

(Address)

(City State Zip)

Sonterra Municipal Utility District has filed an application to obtain CCN certifications with portions of Jarrell Schwertner Water Supply Corporation Jarrell with the Texas Commission on Environmental Quality to provide water service in Williamson County.

The proposed utility service area is located approximately 1/2 mile south of Jarrell, Texas, and is generally bounded on the north by Farm to Market Road 314; on the east by a line approximately 2,250 feet east of County Road 314; on the south by County Road 315; and on the west by Interstate Highway 35. The total area being proposed is approximately 1,458 acres and 556 current customers. The proposed customers and/or areas located in the following zip code: 76537. See enclosed map of proposed service area.

A request for a public hearing must be in writing. You must state (1) your address, and daytime telephone number; (2) the applicant's name, application number, and recognizable reference to this application; (3) the statement, "I/we request a public hearing on the proposed adjustment of the CCN for the following reasons: _____"; (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 of the CCN which would satisfy your concerns and cause you to withdraw your request for a public hearing.

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If a public hearing is requested, the Executive Director 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 exclude the tract 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 request 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.

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