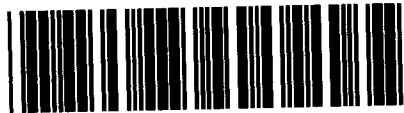


Control Number: 43990



Item Number: 26

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

43990

mk

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SOAH DOCKET NO. 582-06-0425
TCEQ DOCKET NO. 2005-1516-UCR
COMMISSION
FILING CLERK

APPLICATION OF TAPATIO	§	BEFORE THE STATE OFFICE
SPRINGS SERVICE COMANY, INC.	§	
TO AMEND CERTIFICATES OF	§	OF
CONVENIENCE AND NECESSITY	§	
NOS. 12111 AND 20698 IN	§	ADMINISTRATIVE HEARINGS
KENDALL COUNTY, TEXAS	§	

Pre-Filed Testimony of

John-Mark Matkin

April 27, 2006

FILED
2006 DEC 27 11 20 AM
ADMINISTRATIVE HEARINGS

SOAH
Ex. #A-2

1 **Q. Please state your full name and business address.**

2
3 A. John-Mark Matkin
4 8 Spencer Road, Ste. 100
5 Boerne, Texas 78006
6

7
8 **Q. By whom are you employed and in what capacity?**

9
10 A. Matkin-Hoover Engineering, Inc.
11 President, CEO
12

13
14 **Q. What are your duties as President & CEO of Matkin-Hoover Engineering, Inc.?**

15
16
17 A. Manage all aspects of the company, both operational and financial, including
18 project management, client relations, marketing, employee management, and
19 budgets.
20

21
22 **Q. Please describe your educational background?**

23
24 A. Texas A&M University- Bachelor of Science/Civil Engineering.
25
26

27 **Q. Please describe your past engineering experience?**

28
29 A. Civil Engineering experience has included the following: Land Planning, Major
30 Infrastructure Planning, Public Works & Utility System Analysis, all Civil Site
31 Design (Streets, Drainage, Water, Sewer), and Flood Studies.
32

33
34 **Q. What licenses do you currently hold?**

35
36 A. Professional Engineer-State of Texas.
37
38

39 **Q. How long have you served as CEO & President of Matkin-Hoover Engineering, Inc.?**

40
41
42 A. Four years and four months.
43

44
45 **Q. Explain the scope of your participation in SOAH Docket No. 582-06-0425?**
46

1 A. I am the consulting engineer for the developer of the 5000-acre tract and
2 Consulting Engineer for Tapatio Springs Service Company.
3
4

5 **Q. Please describe the request for service from CDS International to Tapatio**
6 **Springs Service Company.**
7

8 A. The request is for 1700 residential water connections.
9
10

11 **Q. Please describe the need for additional service to the requested area.**
12

13 A. There is a need for service in order to get the higher density under the county
14 subdivision ordinance. The county by law will allow for a 6-acre density with on-
15 site groundwater. The developer has asked to be at a 3.2-acre density, which is
16 well within the county guidelines.
17
18

19 **Q. Are you preparing the master plan for the development?**
20

21 A. Yes.
22
23

24 **Q. What is the current status of the plat?**
25

26 A. The plat is administratively complete. The plat has been reviewed and
27 approved by the staff and was tabled by the Commissioners Court.
28
29

30 **Q. Are you familiar with the pending lawsuit that affects the CDS property? If**
31 **so, how will this lawsuit affect this development?**
32

33 A. Yes. Only a portion of the CDS property is affected by the pending lawsuit. If
34 the lawsuit results in the plaintiff's favor, the affected portion will be developed
35 with wells and the unaffected portion will be developed at a higher density.
36
37

38 **Q. Based on your Professional Engineering experience, what is the feasibility**
39 **of obtaining service from any other utility other than Tapatio Springs?**
40

41 A. The City of Boerne would be the only possible utility purveyor, however, the
42 location of the 5000 acres as compared to the City of Boerne does not make it
43 economically feasible.
44

1
2 **Q. Are you responsible for designing the utility improvements within the**
3 **proposed development?**

4
5 **A.** Yes.

6
7
8 **Q. Please describe the utility improvements that you will and/or have**
9 **designed for the proposed development?**

10
11 **A.** All on-site water distribution systems, booster stations, wells for peaking and
12 groundwater storage tanks.

13
14
15 **Q. Who will be responsible for paying the costs associated with designing**
16 **these improvements you just described?**

17
18 **A.** CDS International.

19
20
21 **Q. Will you be responsible for designing off-site facilities? If so, describe**
22 **these facilities.**

23
24 **A.** Yes, off-site water transmission main and booster station.

25
26
27 **Q. What is the purpose of this transmission main?**

28
29 **A.** To transport the GBRA water from the designated receiving point to the KCUC
30 system.

31
32
33 **Q. What is the status of the route and/or design of this off-site transmission**
34 **main?**

35
36 **A.** The route has been determined, easement acquisition is on-going, and the
37 preliminary design is complete.

38
39
40 **Q. Do you have an estimated cost for construction and design of the off-site**
41 **facilities that are required to transport the surface water from GBRA to**
42 **Tapatio Springs? If so, what is that estimate?**

43
44 **A.** Yes. The estimate is \$2,154,983 for the 12" water main.

1
2
3 **Q. Did you provide an analysis of the existing water supply facilities of**
4 **Tapatio Springs including the GBRA surface water?**

5
6 **A. Yes.**
7

8
9 **Q. Will you describe what has been marked as Tapatio Springs Exhibit 1?**
10

11 **A. It is the water supply analysis that I prepared.**
12
13

14 **Q. Based on this water supply analysis, does Tapatio Springs have sufficient**
15 **water capacity to meet the standards, established by the TCEQ, to serve**
16 **both the additional development and its existing CCN?**
17

18 **A. Yes.**
19
20

21 **Q. Please explain what is meant by peaking demands?**
22

23 **A. Peaking demands is the state mandated responsibility of a utility purveyor to**
24 **provide for all connections maximum required production.**
25
26

27 **Q. In your opinion will the water purchased from GBRA meet the peaking**
28 **demands? Please explain why it will or why not?**
29

30 **A. No. It will supply the base demand.**
31
32

33 **Q. In your opinion, will the GBRA surface water need to be supplemented**
34 **with groundwater at times to meet the peaking demands?**
35

36 **A. Yes.**
37
38

39 **Q. You previously described that wells and storage facilities will be**
40 **constructed within the proposed development. Will these wells be used to**
41 **meet peaking demands?**
42

43 **A. Yes.**
44

1
2 **Q. How many wells are you anticipating will be necessary within the**
3 **proposed development?**

4
5 **A. 10.**
6
7

8 **Q. The ratepayers contend that the Cow Creek Groundwater District won't**
9 **issue the permits for any or all of the 10 additional wells. If the ratepayers**
10 **are correct, what effect does this have on the proposed development?**

11
12 **A. If the ratepayers are correct, the density could be reduced and additional**
13 **storage could be used so that GBRA water could be used for peaking or excess**
14 **capacity and the existing wells could be used for peaking.**
15
16

17 **Q. Are you familiar with the TCEQ capacity standards?**
18

19 **A. Yes.**
20
21

22 **Q. Will the storage facilities be designed to meet the TCEQ capacity**
23 **standards for the number of connections with the development?**
24

25 **A. The storage facilities will be designed to exceed the TCEQ capacity standards.**
26
27

28 **Q. Based on your professional engineering experience what is the effect on**
29 **the environmental integrity and water resources of granting the CCN to**
30 **Tapatio Springs?**
31

32 **A. By granting the CCN, it allows for a proper use of the water resources that are**
33 **available to Kendall County. By using GBRA water for base demand, it limits**
34 **the burden of residential wells on the Cow Creek Aquifer. This will provide for**
35 **fire protection, stages of water consumption, rationing and monitoring.**
36
37

38 **Q. Based on your professional engineering experience what is the effect on**
39 **the environmental integrity and water resources of not granting the CCN**
40 **to Tapatio Springs?**
41

42 **A. By not granting the CCN, the property would be allowed to drill 850 residential**
43 **connections with no regulation or control of water usage.**
44

1

2

Q. Do you have any other exhibits that you would like to offer as part of your testimony? If so, please describe them.

3

4

5

A. Yes. I would like to provide maps prepared by Matkin-Hoover Engineering, Inc. that depict the proposed boundary for the development and the number of connections.

6

7

8

9

10

Q. Does this conclude your testimony?

11

12

A. Yes.

EXHIBITS

Exhibit 1: Water Supply Analysis for Tapatio Springs Service Company

Exhibit 2: Maps depicting Boundary for Development and Number Connections

Affidavit of John-Mark Matkin, P.E.

STATE OF TEXAS

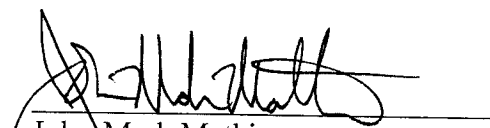
COUNTY OF KENDALL

§
§
§
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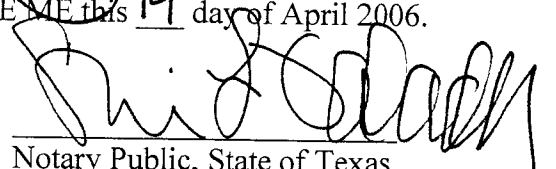
BEFORE ME, the undersigned authority, John-Mark Matkin, P.E. being duly sworn, deposes and states:

"My name is John-Mark Matkin. I am employed as the President of Matkin-Hoover Engineering, Inc., having its principal place of business in Boerne, Texas. I am over the age of twenty-one and am competent to make the following affidavit:

The foregoing testimony offered by me is true and correct and the opinions stated therein are, in my judgment and based upon my professional experience, true and correct."


John-Mark Matkin

SUBSCRIBED AND SWORN TO BEFORE ME this 19 day of April 2006.


Notary Public, State of Texas

