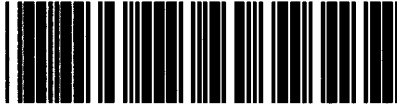




Control Number: 43990



Item Number: 77

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

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 22, 2005

Mr. Darrell Nichols
B & D Environmental, Inc.
P.O. Box 90544
Austin, Texas 78709

Notice of Deficiency

Re: Application from Tapatio Springs Services Company, Inc. to amend Certificate of Convenience and Necessity (CCN) No. 12122 in Kendall County; Application No. 34932-C

Application from Tapatio Springs Services Company, Inc. to amend CCN No. 20698 in Kendall County; Application No. 34933-C

CN: 600640155; RN: 101456499 (water) and 101223048 (sewer)

Dear Mr. Nichols:

We have received your response to our letter dated May 13, 2005. Based, on your letter dated June 17, 2005, it has determined that second notice of these applications will be published on June 21, 2005. However, your deadline to submit all the requested information as requested in our letter dated May 13, 2005, was June 17, 2005.

Still you are required 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 Kendall County. It is the responsibility of the applicant to provide correct notice of the applications to any utilities within two (2) miles of your proposed service area, customers, 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 included in your proposed CCN area pursuant to commission order dated October 21, 2004. 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.

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) one copy of the landowner notice and map sent to landowners;
- d) four copies of notice sent to customers; and

Andrew J. Calvert
108 Jack Rabbit Circle
Boerne, Texas 78006

Adhikari

RECEIVED

JUL 12 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

July 9, 2005

Texas Commission on Environmental Quality
Water Supply Division
Utility and Districts Section MC-153
P.O. Box 13087
Austin, Texas 78229


RE: Request for hearing:
Application from Tapatio Springs Services Company, Inc. to amend Certificate of Convenience and Necessity (CCN) No. 12122 in Kendall County; Application No. 34932-C
Application from Tapatio Springs Services Company, Inc. to amend Certificate of Convenience and Necessity (CCN) No. 20698 in Kendall County; Application No. 34933-C
CN: 600640155; RN: 101456499 (water) and 101223048 (sewer)

Dear Sirs:

As stated in the public notice appearing in the Boerne Star on June 21, 2005, I am requesting public hearing.

1. Name: Andrew J. Calvert
Mailing Address: 108 Jack Rabbit Circle
Boerne, Texas 78006
Telephone No: (830) 537-3980
2. Applicants Name: Tapatio Springs Services Company, Inc.
Application Nos: 34932-C and 34933-C
3. Request: I formally request a public hearing on these applications.
4. How Rate Payers Would Be Adversely Affected: The project will place the ratepayers at a significant financial and water quality risk, with little or no benefit.
5. Proposed Adjustment: Form a new water company to service the expanded area, separate and apart from Tapatio Services. Thereby removing the risk to the existing ratepayers.

Yours truly,


Andrew J. Calvert

- e) an original and three copies of the signed affidavits that individual notices to neighboring utilities, affected individuals, customers and each landowner have been given.

Include the enclosed location map delineating the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner.

In addition to the notice requirements the following information is still necessary to proceed with your applications:

- a) Please provide evidence of financial capability for CDS International Holdings, Inc., to provide all funds necessary for construction of the facilities. A financial statement for the most recently completed year-end, should be sufficient, if it shows good liquidity and solvency. Please provide prior board authorization for the "Treasurer" to obligate the corporation financially, as indicated in the agreement with the utility.

You may be asked for additional information after a comprehensive review.

- b) Please submit a digital file for the proposed area that is in a shape file or a .dxf format.
- c) Please submit documents (Engineering Report) to demonstrate that Tapatio Springs Services Company, Inc. is currently providing continuous adequate water and sewer services and has a capability to serve new development including the existing system capacities, capacities in reserve that can be utilized to serve new development. Also, describe the phase of new development, such as number of estimated connections on each phase, if the development is anticipated in phases, distance between the existing system's infrastructure and the proposed new development.

These items must be completed and returned by **July 15, 2005**. Processing of these applications cannot proceed until the close of the 30-day public comment period which begins after all the required notices have been given. If the administrative review requirements and the requested information listed above are not received by this date, your applications will be returned for failure to prosecute.

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

Sincerely,



Kamal Adhikari, E.I.T.
Utilities & Districts Section
Water Supply Division

B & D ENVIRONMENTAL, INC.
UTILITY MANAGEMENT, OPERATIONS, AND CONSULTING

P.O. Box 90544
Austin, Texas 78709

Phone: (512) 264-9124
Fax: (512) 891-0740

June 17, 2005

Mr. Kamal Adhikari
TCEQ
Water Supply Division - MC 153
P.O. Box 13087
Austin, Texas 78711-3087

RE: Application from Tapatio Springs Services Company, Inc., to amend Water CCN No. 12122 and Sewer CCN No. 20698 in Kendall County; Application Nos. 34932-C and 34933-C

Dear Mr. Adhikari:

The notices to neighboring utilities and landowners has been provided as requested. The notice was published on June 14 and will be again on June 21. There are no current customers in the proposed area, so no notice was provided to customers. I will provide you with all the affidavits for notice when I receive the publisher's affidavit.

As discussed in the letter from Michelle Abrams (dated May 13, 2005), the application submitted is the correct form. The additional pages that were not included with the referenced application were various worksheets and notice pages that were not required for an existing utility amending its service area. The requirement was to submit a profit and loss statement and current balance sheet which is included in the application. All capital necessary to provide the infrastructure to serve the new development (proposed area) is the responsibility of the developer. Included in the application is the non-standard service agreement that outlines this arrangement in detail. The developer anticipates 1700 connections over 8 years in multiple phases. However, the developer is still in the planning stages for the phases.

In regards to the long term liability (note to Clyde Smith), that issue is no longer relevant. The utility has paid off that note and is no longer an obligation of the utility.

I have requested the developer, CDS International Holdings, Inc., provide a year-end financial statement and board authorization for the Treasurer to obligate the corporation financially. I have not received that information to date, but will forward that information to your office as soon as possible.

A digital file of the proposed service area was previously provided to Suzanne Jaster for this application. An additional map of the proposed area to be developed is attached. As shown on the map, the service area is adjacent to Ranger Creek Road. Also included on this map are exact distances from major roads.

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JUN 20 2005

TEXAS COMMISSION

ON

ENVIRONMENTAL QUALITY

Mr. Kamal Adhikari

June 17, 2005

Page 2 of 2

Should you have any questions, please do not hesitate to contact me at 512-892-6366 or 512-917-6065 at any time.

Sincerely,



Darrell Nichols

B & D Environmental, Inc

Attachment: Map

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JUN 20 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 13, 2005

Mr. Darrell Nichols, Utility Consultant
B & D Environmental, Inc.
P.O. Box 90544
Austin, Texas 78709

Re: Application from Tapatio Springs Services Company, Inc. to amend Certificate of Convenience and Necessity (CCN) No. 12122 in Kendall County; Application No. 34932-C

Application from Tapatio Springs Services Company, Inc. to amend CCN No. 20698 in Kendall County; Application No. 34933-C

CN: 600640155; RN: 101456499 (water) and 101223048 (sewer)

Dear Mr. Nichols:

Your applications have been received by the Utilities & Districts Section to begin the technical review. The technical review and the administrative review will be conducted concurrently in an effort to be more efficient in our review of your applications. If the administrative review and technical review requires additional documentation, you must submit these items to continue processing these applications. Mr. Kamal Adhikari has been assigned to perform the technical review. The applications have been assigned Application Nos. 34932-C and 34933-C. Please refer to these numbers in future correspondence.

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 Kendall County. It is the responsibility of the applicant to provide correct notice of the applications to any utilities within two (2) miles of your proposed service area, customers, 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 included in your proposed CCN area pursuant to commission order dated October 21, 2004. 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.

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) one copy of the landowner notice and map sent to landowners;
- d) four copies of notice sent to customers; and

Mr. Darrell Nichols, Utility Consultant

Page 2

May 13, 2005

- e) an original and three copies of the signed affidavits that individual notice to neighboring utilities, affected individuals, customers and each landowner has been given. (Copies of the Affidavit forms are enclosed with this letter.)

Include the enclosed location map delineating the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner.

In addition to the notice requirements the following information is also necessary to proceed with your applications:

- a) Your applications have received a preliminary review of your business plan and financial capability to provide service to the requested area. The scope of the project is ambitious so financial capability information required for approval will be comprehensive.

The CCN application form you use has the correct number in footnote, but shows only fifteen pages. The complete form designated TCEQ-10362 (Revised 11/02), as shown on our website, has 27 pages. Please provide the additional pages, at least the financial projections, to show us your expectation of the timing and depth of cash flows. Of primary importance are the pace for capital investment (is it "phased?"), the annual connection rate and cash inflow, and the depth of reserve in the utility's balance sheet.

You have provided in the applications, a December 31, 2004 statement for Tapatio Springs Services Company, Inc., which will suffice for "historical" information. However, a description of loan terms including maturity, interest rate, and principal payments, will be necessary for the "Long-Term Liabilit(y), Clyde Smith, (TSSC)." The largest expense item on the income statement is interest.

Please provide evidence of financial capability for CDS International Holdings, Inc., to provide all funds necessary for construction of the facilities. A financial statement for the most recently completed year-end, should be sufficient, if it shows good liquidity and solvency. Please provide prior board authorization for the "Treasurer" to obligate the corporation financially, as indicated in the agreement with the utility.

You may be asked for additional information after a comprehensive review.

- b) Please submit a digital file for the proposed area that is in a shapefile or a .dxf format.
- c) Please submit a written description of the proposed boundaries, which state the exact distances these boundaries are from major roads, streets and those topographic features (rivers, streams, railroads) that are located on all submitted maps.

These items must be completed and returned by **June 17, 2005**. Processing of these applications cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. If the administrative review requirements and the requested information listed above are not received by this date, your applications will be returned for failure to prosecute.

Mr. Darrell Nichols, Utility Consultant

Page 3

May 13, 2005

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,

A handwritten signature in black ink that reads "Michelle Abrams". The signature is written in a cursive, flowing style.

Michelle Abrams, Team Leader

Utilities & Districts Section

Water Supply Division

MA/KA/ac

Enclosures

cc: TCEQ, Region 13 Office

Notice for Publication

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

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by ^{C. B. 45} ~~Ranger Creek Road~~; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. The total area being requested includes approximately 5000 acres and no current customers.

A copy of the proposed service area map is available at 7550 West IH 10, Suite 800, San Antonio, Texas, 78229.

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.

Notice to Neighboring Systems and Cities

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

To:

Date Notice Mailed:

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by ~~Ranger Creek Road~~ ^{Loop 1604}; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. The total area being requested includes approximately 5000 acres and no 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.

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

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APPOINTMENT OF REPRESENTATIVE
TO APPEAR BEFORE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
WATER SUPPLY DIVISION, UTILITIES AND DISTRICTS SECTION, MC-153

Date: June 23, 2005

Re: Notice of Application for Certification of Convenience
and Necessity (CNN) to Provide Water and Sewer Utility Service
in Kendall County, Tapatio Springs Service Company, Inc.
Application to Amend CCN Nos. 12122 and 20698

We, the undersigned, hereby appoint Al Hamilton as our representative in connection with the above referenced matter and to request on our behalf a hearing in this matter and to take such other actions on our behalf which, in his opinion, would be beneficial to us as rate payers of Tapatio Springs Service Company, Inc.

This appointment shall remain in effect until withdrawn or revoked in writing or until the above referenced matter has been completed.

No costs will be incurred on behalf of any of the undersigned without prior written approval.

Signature: Frank Arnold Address: 116 Coterie Pl.

Printed Name: FRANK ARNOLD Telephone No.: 537-3464

Signature: Billie Stark Address: 114 Coterie Pl.

Printed Name: Billie Smith Stark Telephone No.: 537-4738

Signature: Sue Jurecko Address: 121 Coterie Pl.

Printed Name: Sue Jurecko Telephone No.: 537-5508

Signature: W.F. Weidner Address: 109 Hummingbird Hill

Printed Name: W.F. Weidner Telephone No.: 830-537-3504

Signature: _____ Address: _____

Printed Name: _____ Telephone No.: _____

Signature: _____ Address: _____

Printed Name: _____ Telephone No.: _____

RECEIVED

JUL 13 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

APPOINTMENT OF REPRESENTATIVE
TO APPEAR BEFORE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
WATER SUPPLY DIVISION, UTILITIES AND DISTRICTS SECTION, MC-153

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Signature: Benny Waskom

Printed Name: BENNYE WASKOM

Address: 104 Coterie

Telephone No.: 830/537-5811

Signature: Dorothy Ward

Printed Name: Dorothy WARD

Address: 105 Coterie

Telephone No.: 830 537-3227

Signature: Grace Norvell

Printed Name: GRACE NORVELL

Address: 110 Coterie Place

Telephone No.: 830-537-3882

Signature: Virgie Pardi

Printed Name: Virgie PARDI

Address: 101 Coterie PLACE

Telephone No.: 537-5669

Signature: Mike Macdonald

Printed Name: MIKE MACDONALD

Address: 109 Coterie PLACE

Telephone No.: 537-3411

Signature: Polly Dunn

Printed Name: POLLY DUNN

Address: 124 Coterie

Telephone No.: 537-3226

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JUN 23 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

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Signature: E. Parrish + Dottie Address: 105 ARBOLEDA

Printed Name: E.R. PARRISH + DOTTIE Telephone No.: 830-537-4120

Signature: Robert Grohn Address: 320 Hannah Lane

Printed Name: Robert Grohn Telephone No.: 830-537-5994

Signature: Rickey Burks Address: 104 JACKSON BLVD

Printed Name: Rickey Burks Telephone No.: 830-230-5236

Signature: Sharon Burks Address: 204 Tapatio Dr. W.

Printed Name: Sharon BURKS Telephone No.: 830-230-5236

Signature: Bill Price Address: 107 ROADRUNNER CIR

Printed Name: BILL PRICE Telephone No.: 830-537-5126

Signature: _____

Printed Name: _____

Address: _____

Telephone No.: _____

RECEIVED

JUL 13 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

APPOINTMENT OF REPRESENTATIVE
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WATER SUPPLY DIVISION, UTILITIES AND DISTRICTS SECTION, MC-153

Date: June 23, 2005

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Signature: George E. Martin

Address: 107 Axis Circle

Printed Name: George E. Martin

Telephone No.: 830-537-4934

Signature: D. Gayle McVey

Address: 122 Cliffwellers Path

Printed Name: D. Gayle McVey

Telephone No.: 830-537-3591

Signature: Allan E. Aaronson

Address: 119 Coterie Place

Printed Name: ALLAN E. AARONSON

Boerne, Tx
Telephone No.: 537-5858

Signature: T. W. Jordan

Address: 72 Jackies Cove

Printed Name: T. W. JORDAN

Telephone No.: 830 537-6336

Signature: Bernie Malson

Address: 506 Eagle Dr.

Printed Name: Bernie Malson

Telephone No.: 830-537-6341

Signature: David Rutherford

Address: 104 Arroyo Creek

Printed Name: DAVID RUTHERFORD

Telephone No.: 830-537-3364

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JUL 13 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

APPOINTMENT OF REPRESENTATIVE
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Signature: Janice Turnbow
Printed Name: Janice Turnbow

Address: 117 Road runner
Telephone No.: 830 537 4024

Signature: Judy Tapia
Printed Name: JUDY TAPIA

Address: 105 COTTONTAIL
Telephone No.: 537-6057

Signature: Al Tapia
Printed Name: AL TAPIA

Address: 107 COTTONTAIL
Telephone No.: 537-6047

Signature: G. W. Arnold
Printed Name: G. W. ARNOLD

Address: 120 COTERIE PL
Telephone No.: 537-5664

Signature: Carl D. Portz
Printed Name: CARL D PORTZ

Address: 111 White Tail Dr
Telephone No.: 830-230-5338

Signature: Walter Tabor
Printed Name: WALTER TABOR

Address: 104 TAPATIO DR. WESS
Telephone No.: 830-511-7132

RECEIVED
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

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above referenced matter has been completed.

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approval.

Signature: [Signature]

Address: 108 Jack Rabbit Cir

Printed Name: BRODIE J. CALVERT

Telephone No.: 830 537 3980

Signature: Allen Cole

Address: 107 Jackrabbit Cir

Printed Name: Allen Cole

Telephone No.: 830-537-5665

Signature: Jacqui Read

Address: 110 Jackrabbit Cir

Printed Name: Jacqui Read

Telephone No.: 830 537-5059

Signature: Pat N. Wilson

Address: 105 Jackrabbit Circle

Printed Name: Pat N. Wilson

Telephone No.: 830-537-6338

Signature: Anita Averett

Address: 106 Jackrabbit Cir

Printed Name: ANITA AVERETT

Telephone No.: 830-230-5083

Signature: Jack Peterson

Address: 102 Jack Rabbit Cir

Printed Name: JACK PETERSON

Telephone No.: 830 537 5440

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JUL 13 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

APPOINTMENT OF REPRESENTATIVE
TO APPEAR BEFORE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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above referenced matter has been completed.

No costs will be incurred on behalf of any of the undersigned without prior written
approval.

Signature: [Signature]
Printed Name: Lenny Bode

Address: 127 Paradise Point
Telephone No.: 830-537-8807

Signature: [Signature]
Printed Name: Dary Payne

Address: 131 Paradise Point
Telephone No.: 210 771-7511

Signature: [Signature]
Printed Name: Silvestre A. Ortiz

Address: 204 Paradise Pt.
Telephone No.: 361-576-2116

Signature: [Signature]
Printed Name: Ryle Holtz

Address: 110 ANTelope HILL
Telephone No.: 830 230 5505

Signature: [Signature]
Printed Name: DAVID BAGWELL

Address: 409 Paradise Pt.
Telephone No. 830-537-3243

Signature: [Signature]
Printed Name: LARRY PIRMAWITZEN

Address: 107 MORNING VIEW CIRCLE
Telephone No.: 830-537-3316

RECEIVED
JUL 13 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

APPOINTMENT OF REPRESENTATIVE
TO APPEAR BEFORE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
WATER SUPPLY DIVISION, UTILITIES AND DISTRICTS SECTION, MC-153

Date: June 23, 2005

Re: Notice of Application for Certification of Convenience
and Necessity (CNN) to Provide Water and Sewer Utility Service
in Kendall County, Tapatio Springs Service Company, Inc.
Application to Amend CCN Nos. 12122 and 20698

We, the undersigned, hereby appoint Al Hamilton as our representative in connection
with the above referenced matter and to request on our behalf a hearing in this matter and to take
such other actions on our behalf which, in his opinion, would be beneficial to us as rate payers of
Tapatio Springs Service Company, Inc.

This appointment shall remain in effect until withdrawn or revoked in writing or until the
above referenced matter has been completed.

No costs will be incurred on behalf of any of the undersigned without prior written
approval.

Signature: Donald L Evans

Address: 117 Hummingbird Hill

Printed Name: DONALD L. EVANS

Telephone No.: (830) 537-5004

Signature: Marie Evans

Address: 117 Hummingbird Hill

Printed Name: MARIE EVANS

Telephone No.: (830) 537-5004

Signature: _____

Address: _____

Printed Name: _____

Telephone No.: _____

Signature: _____

Address: _____

Printed Name: _____

Telephone No.: _____

Signature: _____

Address: _____

Printed Name: _____

Telephone No.: _____

Signature: _____

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Telephone No.: _____

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approval.

Signature: 

Printed Name: CARL BRANDBORG

Address: 116 Eagle Dr

Telephone No.: 830 537 3803

Signature: _____

Printed Name: _____

Address: _____

Telephone No.: _____

Signature: _____

Printed Name: _____

Address: _____

Telephone No.: _____

Signature: _____

Printed Name: _____

Address: _____

Telephone No.: _____

Signature: _____

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above referenced matter has been completed.

No costs will be incurred on behalf of any of the undersigned without prior written
approval.

Signature: Richard E. Haas

Printed Name: RICHARD E. HAAS

Address: 436 Paradise Pt., Boerne

Telephone No.: 830 537 6105

Signature: W. F. Bell

Printed Name: William F. Bell

Address: 424 Paradise Pt.

Telephone No.: 830 230 5537

Signature: Missi Bradshaw

Printed Name: Missi Bradshaw

Address: 108 Tapatio Dr. W.

Telephone No.: 830-537-5890

Signature: Ken Kelly

Printed Name: KEN KELLY

Address: 100 TAPATIO DR. W

Telephone No.: 537-3133

Signature: Allan L. Newson

Printed Name: ALLAN L. NEWSON

Address: 412 PARADISE POINT

Telephone No.: 830-537-5930

Signature: J. Theriot

Printed Name: J. THERIOT

Address: 144 PARADISE POINT

Telephone No.: (830) 537-1448

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JUL 13 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

APPOINTMENT OF REPRESENTATIVE
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WATER SUPPLY DIVISION, UTILITIES AND DISTRICTS SECTION, MC-153

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above referenced matter has been completed.

No costs will be incurred on behalf of any of the undersigned without prior written
approval.

Signature: [Signature]

Printed Name: Joe Pellis

Address: 413 PARADISE POINT

Telephone No.: 537-3930

Signature: [Signature]

Printed Name: J.D. Rash

Address: 108 MORNING VIEW CR

Telephone No.: 537-5951

Signature: [Signature]

Printed Name: CURTIS L. CHARLSON

Address: 402 PARADISE PT.

Telephone No.: 836-537-3344

Signature: RUTH B. JAREN

Printed Name: Ruth B. Juren

Address: 119 Laura View Circle

Telephone No.: 230-5376

Signature: [Signature]

Printed Name: JOHN P. MOWERY

Address: 412 Paradise Point

Telephone No.: 830-537-3181

Signature: T.B. Williams

Printed Name: T.B. WILLIAMS

Address: 517 EAGLE DR

Telephone No.: 830-537-3181

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JUL 15 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

For the convenience of all parties, we respectfully request that a hearing on this matter be conducted at a place within the City of Boerne, Texas, to accommodate all parties.

Respectfully submitted,



Al Hamilton
301 Eagle Drive, Boerne, TX 78006
Telephone: 830-537-6001
Fax: 830-537-6041
E-mail: al@hamiltonmiller.com

CERTIFICATE OF SERVICE

Copy of the Letter Request for Hearing dated July 12, 2005, in connection with the Tapatio Springs Service Company, Inc. Application to Amend Certification of Convenience and Necessity (CCN) Nos. 12122 and 20698 has been deposited in the U. S. Mails, postage prepaid and addressed to Tapatio Springs Service Company, Inc., P. O. Box 1335, Boerne, TX 78006, this 12th day of July, 2005.



Al Hamilton, on behalf of himself and
as Rate Payers' Representative

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JUL 13 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

3. The maintenance and upkeep of the Extension rest entirely upon Tapatio even if the Developer decides to build no houses on the property. The current Rate Payers would be burdened with these costs.

4. If Tapatio decides to oversize the Extension, the present Rate Payers could be burdened with this added cost, at least until the Developer has fully developed the property.

5. The maximum contribution to construction by Developer is \$1,500,000 which has not been shown as adequate.

6. A copy of the alleged GBRA contract for an additional 250 acre feet of water has not been filed as a part of the Application.

7. Tapatio may have the expense of constructing certain roadways within Developer's property according to Paragraph 9(g) of the Agreement. If so, the present Rate Payers may ultimately be required to pay.

8. Payment for the wastewater collection and treatment system is unclear. If Tapatio pays, the cost will fall either entirely or partially on its current Rate Payers without any direct benefit to such Rate Payers.

9. The impact of the provisions of Paragraph 9(i) of the Agreement on the current Rate Payers is at best confusing and as a worst case, could be very expensive to them.

10. There is no proof or evidence concerning Developer's financial condition and its ability to carry out its responsibilities under the Agreement.

11. The financial information submitted on behalf of Tapatio is inadequate and out of date. Audited current financials should be required and submitted.

12. Based upon the limited financial information furnished and our assessment of the current management, it is clear that Tapatio does not currently have adequate management or financial capability to carry out its undertakings with Developer.

13. Due to the close and sometimes identical relationships between the various parties, i.e. the owners of Kendall, Tapatio, Tapatio Development, Tapatio Country Club, Developer, and others, the entire transaction as proposed should be carefully examined to determine if certain considerations and/or agreements and/or monies have or could exchange hands conditioned in part on this transaction. If so, were such dealings proper when related to Tapatio and its Rate Payers?

For the reasons expressed above and without the benefit of facts currently only known to the Applicant and the Developer, it is impossible to propose any adjustment to the application other than those noted above. Hopefully, sufficient facts can be obtained as the result of a hearing in this matter to assure that fair and appropriate discovery can be had from which specific adjustments can be suggested.

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JUL 13 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

REQUEST FOR HEARING

July 12, 2005

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

Re: Notice of Application for Certification of Convenience and Necessity (CCN) to
Provide Water and Sewer Utility Service in Kendall County
Tapatio Springs Service Company, Inc. Application to Amend
CCN Nos. 12122 and 20698

Ladies and Gentlemen:

As the duly authorized representative of a group of the rate payers of Tapatio Springs Service Company, Inc., (originals of appointments enclosed) and on behalf of myself, I hereby request a hearing in connection with the above referenced matter.

Parties and Terms Involved and Used Herein:

Tapatio Springs Service Company, Inc., Applicant ("Tapatio")
Kendall County Utility Company ("Kendall")
CDS International Holdings, Inc. ("Developer")
Guadalupe-Blanco River Authority ("GBRA")
Tapatio Springs Service Company, Inc. Rate Payers ("Rate Payers")
Extension of Tapatio water system and wastewater systems ("Extension")
Non-Standard Service Agreement between Developer and Tapatio ("Agreement")
5,000 acres of land covered under the above Agreement ("Property")

We request that Kendall be made a party to the hearing requested herein since it is our understanding that the ownership is identical to that of Tapatio. Therefore, any decisions affecting Tapatio may directly impact or affect Kendall.

We, the Rate Payers of Tapatio, could be adversely affected by the granting of the Application in the following manner (and possibly others unknown to us at this time):

1. The design and details of the proposed Extension including the costs have not been properly shown and supported.
2. The Developer does not share the cost of right-of-way and lines necessary to tie in the Extension. The cost will fall entirely on the current and only Rate Payers.

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JUL 13 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

LAW OFFICES OF DAVID H. BROCK

**301 E. San Antonio
Boerne, Texas 78006
(830) 816-9033 Phone
(830) 816-9044 Fax
brocklaw@ktc.com**

July 15, 2005

B & D Environmental, Inc.
P. O. Box 90544
Austin, Texas 78709-0544

Re: Tapatio Service Company CCN Extension Application

Dear Mr. Nichols:

I have received your request concerning the financial ability of my client, CDS International Holdings, Inc., to fund their offsite infrastructure costs pursuant to that one certain Non-Standard Service Agreement between Tapatio Service Company and CDS. I apologize for the delay in getting this information to you but I have been diligently pursuing a letter from my client's primary lender, Bank of America, regarding the funding of this project. Unfortunately, my client and his chief financial officer have been out of the country. I will have them to you soon.

Sincerely,

LAW OFFICES OF DAVID H. BROCK

By: David H. Brock

DHB/smz

FAX TRANSMISSION

B & D ENVIRONMENTAL, INC.

P. O. Box 90544
AUSTIN, TEXAS 78709
(512) 264-9124
FAX: (512) 891-0740

To: Mr. Kamal Adhikari **Date:** July 15, 2005
Fax #: (512) 239-6972 **Pages:** 2, including this cover sheet.
From: Darrell Nichols
Subject: Tapatio Springs Services Company, Inc.
Application Nos. 34932-C and 34933-C

Kamal,

Attached please find a response from the Law Offices of David H. Brock regarding the financial ability of CDS International Holdings, Inc.

Should you have any questions, please do not hesitate to contact me at 512-892-6366 or 512-917-6065 at any time.

Darrell

Notice to Landowners

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

To: Mitchell Partners Limited Partnership
10235 Strait Lane
Dallas, Texas 75229

Date Notice Mailed: June 17, 2005

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by Cibolo Creek; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. See enclosed map of the proposed service area.

The total area being requested includes approximately 5000 acres and no current customers.

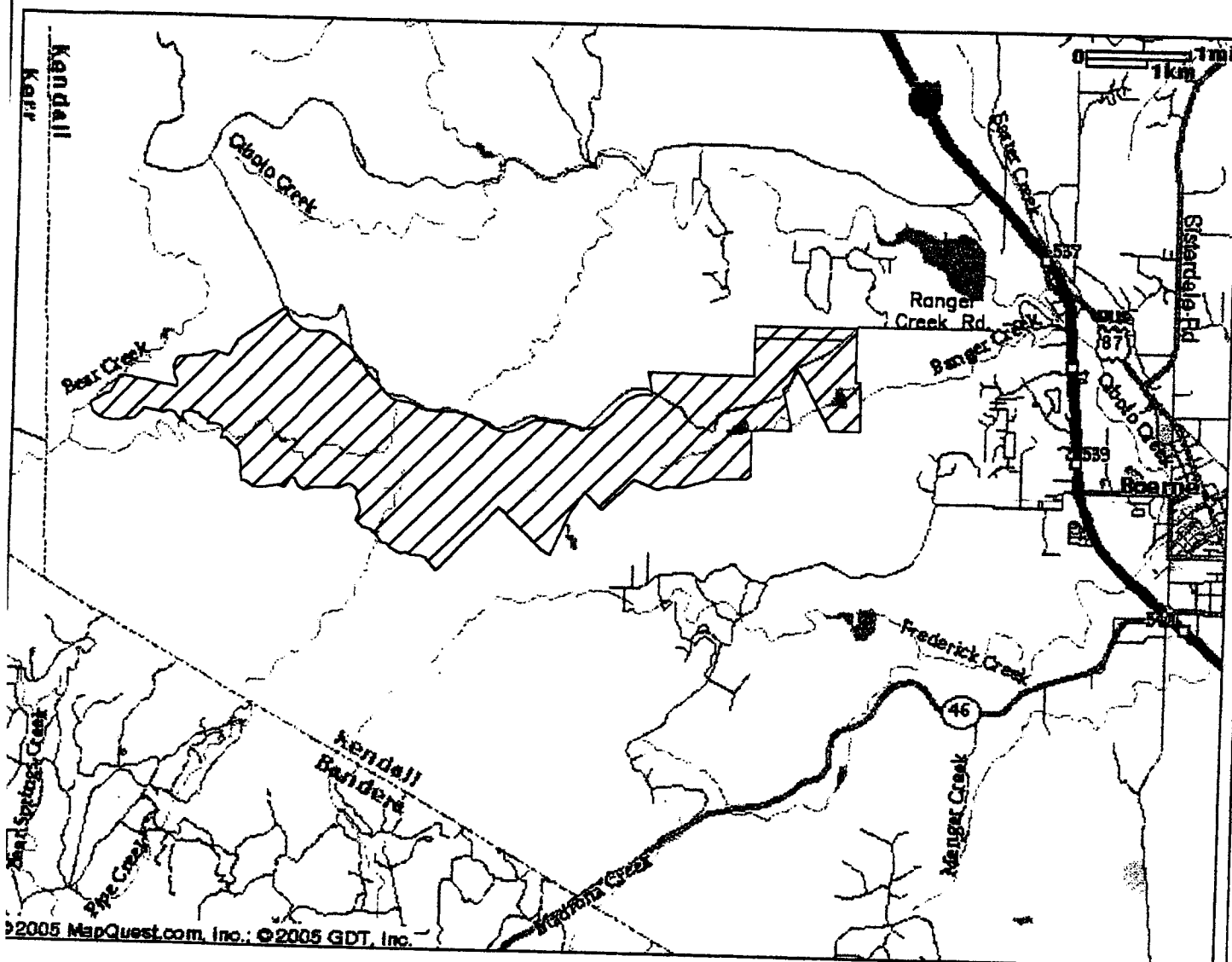
A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description 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:

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.



Tapatío Springs Services Company Inc.
Amendment of existing CCN No. 12122 and CCN No. 20698

April 18, 2005



KENDALL COUNTY

LEGEND



**Proposed
Service Area**

**B
&
D ENVIRONMENTAL, INC.**

Notice to Landowners

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

To: CDS International Holdings, Inc.
95 Northeast 4th Ave
Delray Beach, Florida 33483

Date Notice Mailed: June 17, 2005

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The total area being requested includes approximately 5000 acres and no current customers.

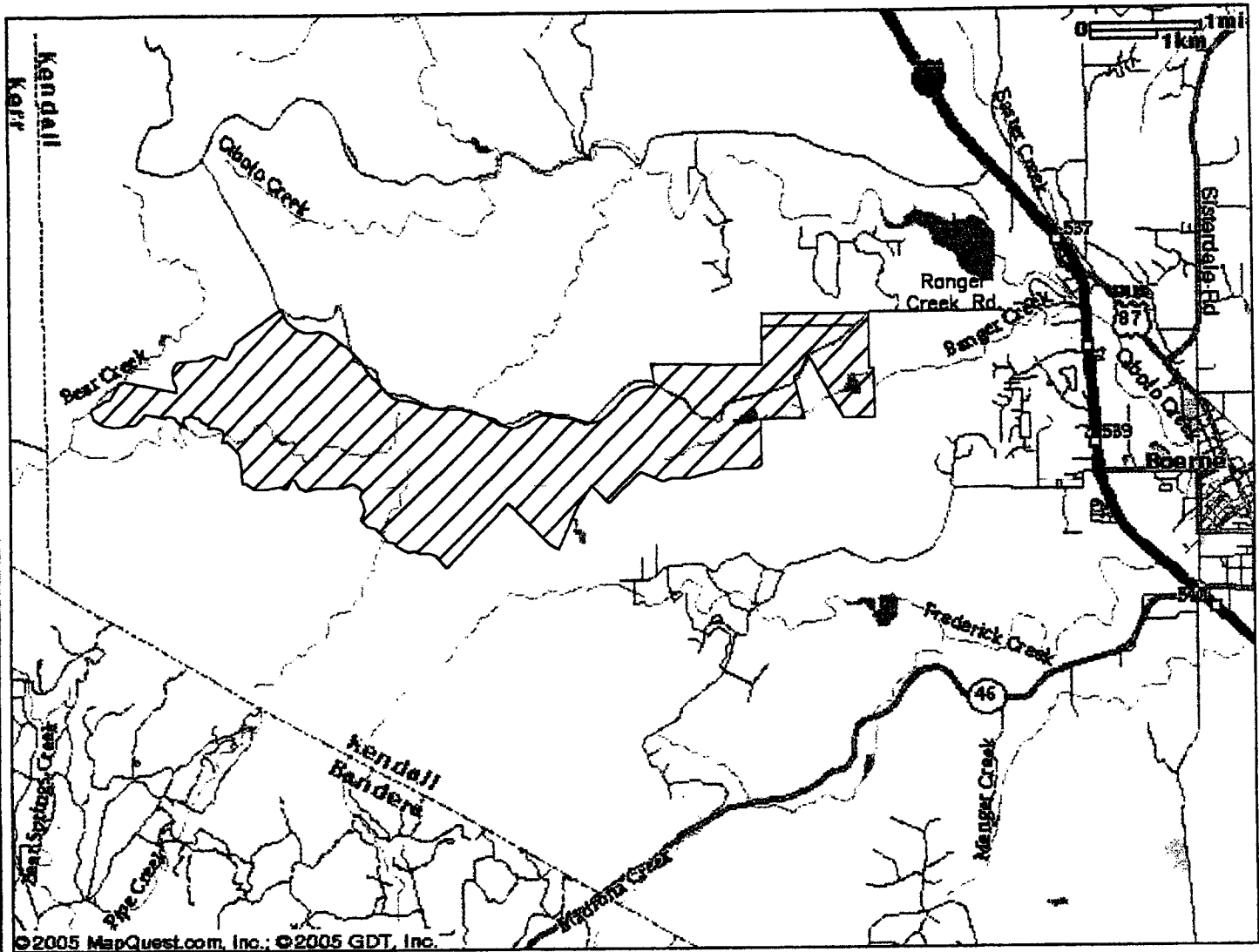
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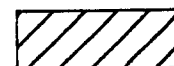
Tapatio Springs Services Company Inc.
 Amendment of existing CCN No. 12122 and CCN No. 20698

April 18, 2005



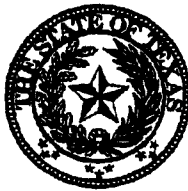
KENDALL COUNTY

LEGEND



**Proposed
Service Area**

**B
&
D ENVIRONMENTAL, INC.**



Texas Commission on Environmental Quality

APPLICATION NO. 34932-C and 34933-C

AFFIDAVIT OF NOTICE TO LANDOWNERS

STATE OF TEXAS

COUNTY OF Brewer

Tapatio Springs Services Company, Inc. has provided individual notice to the following landowners:

Mitchell Partners Limited Partnership
CDS International Holdings, Inc.

DATE
June 17, 2005
June 17, 2005

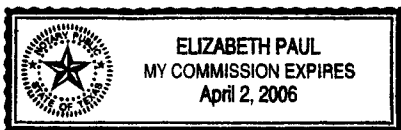
OATH

I, Patrick Lindner, being duly sworn, file this form as legal counsel; that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.

Patrick Lindner
Applicant's Authorized Representative

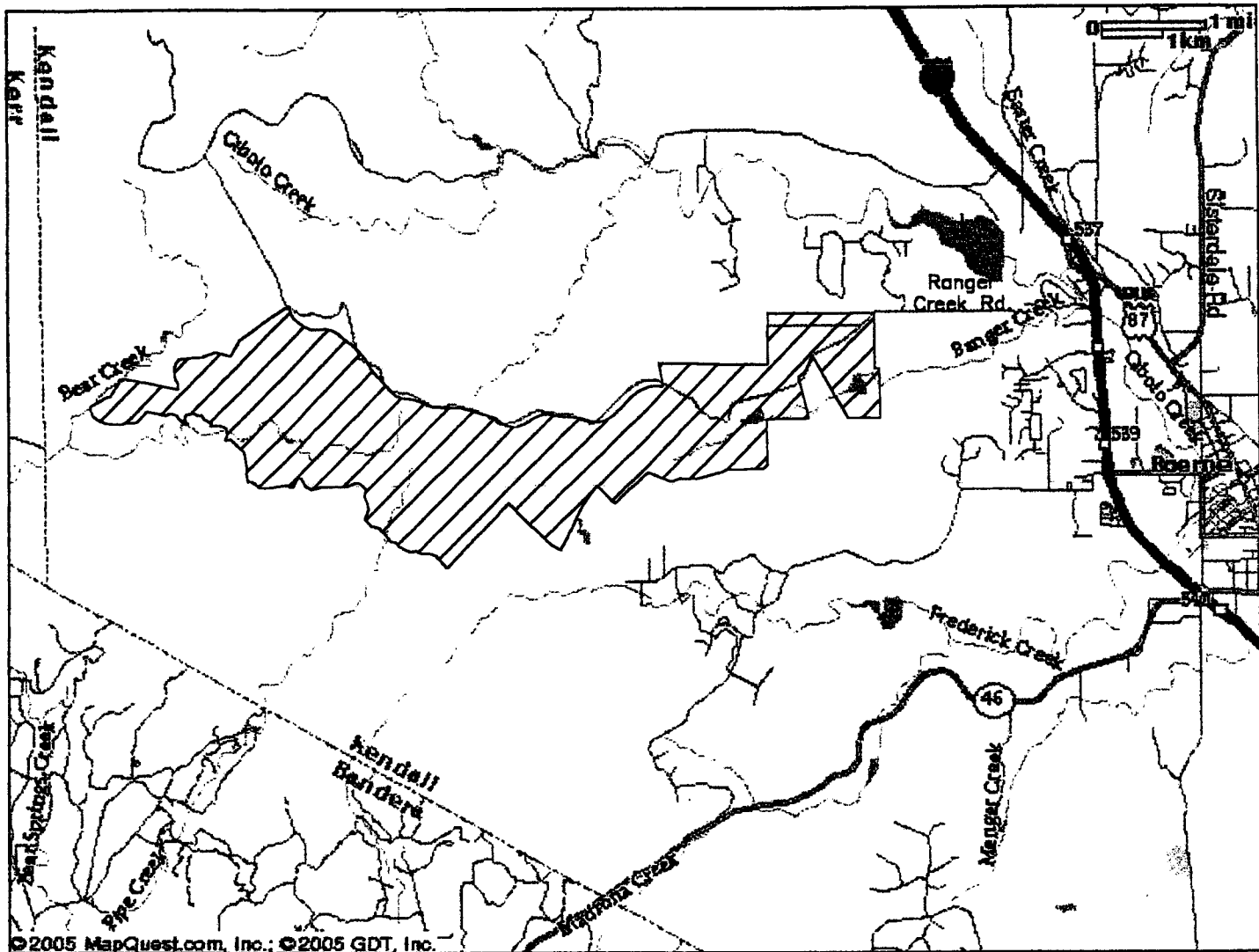
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 11th day of July, 2005, to certify which witness my hand and seal of office.



Elizabeth Paul
Notary Public in and for the
State of Texas

Elizabeth Paul
Print or Type Name of Notary Public
Commission Expires April 2, 2006



Tapatio Springs Services Company Inc.
Amendment of existing CCN No. 12122 and CCN No. 20698

April 18, 2005



KENDALL COUNTY

LEGEND



**Proposed
Service Area**

**B
&
D ENVIRONMENTAL, INC.**

Notice to Neighboring Systems and Cities

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

To: AquaSource Utility, Inc. (CCN No. 11157)
1421 Wells Branch Parkway, Suite 105
Pflugerville, Texas 78660

Date Notice Mailed: June 17, 2005

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by Cibolo Creek; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. The total area being requested includes approximately 5000 acres and no current customers.

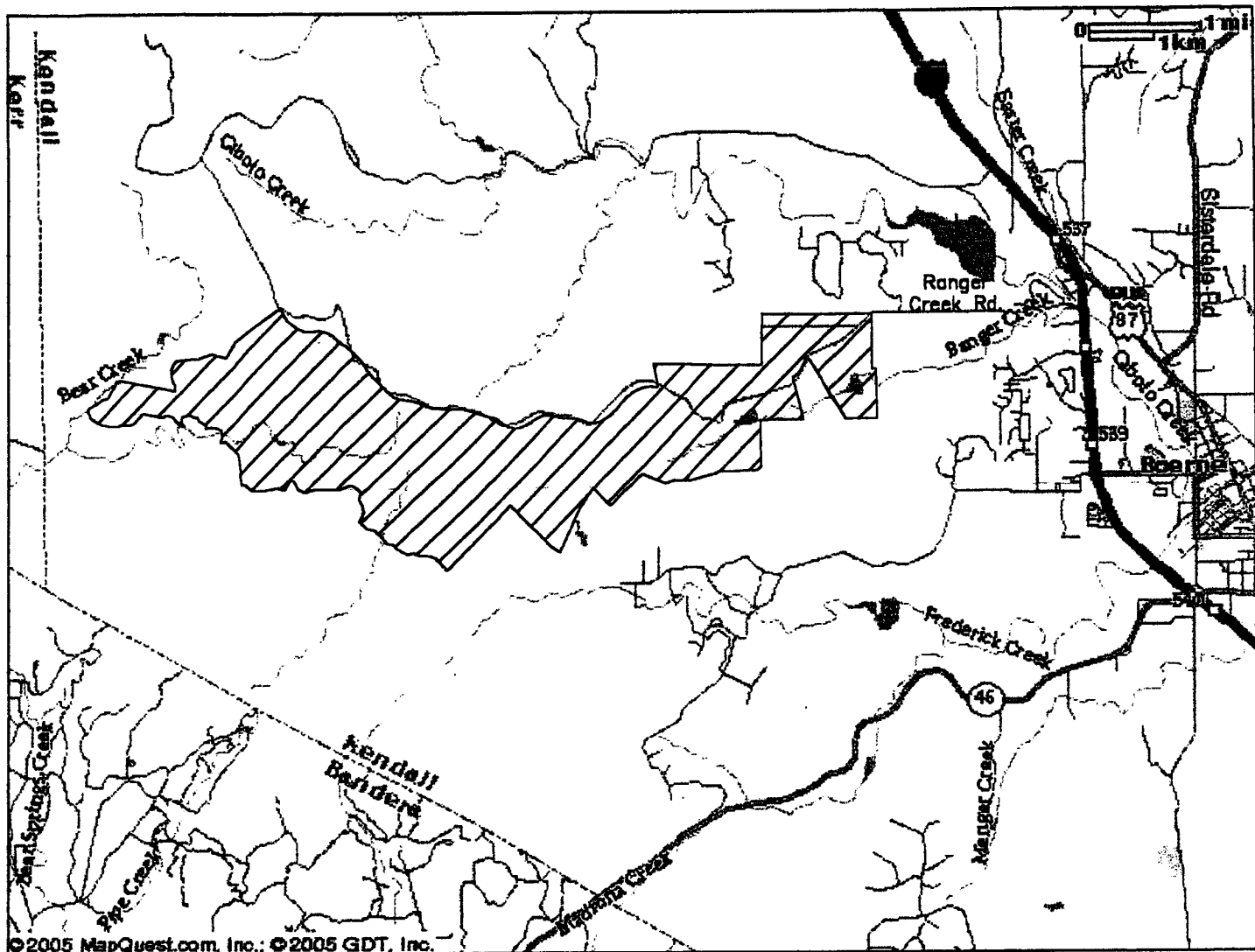
A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description 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:

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.

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Tapatio Springs Services Company Inc.
 Amendment of existing CCN No. 12122 and CCN No. 20698

April 18, 2005



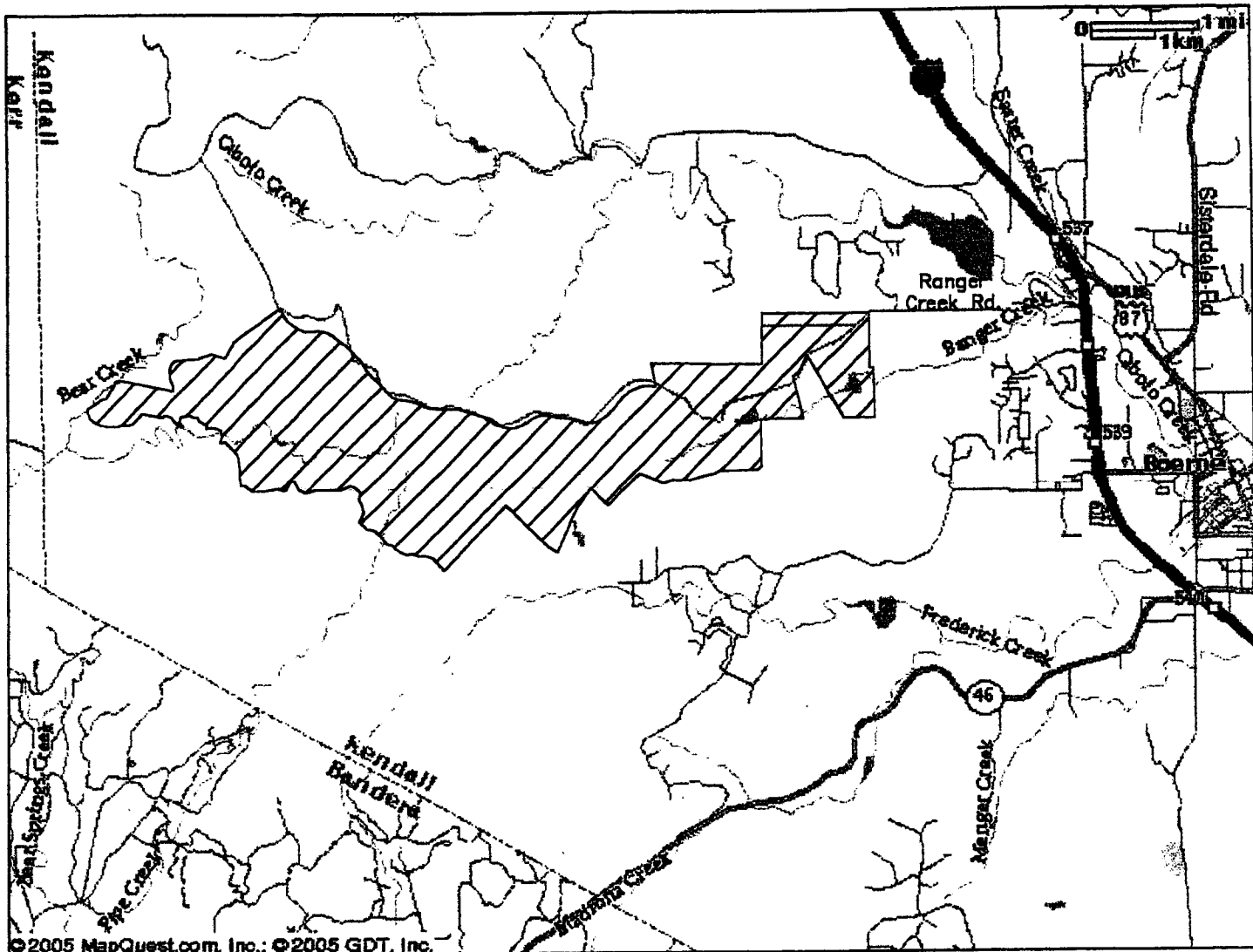
KENDALL COUNTY

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Proposed
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Tapatio Springs Services Company Inc.
Amendment of existing CCN No. 12122 and CCN No. 20698

April 18, 2005



KENDALL COUNTY

LEGEND



**Proposed
Service Area**

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&
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Notice to Neighboring Systems and Cities

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

To: City of Boerne (CCN Nos. 10676 and 20273)
402 East Blanco Road
Boerne, Texas 78006

Date Notice Mailed: June 17, 2005

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by Cibolo Creek; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. The total area being requested includes approximately 5000 acres and no current customers.

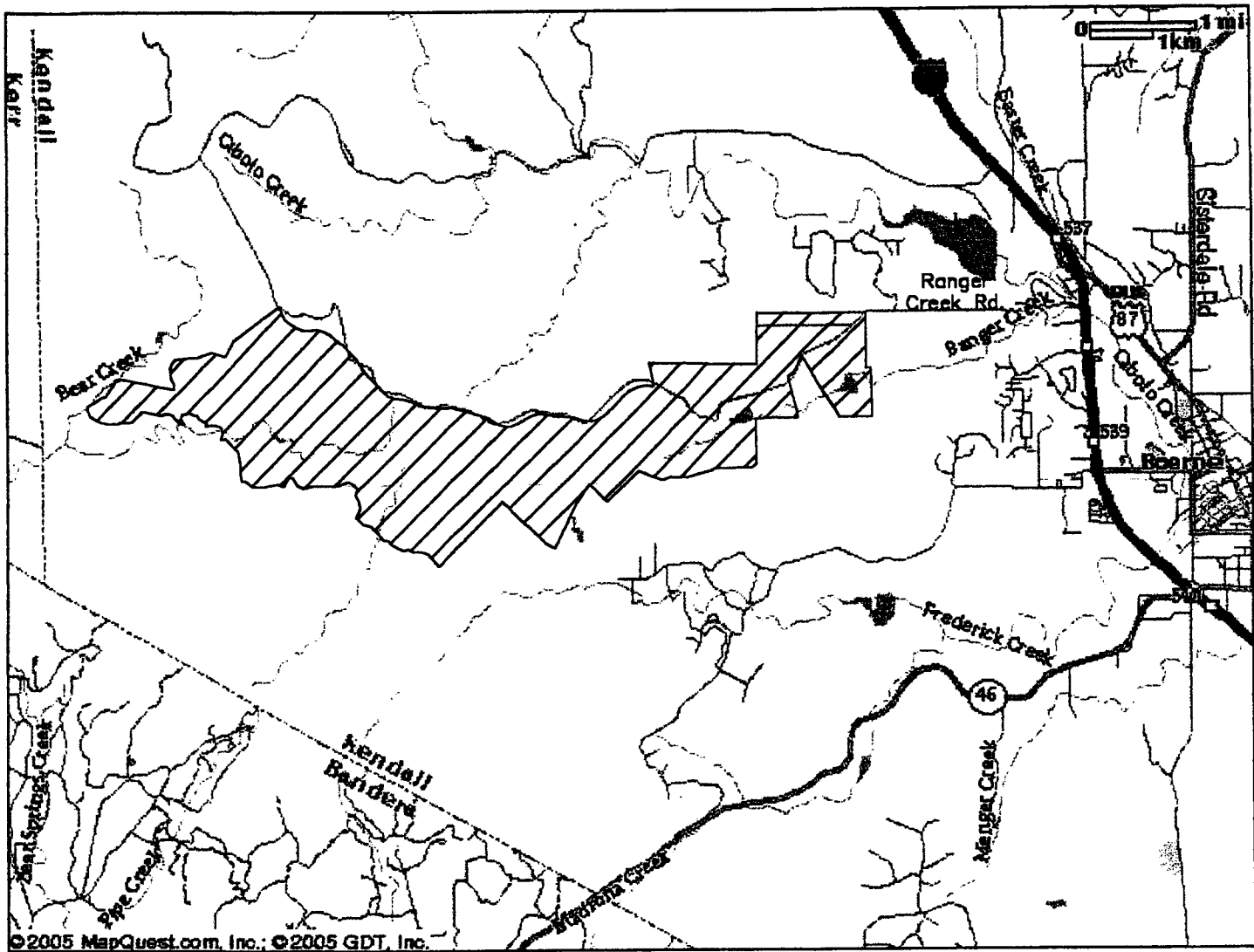
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Tapatio Springs Services Company Inc.
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April 18, 2005



KENDALL COUNTY

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Proposed
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B
& *D* **ENVIRONMENTAL, INC.**

Notice to Neighboring Systems and Cities

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

To: Foothills Mobile Home Ranch, Inc. (CCN No. 12606) Date Notice Mailed: June 17, 2005
99 September Lane
Boerne, Texas 78006

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

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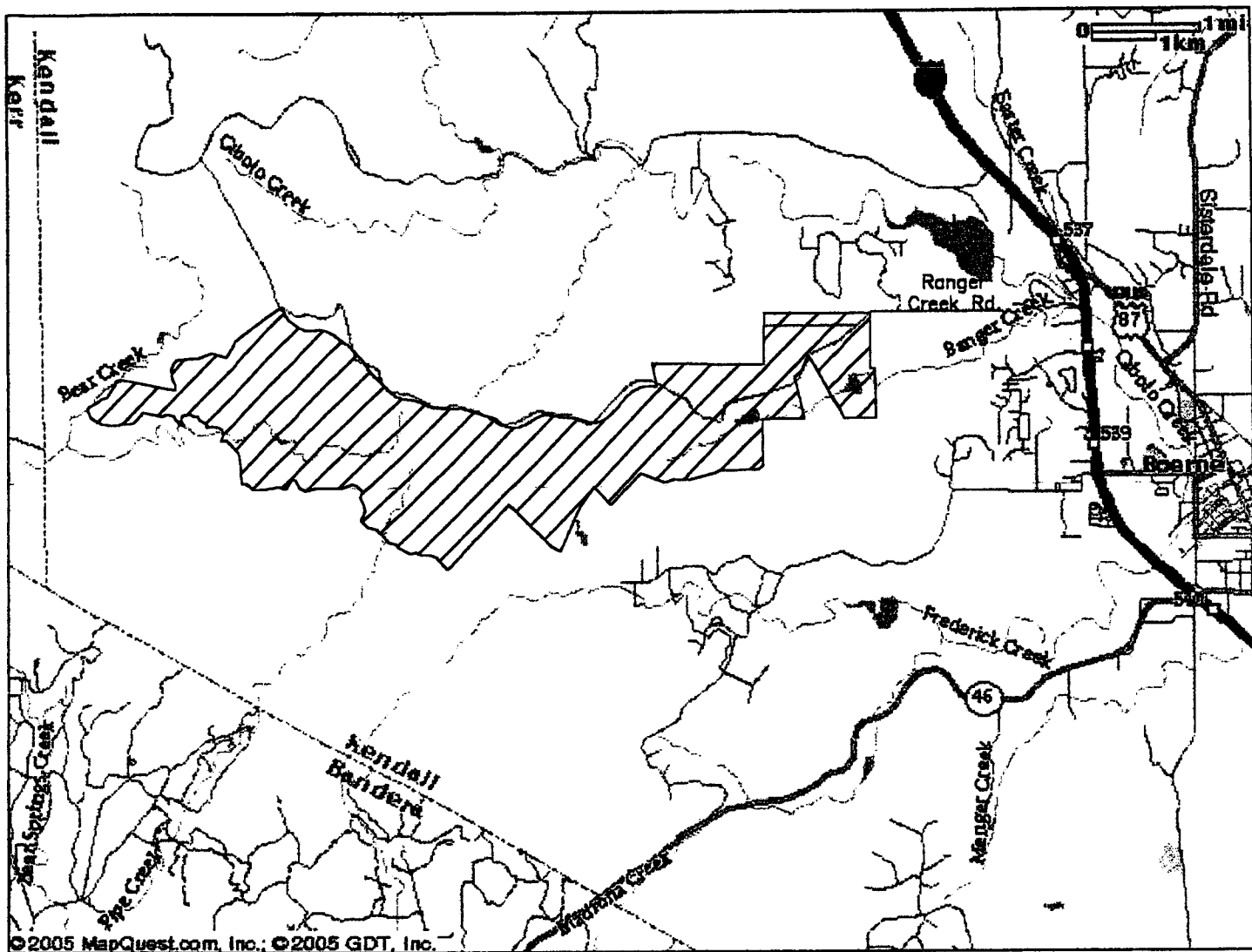
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Tapatio Springs Services Company Inc.
Amendment of existing CCN No. 12122 and CCN No. 20698

April 18, 2005



KENDALL COUNTY

LEGEND

 Proposed Service Area

B
&
D ENVIRONMENTAL, INC.

Notice to Neighboring Systems and Cities

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

To: Kendall County Utility Company, Inc (CCN No. 11904) Date Notice Mailed: June 17, 2005
P.O. Box 1335
Boerne, Texas 78006

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by Cibolo Creek; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. The total area being requested includes approximately 5000 acres and no current customers.

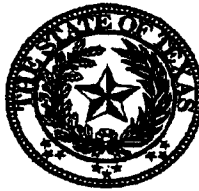
A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description 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:

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.

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Texas Commission on Environmental Quality

APPLICATION NO. 34932-C and 34933-C

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF Bexar

Tapatio Springs Services Company, Inc. has provided individual notice to the following entities:

	DATE
<u>Kendall County Utility Company Inc.</u>	<u>June 17, 2005</u>
<u>Foothills Mobile Home Ranch, Inc.</u>	<u>June 17, 2005</u>
<u>AquaSource Utility Inc.</u>	<u>June 17, 2005</u>
<u>City of Boerne</u>	<u>June 17, 2005</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

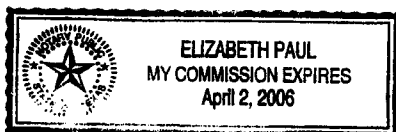
OATH

I, Patrick Lindner, being duly sworn, file this form as legal counsel; that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.

Patrick Lindner
Applicant's Authorized Representative

If the applicant 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 this 11th day of July, 2005, to certify which witness my hand and seal of office.



Elizabeth Paul
Notary Public in and for the
State of Texas

Elizabeth Paul
Print or Type Name of Notary Public
Commission Expires April 2, 06

standing stone office on major intersection. Available soon. Currently medical office, very visible, easy access, plenty of parking. 830-336-2735. (113580)

MANUFACT/ HOUSING

Mobile Home, 2 bdrm, 2 bath, 60' x 15', \$2,500. Must be moved. 210-365-4584.

FINANCIAL

Self Employed? Starting a new business? Or need advice, capital or consolidation? Call toll free 1-866-681-1264.

FOR SALE

250 Bottle Wine Cellar, good condition, oak finish, glass door, temp. & humidity controlled. 830-537-3344.

MINIVAN. NO air, runs great, \$1,300 obo 830-249-8210 or 210-834-9393.

2003 Silverado, ext. cab, Duramax Diesel, 4x4, 6-speed manual, 1-ton, Chevrolet Dually, 60k miles. This truck has a custom skirted flat bed with four tool boxes, custom 3" stacks exhaust system, replacement bumper/grill guard and headache rack. New tires all around. White exterior with gray interior. \$28,000. Must sell! Call 210-643-6599 or 830-966-2113. Please leave a message.

WIN a 2005 Mustang. Only 5000 will take part in drawing. No purchase necessary. Call for details, 1-888-218-3851.

2003 FORD EXPLORER XLT, 31k miles, all power, like new, \$19,000, OBO. 830-755-5320.

BUILDING MATERIALS

Thin set Hill Country Limestone, 4 pallets, interior, exterior. Make offer. 210-651-1011.

ANNOUNCEMENTS

How to be Saved. See 1 Corinthians 15:1-6, Ephesians 2:89, and John 3:16. Now see Matthew 22:36-39 to determine the greatest commandment which is to love.

BUSINESS OPPORTUNITY

WHAT RECESSION? Business is booming and we need help! Call today! 888-803-9534.

CHILD CARE

Need a babysitter on the weekends? Call 830-248-1037.

Ford 8IN tractor, \$2,350. 830-438-2382 or 830-377-5095.

GARAGE SALES

HUGE GARAGE SALE, Cross Creek Community Church, 30395 Ralph Fair Rd, Saturday, 7am. Call 210-698-5417 for more info.

Moving Sale, 120 Indian Knoll, 7.5 miles out Sisterdale Rd, Friday and Saturday, 7:30am-?. 30 years of accumulation. Antiques, furn., tools, bedding. Something for everyone! Cheap prices.

HORSES

2004 Cremello Stud Colt, grandson of Shining Spark, very nice confirmation, very intelligent, easy to train. Would make very nice stud or great gelding. \$3,000. 210-823-8891.

Call for appointment, 830-438-2382 or 830-377-5095.

MUSICAL INSTRUMENTS

Spinet Piano. Excellent condition. \$1,000. 830-229-5451.

PETS

Free to a very good home: Black Labrador, 1 year old. Very sweet and playful. 210-391-7966.

AKC Chesapeake Bay Retriever, almost free to the right home! 6 yr old female, great health, ok with dogs & cats but hates livestock, loves to run & play. 830-229-5339.

FREE precious smoky gray kittens! Spoiled, litter trained. 830-249-1861.

AKC Mini Dachshunds puppies. 2 female, silver & tan. Parents on site. 830-755-8657.

RECREATIONAL VEHICLES

WANTED: Travel Trailer, Motorhome in need of repair. Must be reasonable. 830-612-3625

SERVICES

MOWING, TRIMMING. Reasonable rates. Call Brian 830-249-7422.

count rx.com/hillcountrypharmacy

Attention Boerne and surrounding residents: Land maintenance, mowing of all types, pasture, lawn, weed-eating, shredding. Free Estimates & Competitive Rates. 830-743-0822.

WALLPAPERING. Experienced, dependable, free estimate/consultations or questions. Call Jennifer 210-269-5360.

WORK, TIRED, SICK? Schedule your house cleaning today! We work to fit your need. Living Cleaner Household Services, 830-377-8597 or 830-796-8292. A bonded company.

REQUEST PROPOSALS

The Boerne Independent is seeking sealed proposals for 2005-2006 School

AIR FILTERS-R

Proposal specifications from Karen Chesky in the Office at 123 W. Johns I 78006, or by calling 83 proposals should be se "Air Filters" in the lower left-hand corner of the envelope, and received in the BISD Business Office by 2:00 June 28, 2005, when the public is opened. Late proposals will not be considered. The District reserves the right to reject any and/or all proposals and waive any and/or all formalities.

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

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by Cibolo Creek; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. The total area being requested includes approximately 5000 acres and no current customers.

A copy of the proposed service area map is available at 7550 West IH 10, Suite 800, San Antonio, Texas, 78229.

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.

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REQUEST FOR PROPOSALS

The Boerne Independent School District is seeking sealed proposals for the 2005-2006 School Year for: **PLUMBING SUPPLIES & MATERIALS - RFP #603-M**

Proposal specifications may be obtained from Karen Chesky in the BISD Business Office at 123 W. Johns Rd, Boerne, Texas 78006, or by calling 830-357-2026. The proposals should be sealed and marked "Plumbing Supplies" in the lower left-hand corner of the envelope, and received in the BISD Business Office by 2:00 p.m. on Tuesday, June 28, 2005, when the proposals will be publicly opened. Late proposals will not be considered. The District reserves the right to reject any and/or all proposals and waive any and/or all formalities.

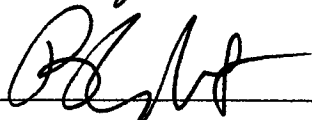
PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF KENDALL

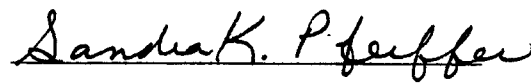
Before me this day personally appeared Brian Cartwright, the Publisher of "The Boerne Star" newspaper published in Kendall County, Texas, and having a general circulation in that county, who being by me duly sworn deposes and says:

That the foregoing notice was published in said newspaper on June 21, 2005.



Brian Cartwright

Subscribed and sworn to before me July 5, 2005.



Notary Public In and For
Kendall County, Texas



Call or E-mail for Details
233 HWY 27 • CENTER POINT, TX
APPROX. 9 MILES EAST OF
KERRVILLE VIA HWY 27
OR 9 MILES WEST OF
COMFORT ON HWY 27
 Auctioneer Curtis Schulze, Lic. #7751
 CALL (325) 347-6175
 OR EMAIL: CDSCHULZE@MSN.COM

RECREATIONAL VEHICLES

ITASCA 27' Class A; NEW: waterpump, refrig. unit, hot water htr. Low mileage, big storage, queen bed. 830-537-9127.

I BUY MOTORHOMES
1995 & NEWER!
830-257-0055 or
210-215-3724

SERVICES

WALLPAPERING.
 Experienced, dependable, free estimate/consultations or questions. Call Jennifer 210-269-5360.

Housecleaning in Boerne and surrounding areas, Mon-Fri. Thorough, dependable, honest. Good references. 210-478-7806.

Need dependable, honest, hardworking person for new home construction cleaning. Call 210-724-8379.

WORK, TIRED, SICK?
 Schedule your house cleaning today! We work to fit your need. Living Cleaner Household Services, 830-377-8597 or 830-796-8292. A bonded company.

Tree service, lot and land clearing, yard work, tree trimming, hauling. Fences and retaining walls. Free Estimates. 830-995-4286.

330-743-0822.

WANTED

We buy anything of value! Old items, barns, furniture, estates. 830-249-2006. The Junk Store. (108800)

WANTED: Used welding machine in good shape. Call me! 830-336-2575.

WANTED: Small metal or fiberglass boat. Call me! 830-336-2575.

PUBLIC NOTICES

PUBLIC NOTICES

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

Tapatio Springs Services Company, Inc. has filed an application to amend CCN Nos. 12122 and 20698 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Kendall County.

The proposed utility service area is located approximately 2 miles west of downtown Boerne, Texas, and is generally bounded on the north by Cibolo Creek; on the east by Johns Road; on the south by Tapatio Springs; and on the west by Bear Creek. The total area being requested includes approximately 5000 acres and no current customers.

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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.

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830-357-2026. Prop must be received in the BISD Business Office by 2:00 p.m. on Thursday, July 7, 2005.

REQUEST FOR PROPOSALS

The Boerne Independent School District is seeking sealed proposals for the 2005-2006 School Year for: **PRINTING**
 Proposal specifications may be obtained from Karen Chesky in the BISD Business Office at 123 W. Johns Rd., Boerne, Texas 78006, or by calling 830-357-2026. The proposals should be received in the BISD Business Office by 3:00 p.m. on Thursday, July 7, 2005.

CONSTR

Dist/Div: San Antonio C
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State Office
 Constr./Maint. Division
 200 E. Riverside Dr.
 Austin, Texas 78704
 Phone: 512-416-2540

Minimum wage rates a
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NOTICE TO TE TRANSPOI

Sealed proposals for co
 shown below, and then p

CONSTE

Dist/Div: San Antonio C
 REPAIR in Bexar County,
 for an estimate of \$250,0

Plans and specifications i
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 Offices listed below. If ap
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State Office
 Constr./Maint. Division
 200 E. Riverside Dr.
 Austin, Texas 78704
 Phone: 512-416-2540

Minimum wage rates a
 contract. TXDOT ensur

AREA BUSINESS

AIR CONDITIONING

AIR CONDITIONING

COMPUTER

Kendall County Air



M&T

Mr. Kamal Adhikari
July 14, 2005
Page 2 of 2

CDS International Holdings, Inc. is securing a letter from a financial institution with whom it conducts business that will address the developer's ability to provide the necessary funds for construction of the infrastructure. That letter will be provided within the next 10 days.

Should you have any questions, please do not hesitate to contact me at 512-892-6366 or 512-917-6065 at any time.

Sincerely,

A handwritten signature in cursive script that reads "Darrell Nichols".

Darrell Nichols
B & D Environmental, Inc

Attachments: Affidavit of Notice to Neighboring Utilities
Affidavit of Landowner Notice
Publishers Affidavit

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF KENDALL

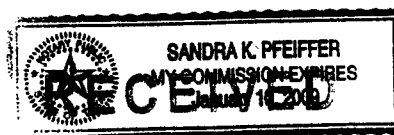
Before me this day personally appeared Brian Cartwright, the Publisher of "The Boerne Star" newspaper published in Kendall County, Texas, and having a general circulation in that county, who being by me duly sworn deposes and says:

That the foregoing notice was published in said newspaper on June 14, 2005.

Brian Cartwright
Brian Cartwright

Subscribed and sworn to before me July 5, 2005.

Sandra K. Pfeiffer
Notary Public In and For
Kendall County, Texas



JUL 15 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. Mann". The signature is fluid and cursive, with the first name "Michael" and last name "Mann" clearly distinguishable.

Michael G. Mann
Director of Public Works

:pkb

B & D ENVIRONMENTAL, INC.
UTILITY MANAGEMENT, OPERATIONS, AND CONSULTING

P.O. Box 90544
Austin, Texas 78709

Phone: (512) 264-9124
Fax: (512) 891-0740

July 14, 2005

Mr. Kamal Adhikari
TCEQ
Water Supply Division - MC 153
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED
JUL 15 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

RE: Application from Tapatio Springs Services Company, Inc., (Tapatio Springs) to amend Water CCN No. 12122 and Sewer CCN No. 20698 in Kendall County; Application Nos. 34932-C and 34933-C

Dear Mr. Adhikari:

Please find attached an original and 4 copies of the following:

- publishers affidavit and tear sheet of the published notice,
- affidavit of notice to neighboring utilities with a copy of the notice and map provided,
- affidavit of notice to landowners with a copy of the notice and map provided.

There are no current customers in the proposed area, so no notice was provided to the customers.

A digital file of the proposed service area was previously provided to Suzanne Jaster. Please indicate if you have been unable to locate that disc or if you need a different format.

As per the Non-Standard Service Agreement (a copy is included in Attachment B of the application), the developer is required to provide all the infrastructure to serve the new development including storage, water distribution, pressure maintenance, wastewater collection, and wastewater treatment facilities. Only limited existing capacities will be utilized to serve the proposed development. In accordance with its approved tariff, Tapatio Springs has required the developer be responsible to provide that necessary infrastructure.

Tapatio Springs continues to provide continuous and adequate service to its existing customers as indicated in the TCEQ facility inspections letters that are included in Attachments D and E of the application. Tapatio Springs has entered into a contract with Guadalupe Blanco River Authority to purchase surface water which should be available by December of 2005. By utilizing surface water for existing and future customers less demand will be placed on the groundwater resources.

The developer anticipates approximately 1700 connections over 5 years in multiple phases. However, the developer is still in the planning stages for these phases. Kendall County typically requires the CCN for the area be granted before the platting approval can be obtained. When the plans are finalized, I can provide a copy to you.

RECEIVED
JUL 15 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY



CITY OF BOERNE

P.O. Box 1677

402 E. Blanco

Boerne, Texas 78006

July 15, 2005

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

RE: Tapatio Springs Service Company, Inc. Amendment to CCN No. 12122

Dear Sirs:

The City of Boerne (City) hereby requests a public hearing regarding the above referenced CCN amendment on the basis of water supply. The City of is unaware of potential water resources that would be utilized by the applicant for this significant increase in service territory. The development of another large water supply in the proposed area would significantly impact the City's current ground water resources as well as the City's surface water supply from the nearby Boerne City Lake.

The City of Boerne will consider the withdrawal of this public hearing request if a detailed study can be presented proving that the applicant has sufficient water supplies to serve the proposed territory without impacting the groundwater and surface water interests of the City. In the event the proposed CCN amendment is granted and the applicant is unable to perform, the City (as the nearest provider that holds a CCN) would likely be required to provide service with limited resources and capacity.

The City of Boerne contact for this public hearing request is:

Michael G. Mann
Director of Public Works
PO Box 1677
Boerne, Texas 78006
830/249-9511

1111 10 2005