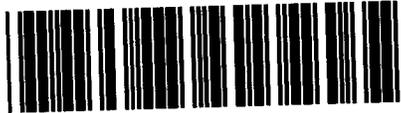




Control Number: 44001



Item Number: 15

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

Bryan W. Shaw, Ph.D., Chairman  
Carlos Rubinstein, Commissioner  
Toby Baker, Commissioner  
Zak Covar, Executive Director

44001

RECEIVED

2014 DEC 22 AM 7:33

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
PUBLIC UTILITY COMMISSION  
FILING CLERK

Protecting Texas by Reducing and Preventing Pollution

October 05, 2012

Mr. Bret W. Fenner, P.E.  
B & D Environmental, Inc.  
P.O. Box 500264  
Austin, Texas 78750

**NOTICE OF DEFICIENCY**

Re: Application from Mitchell M. Martin dba Community Utility Company, to Amend and to Decertify a portion of its Certificate of Convenience and Necessity (CCN) No. 10350, in Harris and Montgomery Counties; Application No. 37266-C

CN: 603180696; RN: 101458933

Dear Mr. Fenner:

Thank you for providing the notices requested in our letter dated August 6, 2012. However, after further review, it appears that notice was not provided to Harris County FWSD 58 (FWSD). As proof that notice was provided, you are required to send us the following:

- ✓ • four copies of each individual notice and map sent to the FWSD, and
- ✓ • an original and three copies of the signed affidavit that individual notice was provided to this entity. An affidavit form is enclosed for your use.

Please note that the 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.

✓ In addition, please provide a map of the Forest Manor proposed area showing facilities, reference item 3D of the application, page 9 of 28.

need

Lastly, it appears that engineering plans and specifications have not been submitted to TCEQ for PWSs 1010264 and 1011302. Please submit the as-built engineering plans and specifications prepared by a Texas Professional Engineer for both PWSs or submit copies of the plan approval letters issued by the TCEQ.

These items must be completed and returned to our office by **November 05, 2012**. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

**Karen Blaschke - Re: Consumers & Community CCN Amend Applications**

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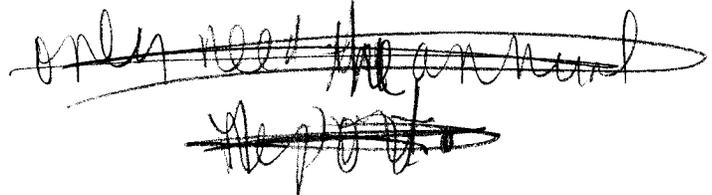
**From:** Karen Blaschke  
**To:** Bret Fenner  
**Date:** 1/9/2012 2:21 PM  
**Subject:** Re: Consumers & Community CCN Amend Applications

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Bret, as of today I have not received any of the items we requested in the notice of deficiency letter dated October 27, 2011, for Community Utility Company Application No. 37160-C. Please submit the requested items by Friday January 13, 2012.

Let me know if you have any questions.

Sincerely,  
Karen Blaschke  
Water Supply Division  
Utilities & Districts Section  
512/239-6932  
fax 512/239-0030

Handwritten signature and scribbles, possibly indicating a correction or emphasis on the word 'amend' in the subject line.

>>> Bret Fenner <bretfenner@yahoo.com> 12/21/2011 10:11 AM >>>  
Karen, I received your phone call but I am travel to Florida today.

Mr. Martin, the president of both utilities had surgery two weeks ago and is scheduled for surgery again Friday. This has prevent us from being able to finish thee items you requested. He has indicated that we should be able to work on these items the first week in January. As for the map issues, I will Have Jerry Sheppard with SW Engineers correct the issues as they are the ones preparing these maps.

Merry Christmas, Bret

**Karen Blaschke - Consumers & Community CCN Amend Applications**

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**From:** Bret Fenner <bretfenner@yahoo.com>  
**To:** Karen Blaschke <KBLASCHK@tceq.state.tx.us>, "Karen.Blaschke@tceq.texas.gov"  
<Karen.Blaschke@tceq.texas.gov>  
**Date:** 12/21/2011 10:11 AM  
**Subject:** Consumers & Community CCN Amend Applications

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Merry Christmas, Bret