



Control Number: 44001



Item Number: 16

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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

44001

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

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
FILING CLERK

Protecting Texas by Reducing and Preventing Pollution

November 12, 2012

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

FINAL 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:

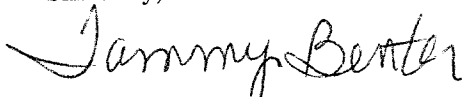
Thank you for providing the notice documents and the facilities map for the Forest Manor Subdivision with your letter dated November 5, 2012. However, one item remains outstanding per Texas Commission on Environmental Quality (TCEQ or Commission) letter dated October 5, 2012.

It appears that engineering plans and specifications have not been submitted to TCEQ for the Forest Manor Subdivision, PWS 1010264, and for Heathergate Estates, PWS 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 Commission.

These items must be completed and returned to our office by **November 26, 2012**. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

If you have any questions, please contact Ms. Elizabeth Flores at 512/239-6846, by email at elizabeth.flores@tceq.texas.gov, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



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

TB/EF/cw