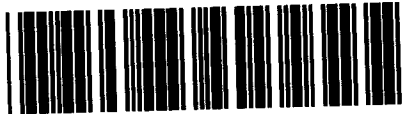


Control Number: 44001



Item Number: 17

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

44001

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

2014 DEC 22 AM 7:33

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 06, 2012

BY CERTIFIED MAIL

91 7108 2133 3935 2104 7269

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

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:

The above referenced application has been accepted for filing. Thank you for providing the items we requested with your July 16, 2012. Ms. Elizabeth Flores has been assigned to perform the technical review.

✓ 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 Harris and Montgomery Counties. **It is the responsibility of the applicant to provide correct notice** of the application to any utilities, cities, cities with an extraterritorial jurisdiction within two (2) 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 application, **you must provide notice to the following entities:**

TWO MILES:

- ✓ Blue Bell Manor Utility (10963)
- ✓ SCF Water Company (13074)

Mr. Bret Fenner, P.E.

Page 3

August 06, 2012

- 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 **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.

Additional financial or technical information may also be requested through future correspondence.

These items must be completed and returned to our office by **September 06, 2012**. Processing of this application cannot proceed until the close of the 30 day public comment period which begins after all the required notices has been given. 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 Mr. Elizabeth Flores at 512/239-6846, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

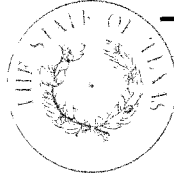


Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality

TB/KN/om

Enclosures: as stated

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 27, 2011

**BY FAX TO 512/692-1967 AND
BY CERTIFIED MAIL**

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 Certificate of Convenience and Necessity (CCN) No. 10350 and to Decertify a Portion of CCN No. 10350, in Harris and Montgomery Counties; Application No. 37160-C

CN: 603180696; RN: 101458933

Dear Mr. Fenner:

Your CCN application for Mitchell M. Martin dba Community Utility Company, received on October 10, 2011, has been assigned Application No. 37160-C, but has not been accepted for filing. Please refer to the application number in future correspondence.

The next step towards having your application accepted is to provide the following information:

1. Please submit four (4) copies of Mitchell M. Martin dba Community Utility Company's 2010 Annual Report (form #20052).
2. The maps submitted do not meet the mapping requirements. The maps should be clearly labeled with the intent of the application (amend and/or decertify), and should show only the proposed CCN, **not** existing CCN area, unless decertifying. No digital data, facility maps or metes and bounds were received. Please submit four (4) copies of the following:
 - a. General location maps delineating the proposed area with enough detail to accurately locate the proposed area within the county;
 - b. Maps showing **only** the proposed area by:
 - (1) metes and bounds survey certified by a licensed state land

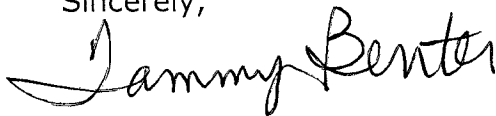
Mr. Bret W. Fenner, P.E.
Page 2
October 27, 2011

- (2) surveyor or a registered professional land surveyor; or projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
 - (3) following verifiable natural and man-made landmarks; or
 - (4) copies of recorded plat map with metes and bounds.
- c. Written descriptions of the proposed area.
- d. Provide **separate and additional** maps of the proposed area(s) to show the following:
- (1) all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
 - (2) any facilities, customers or area currently being served outside the applicant's certificated area(s).

Processing of the above referenced application cannot proceed and notices cannot be published or mailed until we receive the requested items. These items must be completed and returned to our office by **November 28, 2011**. 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. Karen Blaschke at 512/239-6932, 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/KLB/mmg

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



2014 DEC 22 AM 7:38

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

FILING CLERK

Protecting Texas by Reducing and Preventing Pollution

May 13, 2011

Mr. Les Romo, Attorney
Law Office of Les Romo
307 Shannon Lane
Georgetown, Texas 78628

NOTICE OF DEFICIENCY

Re: Application from MBC Water Systems, Inc., A1945, to Purchase Facilities and to Transfer Certificate of Convenience and Necessity (CCN) No. 10350 from Mitchell Martin dba Community Utility Company, in Harris and Montgomery Counties; Application No. 36894-S

CN: pending; RN: pending (MBC Water Systems, Inc.)
CN: 603180696; RN: 101458933 (Mitchell Martin dba Community Utility Company)

Dear Mr. Romo:

On March 1, 2011, we sent you a letter instructing you to provide notice for the application referenced above.

It is the responsibility of the applicant to provide correct notice of the application to any utilities, cities, cities extraterritorial jurisdiction within two miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area, customers transferred, or other affected parties in your requested area.

As proof that notice was given, you are required to return to this office a copy of the actual notice attached to a signed original affidavit and two copies of the signed affidavit.

As of today, we have not received the items requested. Please provide the requested information to this office by **June 15, 2011**.

Mr. Les Romo, Attorney

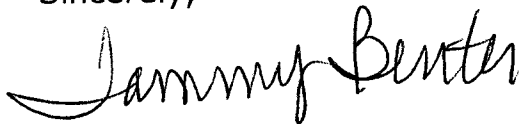
Page 2

May 13, 2011

Processing of the applications cannot proceed until the close of the 30 day public comment period which begins after the required notices have been given and complete documentation showing notice of the applications has been given to all of the affected parties. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

Thank you for your attention to this matter. If you any questions, please contact Ms. Heidi Graham at 512/239-0844 or by email at heidi.graham@tceq.texas.gov. If contacting TCEQ by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Tammy Benter". The signature is fluid and cursive, with the first name "Tammy" and last name "Benter" clearly distinguishable.

Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

TB/HG/ln