

Control Number: 44001



Item Number: 41

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

DROUGHT CONTINGENCY PLAN

FOR

2014 DEC 22 AM 7:41

PUBLIC UTILITY COMMISSION
FILING CLERK

COMMUNITY UTILITY COMPANY

PO BOX 58

SPRING TX 77383-0058

CCN NO. 10350

Including the following water systems:

Forest Manor	- 1010264 ✓
Heathergate Estates	- 1011302
Sweetgum Forest	- 1700113

Date:

September 1, 2000

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Section I Declaration of Policy, Purpose, and Intent

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit non-essential water usage (as defined in Section VII of this Drought Contingency Plan). The purpose of this Drought Contingency Plan (the Plan) is to encourage customer conservation in order to maintain supply, storage, and pressure, or to comply with the requirements of a court, government agency or other authority.

Please note: Water restriction is not a legitimate alternative if the water system does not meet the Texas Natural Resource Conservation Commission (TNRCC) capacity requirements under normal conditions or if the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

Section II Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by delivery of a customer notice, inviting customer comment. A copy of the customer notice is included in Appendix A.

Section III Public Education

Community Utility Company will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. Drought plan information will be provided to the customer by utility bill inserts and/or customer mailouts.

Section IV Coordination with Regional Water Planning Groups

The service area of Community Utility Company is located within Regional Water Planning Group (RWPG) H, and Community Utility Company has mailed a copy of this plan to the RWPG.

Section V Authorization

Community Utility Company, after having caused its' tariff to be amended so as to include this Plan, shall be authorized to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. Community Utility Company shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this plan.

Section VI Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by Community Utility Company. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII Definitions

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Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by Community Utility Company.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-ways, green belt areas, and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except as otherwise provided for under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

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Section VIII Criteria for Initiation and Termination of Drought Response Stages

Community Utility Company shall monitor water supply and/or demand conditions on a regular basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached. The triggering criteria described below are based on known system capacity limits.

Stage I Triggers – Customer Awareness

Requirement for initiation

Annually, beginning on April 1st.

Requirement for termination

Annually, ending on September 30th.

Stage II Triggers – Voluntary Water Conservation

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain non-essential water uses for Stage II of this Plan (as provided for in Section IX of this Plan) when any of the following conditions occur:

Supply-Based Trigger(s):

When the specific capacity of the well(s) is equal to or less than 90% of the well's original specific capacity.

Notification by any wholesale water supplier and/or neighboring utility with whom Community Utility Company has an agreement to purchase water that they are implementing Stage II rationing.

Demand/Capacity-Based Trigger(s):

When total daily water demand equals or exceeds 90% of the safe operating capacity of the water facilities for three consecutive days, or exceeds 95% of the safe operating capacity of the water facilities on any single day.

Inability to maintain a minimum operating pressure of 40 psi in the far reaches of the water system for three consecutive days, or inability to maintain a minimum operating pressure of 35 psi in the far reaches of the water system on any single day.

Requirements for termination

Stage II of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage II, Stage I becomes operative.

Stage III Triggers – Mandatory Water Use Restrictions

Requirements for initiation

Customers shall be **required** to conserve water and adhere to the prescribed restrictions on certain non-essential water uses for Stage III of this Plan (as provided for in Section IX of this Plan) when any of the following conditions occur:

Supply-Based Trigger(s):

When the specific capacity of the well(s) is equal to or less than 85% of the well's original specific capacity.

Notification by any wholesale water supplier and/or neighboring utility with whom Community Utility Company has an agreement to purchase water that they are implementing Stage III rationing.

Demand/Capacity-Based Trigger(s):

When total daily water demand equals or exceeds 95% of the safe operating capacity of the water facilities for three consecutive days, or exceeds 100% of the safe operating capacity of the water facilities on any single day.

Inability to maintain a minimum operating pressure of 35 psi in the far reaches of the water system for three consecutive days, or inability to maintain a minimum operating pressure of 30 psi in the far reaches of the water system on any single day.

Requirements for termination

Stage III of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage III, Stage II becomes operative.

Stage IV Triggers – Critical Water Use Restrictions

Requirements for initiation

Customers shall be **required** to conserve water and adhere to the prescribed restrictions on certain non-essential water uses for Stage IV of this Plan (as provided for in Section IX of this Plan) when any of the following conditions occur:

Supply-Based Trigger(s):

When the specific capacity of the well(s) is equal to or less than 80% of the well's original specific capacity.

Notification by any wholesale water supplier and/or neighboring utility with whom Community Utility Company has an agreement to purchase water that they are implementing Stage IV rationing.

Demand/Capacity-Based Trigger(s):

When total daily water demand equals or exceeds 100% of the safe operating capacity of the water facilities for three consecutive days, or exceeds 115% of the safe operating capacity of the water facilities on any single day.

Inability to maintain a minimum operating pressure of 30 psi in the far reaches of the water system for three consecutive days, or inability to maintain a minimum operating pressure of 20 psi in the far reaches of the water system on any single day.

Requirements for termination

Stage IV of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage IV, Stage III becomes operative.

Section IX Drought Response Stages

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the utility will initially declare Stage I restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage II may be implemented with Stage III & Stage IV to follow if necessary.

Stage I Response – Customer Awareness

Goal:

Increase customer awareness of water conservation and encourage the most efficient use of water.

Utility Measures:

- (a) Upon initiation and termination of Stage I, the utility will mail a public announcement to its customers.
- (b) No notice to TNRCC required.
- (c) Keep a copy of the current public announcement on water conservation awareness on file for inspection by the TNRCC.

Voluntary Water Use Restrictions:

Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

Stage II Response – Voluntary Water Conservation

Goal:

Voluntarily reduce and maintain total daily water demand at or below 90% of the safe operating capacity of the water facilities and/or regain the ability to maintain a minimum operating pressure in excess of 40 psi in the far reaches of the system.

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Utility Measures:

- (a) Upon initiation and termination of Stage II, the utility will mail a public announcement to its customers.
- (b) No notice to TNRCC required.
- (c) Visually inspect lines and repair leaks on a regular basis.
- (d) Perform a monthly review of customer usage records and follow-up on any that have unusually high usage.

Voluntary Water Use Restrictions: (Restricted Days & Hours for outdoor use of water.)

- (1) **Restricted Days/Hours** - Water customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are requested to limit outdoor water use to:

Mondays - for water customers with a street address ending with the numbers 1, 2, or 3;

Wednesdays - for water customers with a street address ending with the numbers 4, 5, or 6;

Fridays - for water customers with a street address ending with the numbers 7, 8, 9, or 0.

- (2) Irrigation of landscaped areas is further limited to the hours of 6:00 a.m. until 10:00 a.m. and 8:00 p.m. until 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (3) Water is not be used in a wasteful manner (i.e. allowing water to run or accumulate in any gutter, ditch, or street, or failing to repair a controllable leak within a reasonable time period.)

Stage III Response – Mandatory Water Use Restrictions

Goal:

Reduce and maintain total daily water demand at or below 95% of the safe operating capacity of the water facilities and/or regain the ability to maintain a minimum operating pressure in excess of 35 psi in the far reaches of the system.

Utility Measures:

- (a) Upon initiation and termination of Stage III, the utility will mail a public announcement to its customers.
- (b) Notice to TNRCC required.
- (c) Visually inspect lines and repair leaks on a regular basis.
- (d) Perform a monthly review of customer usage records and follow-up on any that have unusually high usage.
- (e) Flushing is prohibited except for dead end mains.

Mandatory Water Use Restrictions: (Restricted Days & Hours for outdoor use of water.)

- (1) **Restricted Days/Hours** - Water customers are required to limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are required to limit outdoor water use to:

Mondays - for water customers with a street address ending with the numbers 1, 2, or 3;

Wednesdays - for water customers with a street address ending with the numbers 4, 5, or 6;

Fridays - for water customers with a street address ending with the numbers 7, 8, 9, or 0.

- (2) Irrigation of landscaped areas is further limited to the hours of 6:00 a.m. until 10:00 a.m. and 8:00 p.m. until 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (3) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between the hours of 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (4) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or "Jacuzzi" type pools is prohibited except on designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between the hours of 8:00 p.m. and 12:00 midnight.
- (5) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (6) Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
- (7) The following uses of water are defined as non-essential and are prohibited:
- (a) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - (b) use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - (c) use of water for dust control;
 - (d) flushing gutters or permitting water to run or accumulate in any gutter, ditch, or street;
 - (e) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
 - (f) Any waste of water.

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Stage IV Response – Critical Water Use Restrictions

Goal:

Reduce and maintain total daily water demand at or below 100% of the safe operating capacity of the water facilities and/or regain the ability to maintain a minimum operating pressure in excess of 30 psi in the far reaches of the system.

Utility Measures:

- (a) Upon initiation and termination of Stage III, the utility will mail a public announcement to its customers.
- (b) Notice to TNRCC required.
- (c) Visually inspect lines and repair leaks on a daily basis.
- (d) Customer meters shall be read as often as necessary to insure compliance with Stage IV restrictions.
- (e) Flushing is prohibited except for dead end mains and only between the hours of 8:00 p.m. and 12:00 midnight.
- (f) Emergency interconnections and/or alternative supply arrangements shall be initiated.

Mandatory Water Use Restrictions: (All outdoor use of water is prohibited.)

- (1) Irrigation of landscaped areas is absolutely prohibited.
- (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.
- (3) Each customer's usage is to be limited to an average of the customers' winter months' average to be uniformly applied on a system wide basis, with each customer being notified of this average amount.

Section X Notice Requirements

Written notice will be provided to each customer **prior to implementation or termination of each stage of the water restriction program**. Mailed notice must be given to each customer 72-hours prior to the start of water restriction. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

- 1. the date restrictions will begin,
- 2. the circumstance(s) that triggered the restrictions,
- 3. the stage of response and explanation of the restrictions to be implemented, and,
- 4. an explanation of the consequences for violations.

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The utility must notify the TNRCC by telephone at (512) 239-6020, or electronic mail at watermon@tnrcc.state.tx.us prior to implementing Stage III and must notify in writing the Public Drinking Water Section at MC – 155, P.O. Box 13087, Austin, Texas 78711-3087 within (5) working days of implementation including a copy of the utility's restriction notice. The utility must file a status report of its restriction program with the TNRCC at the initiation and termination of mandatory water use restrictions (i.e. Stages III and IV).

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Section XI Violations

1. First violation – The customer will be notified by written notice of their specific violation.
2. Subsequent violations:
 - a. After written notice, the utility may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24 hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed \$50.00.
 - b. After written notice, the utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the utility will apply for restoration of service.

Section XII Exemptions or Variances

The utility may grant any customer an exemption or variance from the drought contingency plan for good cause **upon written request**. Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with Community Utility Company within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by Community Utility Company and must include the following information:

- (a) Name and address of the petitioner(s);
- (b) Purpose of water use;
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief;
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan;
- (e) Description of the relief requested;
- (f) Period of time for which the variance is sought;
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date;
- (h) Other pertinent information.

The utility will treat all customers equally concerning exemptions, and must take into consideration whether failure to grant a temporary variance will result in an emergency condition that will adversely affect the health, sanitation, safety or welfare of the public or the person requesting such variance. A customer who is refused an exemption or variance may appeal such action of the utility in writing to the Texas Natural Resource Conservation Commission.

No exemption or variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

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APPENDIX A -- COPY OF CUSTOMER NOTIFICATION

Community Utility Company

To: All water customers.

Re: Drought Contingency Plan.

Dear Customer:

Statutory requirements of Senate Bill 1, 75th Texas Legislature, requires all public water suppliers to develop drought contingency plans to be implemented during periods of water shortages and drought.

The overall purpose for the development of a drought contingency plan is to:

- (1) Provide an opportunity for the utility to evaluate the potential risks and impacts of drought or other emergency conditions in advance of an actual event;
- (2) Predetermine response measures to be taken in the event of a drought or other emergency condition in order to avoid, minimize, or mitigate the risks and impacts of drought-related shortages and other emergencies.

Development of a drought contingency plan must therefore include the definition of specific "triggering conditions" to be monitored and used in deciding when to invoke the various "stages" of the drought contingency plan, as well as the definition of appropriate response measures to be implemented.

The following pages provide information concerning the proposed drought contingency plan, including the triggering conditions and response measures to be undertaken at each stage of the plan.

Please take the time to review the information provided, and if you have a question or wish to make a comment or suggestion, provide a written response to:

Attn – Drought Contingency Planning Group
Community Utility Company
P.O. Box 58
Spring, Texas 77383-0058

Thank you for taking time to help with this very important project.

Sincerely,
Community Utility Company

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Drought Contingency Plan

Stage I – Customer Awareness

Requirement for initiation (triggering events): Annually, beginning on April 1st.

Water Use Restrictions: Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

Requirement for termination: Annually, ending on September 30th.

Stage II – Voluntary Water Conservation

Requirements for initiation (triggering events): Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain non-essential water uses for Stage II of this Plan when any of the following conditions occur:

- (a) When the specific capacity of the well(s) is equal to or less than 90% of the well's original specific capacity.
- (b) Notification by any wholesale water supplier and/or neighboring utility with whom Community Utility Company has an agreement to purchase water that they are implementing Stage II rationing.
- (c) When total daily water demand equals or exceeds 90% of the safe operating capacity of the water facilities for three consecutive days, or exceeds 95% of the safe operating capacity of the water facilities on any single day.
- (d) Inability to maintain a minimum operating pressure of 40 psi in the far reaches of the water system for three consecutive days, or inability to maintain a minimum operating pressure of 35 psi in the far reaches of the water system on any single day.

Water Use Restrictions: (Voluntary Restriction of Days & Hours for outdoor use of water.)

- (1) **Restricted Days/Hours** - Water customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are requested to limit outdoor water use to **Mondays** - for water customers with a street address ending with the numbers 1, 2, or 3; **Wednesdays** - for water customers with a street address ending with the numbers 4, 5, or 6; **Fridays** - for water customers with a street address ending with the numbers 7, 8, 9, or 0.
- (2) Irrigation of landscaped areas is further limited to the hours of 6:00 a.m. until 10:00 a.m. and 8:00 p.m. until 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (3) Water is not be used in a wasteful manner (i.e. allowing water to run or accumulate in any gutter, ditch, or street, or failing to repair a controllable leak within a reasonable time period.)

Requirements for termination: Stage II of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage II, Stage I becomes operative.

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Stage III – Mandatory Water Use Restrictions

Requirements for initiation (triggering events): Customers shall be **required** to conserve water and adhere to the prescribed restrictions on certain non-essential water uses for Stage III of this Plan when any of the following conditions occur:

- (a) When the specific capacity of the well(s) is equal to or less than 85% of the well's original specific capacity.
- (b) Notification by any wholesale water supplier and/or neighboring utility with whom Community Utility Company has an agreement to purchase water that they are implementing Stage III rationing.
- (c) When total daily water demand equals or exceeds 95% of the safe operating capacity of the water facilities for three consecutive days, or exceeds 100% of the safe operating capacity of the water facilities on any single day.
- (d) Inability to maintain a minimum operating pressure of 35 psi in the far reaches of the water system for three consecutive days, or inability to maintain a minimum operating pressure of 30 psi in the far reaches of the water system on any single day.

Water Use Restrictions: (Mandatory Restriction of Days & Hours for outdoor use of water.)

- (1) **Restricted Days/Hours** - Water customers are required to limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are required to limit outdoor water use to **Mondays** - for water customers with a street address ending with the numbers 1, 2, or 3; **Wednesdays** - for water customers with a street address ending with the numbers 4, 5, or 6; **Fridays** - for water customers with a street address ending with the numbers 7, 8, 9, or 0.
- (2) Irrigation of landscaped areas is further limited to the hours of 6:00 a.m. until 10:00 a.m. and 8:00 p.m. until 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (3) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between the hours of 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (4) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or "Jacuzzi" type pools is prohibited except on designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between the hours of 8:00 p.m. and 12:00 midnight.
- (5) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (6) Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
- (7) The following uses of water are defined as non-essential and are prohibited:
 - (a) use of water to wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - (b) use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - (c) use of water for dust control;

- (d) flushing gutters or permitting water to run or accumulate in any gutter, ditch, or street;
- (e) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (f) Any waste of water.

Requirements for termination: Stage III of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage III, Stage II becomes operative.

Stage IV – Critical Water Use Restrictions

Requirements for initiation (triggering events): Customers shall be **required** to conserve water and adhere to the prescribed restrictions on certain non-essential water uses for Stage IV of this Plan when any of the following conditions occur:

- (a) When the specific capacity of the well(s) is equal to or less than 80% of the well's original specific capacity.
- (b) Notification by any wholesale water supplier and/or neighboring utility with whom Community Utility Company has an agreement to purchase water that they are implementing Stage IV rationing.
- (c) When total daily water demand equals or exceeds 100% of the safe operating capacity of the water facilities for three consecutive days, or exceeds 115% of the safe operating capacity of the water facilities on any single day.
- (d) Inability to maintain a minimum operating pressure of 30 psi in the far reaches of the water system for three consecutive days, or inability to maintain a minimum operating pressure of 20 psi in the far reaches of the water system on any single day.

Water Use Restrictions: (All outdoor use of water is prohibited.)

- (1) Irrigation of landscaped areas is absolutely prohibited.
- (2) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.
- (3) Each customer's usage is to be limited to an average of the customers' winter months' average to be uniformly applied on a system wide basis, with each customer being notified of this average amount.

Requirements for termination: Stage IV of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage IV, Stage III becomes operative.

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TIFFANI WHITAKER
1710 CYPRESS MANOR
HUFFMAN, TX 77336
281 324 6090

DATE 9-27-08

Texas Commission on Environmental Quality

Water Supply Division
Utilities & Districts Section, MC 153
P. O. Box 13087
Austin, TX 78711-3087

RE: Protest	<u>Community Utility Company</u>	<u>10350</u>
	Company Name	CCN Number
	Forest Manor Subdivision	Account # <u>31</u>

I hereby officially protest the rate increase for the following reasons:

INCREASE TOO LARGE (223 %)

QUALITY OF WATER IS VERY POOR AND MUST BE FILTERED BEFORE USING

NO FIRE HYDRANTS

INSURANCE RATES ARE HIGHER BECAUSE OF NO FIRE HYDRANTS

NO BACK-UP TO THE WELL WHEN POWER IS OUT

SYSTEM POORLY MAINTAINED

TIFFANI WHITAKER
(Signature & Print Name)

9-27-08
Dated

NOTICE OF PROPOSED RATE CHANGE

Community Utility Company

Company Name

10359

CCN Number

has submitted a rate change application to the Texas Commission on Environmental Quality (Commission). The proposed rates listed on the next page will apply to service received after the effective date provided below. If the Commission receives protests to the proposed increase from 10 percent of the ratepayers or from any affected municipality before the 91st day after the proposed effective date, a public hearing will be scheduled to determine if the proposed rates are reasonable. Protests should be mailed to:

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

Unless protests are received from 10 percent of the ratepayers or the Commission staff requests a hearing, no hearing will be held and rates will be effective as proposed. Please read the following information carefully:

Forest Manor Subdivision, Heathergate Public Utility Co & Sweetgum Forest

Subdivisions or Systems Affected by Rate Change

P.O. Box 58

Springs

Texas

78383

(281)444-7747

Company Address

City

State

Zip

Telephone

\$76,500

On or before June 30, 2008

Annual Revenue Increase

Date Customer Notice Mailed

April 14, 1989

1st & 2nd weeks of the month

Date of Last Rate Change

Date Meters Typically Read

EFFECTIVE DATE OF PROPOSED INCREASE: September 1, 2008

BILLING COMPARISON

Water:	Existing	10,000 gallons:	\$ 12.50/mo	Existing	30,000 gallons:	\$ 12.50 /mo
	Proposed	10,000 gallons:	\$ 56.27/mo	Proposed	30,000 gallons:	\$ 109.67 /mo

The proposed rates will apply to all service rendered after the effective date and will be reflected on the bill you receive approximately 30 to 45 days after the effective date.

In the event that the application is set for hearing, the specific rates requested by the utility may be decreased or increased by order of the Commission. If the Commission orders a lower rate to be set, the utility may be ordered to refund or credit against future bills all sums collected during the pendency of the rate proceeding in excess of the rate finally ordered plus interest. You may inspect a copy of the rate change application at your utility's office or at the Commission's office at Park 35 - Building F, 12015 Park 35 Circle, Suite 3101, Austin, Texas, west side of IH-35, south of Yager Lane. Additional information about the application can be obtained by contacting the Utilities and Districts Section at 512/239-4691. Information about how you can participate in the rate setting process can be obtained by contacting the Public Interest Counsel at 512/239-6363.

EF/HG 36103-R
8/28/08 TT
(1)

Date Aug. 12, 2008

Subject: Forest Manor Subdivision, Heathergate Public Utility Co. and Sweetgum
Forest water
rate increase proposal

To whom it may concern:

I am writing this letter to inform the Community Utility Co. and the Texas Commission on Environmental Quality Water Supply Division that I do here-by oppose the water rate increase for the above mentioned areas.

Basically all the service we receive is water. And that is questionable at times. We have no sewage, no street lights, no fire hydrants, no meters, no sidewalks and have to pay for garbage pickup individually.

And since the original owner of this privately owned water service, has passed away, his heirs, that would be his sons, have gotten the idea that they can come into these neighborhoods and raise our rates more than three times what we are paying now.

They have not said anything about replacing the existing rusted galvanized pipes that ruin our clothing, and have most residents buying their drinking water outside of these areas.

We are in the process of circulating a petition to try and get the residence aware of what is going on. We no longer have a civic org. nor a garden club. Most of the property in these areas are rental property. Some of the original property owners still live in the area. But we are getting older and live on a fixed income.

We would like to have a public hearing held in the Crosby, Texas area.

send to:#1
Community Utility Co.
P.O.Box 58
Spring, Texas 77383-0058
send to:#2
Texas Commission on Environmental Quality
Water Supply Division
Utilities & Districts Sections MC 153
P.O. Box 10087
Austin, Texas 78711-3087

Thank You,

Sandra Milton/Douglas
504 Heathergate Lane
Crosby, Texas
77532

2008 AUG 26 PM 3:15
8/28/08 TT
TCEQ WATER SUPPLY
RECEIVED

NOTICE OF PROPOSED RATE CHANGE**Community Utility Company****10350**

Company Name

CCN Number

has submitted a rate change application to the Texas Commission on Environmental Quality (Commission). The proposed rates listed on the next page will apply to service received after the effective date provided below. If the Commission receives protests to the proposed increase from 10 percent of the ratepayers or from any affected municipality before the 91st day after the proposed effective date, a public hearing will be scheduled to determine if the proposed rates are reasonable. Protests should be mailed to:

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

Unless protests are received from 10 percent of the ratepayers or the Commission staff requests a hearing, no hearing will be held and rates will be effective as proposed. Please read the following information carefully:

Forest Manor Subdivision, Heathergate Public Utility Co & Sweetgum Forest

Subdivisions or Systems Affected by Rate Change				
P.O. Box 58	Springs	Texas	78383	(281)444-7747
Company Address	City	State	Zip	Telephone
\$76,500				On or before June 30, 2008
Annual Revenue Increase				Date Customer Notice Mailed
April 14, 1989				1st & 2nd weeks of the month
Date of Last Rate Change				Date Meters Typically Read

EFFECTIVE DATE OF PROPOSED INCREASE: September 1, 2008**BILLING COMPARISON**

Water:	Existing	10,000 gallons:	\$ 12.50/mo	Existing	30,000 gallons:	\$ 12.50 /mo
	Proposed	10,000 gallons:	\$ 56.27/mo	Proposed	30,000 gallons:	\$ 109.67 /mo

The proposed rates will apply to all service rendered after the effective date and will be reflected on the bill you receive approximately 30 to 45 days after the effective date.

In the event that the application is set for hearing, the specific rates requested by the utility may be decreased or increased by order of the Commission. If the Commission orders a lower rate to be set, the utility may be ordered to refund or credit against future bills all sums collected during the pendency of the rate proceeding in excess of the rate finally ordered plus interest. You may inspect a copy of the rate change application at your utility's office or at the Commission's office at Park 35 - Building F, 12015 Park 35 Circle, Suite 3101, Austin, Texas, west side of IH-35, south of Yager Lane. Additional information about the application can be obtained by contacting the Utilities and Districts Section at 512/239-4691. Information about how you can participate in the rate setting process can be obtained by contacting the Public Interest Counsel at 512/239-6363.

2008 AUG 26 PM 3:15

RECEIVED
TCEQ WATER SUPPLY

NOTICE OF PROPOSED RATE CHANGE -WATER (Cont.)

Page 2

CURRENT RATES

Meter Size: Residential

All Connections:

Flat Rate of \$ 12.50 per month

PROPOSED RATES

Monthly base rate including 0 gallons

Meter Size: Residential

Unmetered Rate: \$ 45.59 per month per connection until all service meters are installed.

5/8" or 3/4" •	\$	29.57
1"	\$	73.93
1 1/2"	\$	147.85
2"	\$	236.56
3"	\$	443.55
4"	\$	650.54

Gallonge Charge:

\$ 2.67 for each additional 1000 gallons over the minimum

Miscellaneous Fees

Tap fee	\$	250.00
Reconnection fee	\$	0.00
Non-payment (Maximum - \$25.00)	\$	0.00
Customer's request	\$	0.00
Transfer fee	\$	0.00
Late charge	\$	1.00 or 5.0%
Returned check charge	\$	0.00
Deposit	\$	0.00
Meter test fee	\$	0.00

Miscellaneous Fees

Tap fee	\$	600.00
Reconnection fee	\$	25.00
Non-payment (Maximum - \$25.00)	\$	25.00
Customer's request	\$	50.00
Transfer fee	\$	35.00
Late charge (Indicate either \$5.00 or 10%)	\$	10 %
Returned check charge	\$	25.00
Deposit (Maximum \$50.00)	\$	50.00
Meter test fee	\$	25.00

Regulatory Assessment of 1% is added to base rate and gallonge charges

Pass Through Adjustment Clause:

The utility may pass on only to those customers served by a system subject to the jurisdiction of any regional water authority and/or any groundwater reduction plan, any increase or decrease in its underground water district pumpage fee or purchased water fee, thirty (30) days after noticing of any change to all effected customers and filing notice with the TCEQ as required by 30 TAC 291.21 (I). The change per customer shall be calculated as follows:

$(A \times B) / C + L$ [(AxB) / C] = increase or decrease to existing gallonge rate

Where: A = Utility's annualized change in cost of water subjected to district's fee

B = Average number of gallons

C = 1000 gallons

L = percentage system wide line loss for the proceeding 12 months, not to exceed 15%

RECEIVED
TCEQ WATER SUPPLY
2008 AUG 26 PM 3:15

COMMUNITY UTILITY CO.
PO BOX 58
SPRING TX 77383-0058
281-444-7747

THE 2007 ANNUAL DRINKING WATER QUALITY
REPORT WILL BE AVAILABLE AS OF JULY 1, 2007
AT www.martinutility.com, OR CALL
THE WATER CO. OFFICE TO REQUEST A CAOPY.

THANK YOU
COMMUNITY UTILITY

FIRST CLASS MAIL
US POSTAGE PAID
SPRING TX
Permit No 426

ACCOUNT NO.	DATE
78	6/23/2008

SANDRA DOUSAY
504 HEATHER GATE LN
CROSBY, TX 77532

RECEIVED
AUG 02 2006
Enforcement Division

Mitchell M. Martin, Jr.

27493 Hanna Road, Suite No. 2
Conroe, Texas 77385

Office: 281-367-4460

Fax: 281-292-4439

CCN/10350/CJ

July 31, 2006

To: Order Compliance Team
Enforcement Division, MC 149
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Martin Respondents Compliance Agreement - Item No's 4.a., 4.b. & 6.a-d

To whom it may concern:

Please find enclosed, Martin Respondents' answers to the above items.

Should you require any additional information concerning these items, please contact me at once.

Sincerely,

Mitchell M. Martin, Jr.
Mitchell M. Martin, Jr.

Enclosures: Original answers to Item No's 4.a., 4.b. & 6.a-d

cc: Water Section Manager, Houston Regional Office, TCEQ
Mr. Brian Lehmkuhle, P.O. Box 13087 Austin, Texas 78711-3087
Mr. Les Romo, 307 Shannon Lane, Georgetown, Texas 78628
Mr. Michael M. Martin, 27493 Hanna Road, Suite No. 2, Conroe, Texas 77385
Mrs. Carolee Martin, 27493 Hanna Road, Suite No. 2, Conroe, Texas 77385

RECEIVED

FEB 02 2007

TCEQ
CENTRAL FILE ROOM

COMPREHENSIVE PROPOSED IMPROVEMENT PLAN

Item No. 4.a.

In reference to how to update information, Martin respondents propose the following:

- (1) Martin respondents will prepare TCEQ Core Data Forms on all Customers and Regulated entities and submit copies of them to the Order Compliance Team for review, clarification and approval;
- (2) After review and approval by the Order Compliance Team, Martin respondents will submit the completed TCEQ Core Data Forms to the TCEQ Central Registry Program;
- (3) After processing of the TCEQ Core Data Forms by the TCEQ Central Registry Program, Martin Respondents will review the updated information in the TCEQ Central Registry to ensure that the new entries are both accurate and complete.

In reference to how to accomplish operation/maintenance improvements, Martin respondents have already established goals that will help in these areas:

- (1) ***Hire additional operators.*** The current operational staff is spread thin with very little in the way of any reserve manpower capacity. Adding additional operators will allow for an increase in both manpower reserves as well as an increase in the number of man hours that can be spent in the field on operations and maintenance issues. Martin respondents have hired a rate consultant that is currently working on the preparation of rate change applications to provide the additional cash flow necessary to hire additional operators (and also make it possible to obtain funding for additional equipment and capital improvements).
- (2) ***Record keeping improvements.*** Martin respondents, recognizing that good record keeping practices will help to improve operations and maintenance, is reviewing and updating its' record keeping procedures. Also, Martin respondents have already updated their computer equipment and software, and are in the process of creating an electronic filing system to better manage the records of the utilities.

Item No. 4.b.

The payment schedules listed below are based upon committing 5% of the monthly gross revenues towards paying off the listed debt, with the balloon payments to be funded by rolling those costs into the overall capital improvements plan.

Community Utility Company Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$11,547.81
Aug-06	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	\$11,392.81
Sep-06	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	\$11,237.81
Oct-06	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	\$11,082.81
Nov-06	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	\$10,927.81
Dec-06	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	\$10,772.81
Jan-07	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	\$10,617.81
Feb-07	\$5,859.00	\$2,135.05	\$2,623.76	\$0.00	\$0.00	\$10,617.81	\$0.00

Consumers Water, Inc Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$99,547.46
Aug-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$97,097.46
Sep-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$94,647.46
Oct-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$92,197.46
Nov-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$89,747.46
Dec-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$87,297.46
Jan-07	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$84,847.46
Feb-07	\$7,532.00	\$14,517.59	\$62,797.87	\$0.00	\$0.00	\$84,847.46	\$0.00

Patton Village Water Co., Inc. Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,454.28
Aug-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$16,124.28
Sep-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$15,794.28
Oct-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$15,464.28
Nov-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$15,134.28
Dec-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$14,804.28
Jan-07	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$14,474.28
Feb-07	\$3,802.00	\$3,466.07	\$7,206.21	\$0.00	\$0.00	\$14,474.28	\$0.00

Stone Hedge Utility Co., Inc. Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0 00	\$0 00	\$0.00	\$0 00	\$0.00	\$0.00	\$3,572.95
Aug-06	\$150.00	\$0 00	\$0.00	\$0 00	\$0 00	\$150.00	\$3,422.95
Sep-06	\$150.00	\$0 00	\$0.00	\$0 00	\$0 00	\$150.00	\$3,272.95
Oct-06	\$31 00	\$0 00	\$119 00	\$0.00	\$0.00	\$150.00	\$3,122.95
Nov-06	\$0 00	\$0 00	\$150.00	\$0.00	\$0.00	\$150.00	\$2,972.95
Dec-06	\$0 00	\$0 00	\$150.00	\$0 00	\$0.00	\$150.00	\$2,822.95
Jan-07	\$0.00	\$0 00	\$150.00	\$0 00	\$0.00	\$150.00	\$2,672.95
Feb-07	\$0 00	\$0.00	\$2,672.95	\$0 00	\$0 00	\$2,672.95	\$0 00

Suburban Utility Co. Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0 00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$116,122.72
Aug-06	\$1,220 00	\$0.00	\$0 00	\$0.00	\$0.00	\$1,220.00	\$114,902.72
Sep-06	\$1,220 00	\$0 00	\$0.00	\$0.00	\$0.00	\$1,220.00	\$113,682.72
Oct-06	\$1,220.00	\$0 00	\$0 00	\$0.00	\$0 00	\$1,220.00	\$112,462.72
Nov-06	\$1,220.00	\$0 00	\$0 00	\$0.00	\$0.00	\$1,220.00	\$111,242.72
Dec-06	\$1,220 00	\$0 00	\$0.00	\$0.00	\$0 00	\$1,220.00	\$110,022.72
Jan-07	\$1,220 00	\$0.00	\$0 00	\$0.00	\$0.00	\$1,220.00	\$108,802.72
Feb-07	\$2,070 00	\$7,807.65	\$26,325.49	\$0.00	\$72,599.58	\$108,802.72	\$0 00

Item No. 6.:

- (a) The CI Plan has been prepared and submitted for review by the TCEQ (Item No's 4.a. & 4.b. are enclosed, and Item No's 4.c. & 4.d. have been prepared by Southwest Engineers, Inc. and should be hand delivered to TCEQ on Monday, July 31, 2006);
- (b) No changes at this time;
- (c) The wastewater discharge permit for the Stone Hedge Wastewater Treatment Plant has been submitted and is currently under review by the TCEQ;
- (d) No changes at this time.

Mitchell M. Martin, Jr.

27493 Hanna Road, Suite No. 2

Conroe, Texas 77385

Office: 281-367-4460

Fax: 281-292-4439

July 31, 2006

RECEIVED

AUG 02 2006

To: Order Compliance Team
Enforcement Division, MC 149
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Enforcement Division

Re: Martin Respondents Compliance Agreement - Item No's 4.a., 4.b. & 6.a-d

To whom it may concern:

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Should you require any additional information concerning these items, please contact me at once.

Sincerely,

Mitchell M. Martin, Jr.
Mitchell M. Martin, Jr.

Enclosures: Original answers to Item No's 4.a., 4.b. & 6.a-d

cc: Water Section Manager, Houston Regional Office, TCEQ
Mr. Brian Lehmkuhle, P.O. Box 13087 Austin, Texas 78711-3087
Mr. Les Romo, 307 Shannon Lane, Georgetown, Texas 78628
Mr. Michael M. Martin, 27493 Hanna Road, Suite No. 2, Conroe, Texas 77385
Mrs. Carolee Martin, 27493 Hanna Road, Suite No. 2, Conroe, Texas 77385

COMPREHENSIVE PROPOSED IMPROVEMENT PLAN

Item No. 4.a.

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Item No. 4.b.

The payment schedules listed below are based upon committing 5% of the monthly gross revenues towards paying off the listed debt, with the balloon payments to be funded by rolling those costs into the overall capital improvements plan.

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Oct-06	\$155.00	\$0.00	\$0.00	\$0.00	\$0.00	\$155.00	\$11,082.81
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Sep-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$94,647.46
Oct-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$92,197.46
Nov-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$89,747.46
Dec-06	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$87,297.46
Jan-07	\$2,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,450.00	\$84,847.46
Feb-07	\$7,532.00	\$14,517.59	\$62,797.87	\$0.00	\$0.00	\$84,847.46	\$0.00

Patton Village Water Co , Inc. Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,454.28
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Sep-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$15,794.28
Oct-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$15,464.28
Nov-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$15,134.28
Dec-06	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$14,804.28
Jan-07	\$330.00	\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$14,474.28
Feb-07	\$3,802.00	\$3,466.07	\$7,206.21	\$0.00	\$0.00	\$14,474.28	\$0.00

Stone Hedge Utility Co., Inc. Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,572.95
Aug-06	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	\$3,422.95
Sep-06	\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	\$3,272.95
Oct-06	\$31.00	\$0.00	\$119.00	\$0.00	\$0.00	\$150.00	\$3,122.95
Nov-06	\$0.00	\$0.00	\$150.00	\$0.00	\$0.00	\$150.00	\$2,972.95
Dec-06	\$0.00	\$0.00	\$150.00	\$0.00	\$0.00	\$150.00	\$2,822.95
Jan-07	\$0.00	\$0.00	\$150.00	\$0.00	\$0.00	\$150.00	\$2,672.95
Feb-07	\$0.00	\$0.00	\$2,672.95	\$0.00	\$0.00	\$2,672.95	\$0.00

Suburban Utility Co. Schedule of Payments							
Date	Health Department Laboratory Fees	TCEQ Public Health Fees	TCEQ Regulatory Assessment Fees	TCEQ Water Quality Fees	TCEQ Penalty	Total Monthly Payment	Balance Due
Jul-06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$116,122.72
Aug-06	\$1,220.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220.00	\$114,902.72
Sep-06	\$1,220.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220.00	\$113,682.72
Oct-06	\$1,220.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220.00	\$112,462.72
Nov-06	\$1,220.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220.00	\$111,242.72
Dec-06	\$1,220.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220.00	\$110,022.72
Jan-07	\$1,220.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220.00	\$108,802.72
Feb-07	\$2,070.00	\$7,807.65	\$26,325.49	\$0.00	\$72,599.58	\$108,802.72	\$0.00

Item No. 6.:

- (a) The CI Plan has been prepared and submitted for review by the TCEQ (Item No's 4.a. & 4.b. are enclosed, and Item No's 4.c. & 4.d. have been prepared by Southwest Engineers, Inc. and should be hand delivered to TCEQ on Monday, July 31, 2006);
- (b) No changes at this time;
- (c) The wastewater discharge permit for the Stone Hedge Wastewater Treatment Plant has been submitted and is currently under review by the TCEQ;
- (d) No changes at this time.

RECEIVED
JUN 26 2006
ENFORCEMENT DIVISION

Mitchell M. Martin, Jr.
27493 Hanna Road, Suite No. 2
Conroe, Texas 77385
Office: 281-367-4460 Fax: 281-292-4439

June 21, 2006

To: Brian Lehmkuhle
Coordinator
Enforcement Division – TCEQ

Re: Request for extension;

Brian:

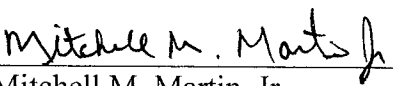
Southwest Engineers, Inc. has contacted me and asked that I submit a request for additional time to complete Item No. 4 (the "CI-Plan").

I want to assure you that we are very serious about accomplishing the goals set out in the compliance agreement and we are doing everything in our power to move the process forward as rapidly as possible.

I am enclosing a copy of the letter from Southwest Engineers, Inc., and respectfully request that the due date for Item No. 4 be extended until July 31, 2006.

Thank you for your consideration and assistance.

Sincerely,



Mitchell M. Martin, Jr.

Enclosures: Copy of letter from Southwest Engineers, Inc.



CLARENCE L. LITTLEFIELD, P.E.
PRESIDENT

SOUTHWEST ENGINEERS, INC.

ENGINEERS - PLANNERS
307 St. Lawrence Street Phone 830-672-7546
Gonzales, Texas 78629 Fax 830-672-2034

June 21, 2006

Mr. Mitchell Martin
27493 Hanna Road, Suite 2
Conroe, Texas 77385
FAX # 281-292-4439

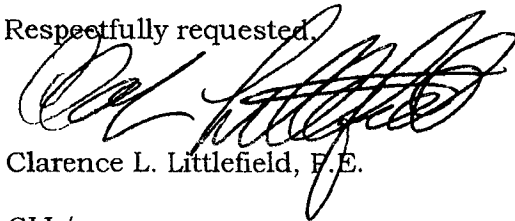
RE: REQUEUST FOR TCEQ EXTENSION
CAPITAL IMPROVEMENTS PROJECT
SEI Project No. 0362-001-06

Dear Mitch,

We are working diligently on completing the information for the capital improvements project and are near completion; however, with the vast amount of data that is being compiled we do not believe we can meet the TCEQ June 24, 2006 deadline. Therefore, we are asking that you request an extension to July 31, 2006 from TCEQ.

I look forward to meeting with you on June 29 to discuss the project.

Respectfully requested,



Clarence L. Littlefield, P.E.

CLL/ar

Michael M. Martin

27493 Hanna RD. #2

Conroe, Texas 77385

Office: 281-367-4460 Fax: 281-292-4439

To: Brian Lehmkuhle

Re: Stonehedge sewer permit status

Brian:

I wanted to give you an update on the status of the Stonehedge Permit Application. Southwest Engineers submitted the package on April 24th. Adriene McClarron sent a letter asking for several pages worth of additional information on May 4. Southwest Engineers returned the answers that we compiled on June 2nd. On June 7th, Adriene McClarron faxed a letter to Southwest Engineers stating that there was still two items not properly addressed. One was that Stonehedge Utility Inc. was not in good standing with the Texas Secretary of State. The other was whether or not we needed a bi-lingual public notice. On June 15th we received a letter from Barbara Simer stating that if they do not receive the answers by June 29th, the application will be removed from the list of pending applications. We have been working diligently to complete the necessary information to get the Corporate status reinstated and all of the information has been submitted to the Texas Secretary of State. We are waiting for a response and expect to have this problem rectified by this Friday. Southwest Engineers sent a letter to the local school district regarding the need for a bi-lingual notice and has not been able to obtain a response one way or another. Because of this we have decided to publish the public notice in a bi-lingual format anyway. I just wanted you to know that we have not been taking this lightly and are making every effort to get this permit reinstated. I believe that we will be able to make the June 29th deadline. We will let you know where we stand as soon as we get these problems taken care of.

Sincerely,



Michael Martin

Mitchell M. Martin, Jr.

27493 Hanna Road, Suite No. 2

Conroe, Texas 77385

Office: 281-367-4460

Fax: 281-292-4439

RECEIVED

MAR 14 2006

ENFORCEMENT DIVISION

March 10, 2006

To: Order Compliance Team
Enforcement Division, MC 149
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

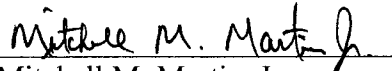
Re: Certification of Compliance with Provision Nos. 1.a. through 1.c.

To Whom It May Concern:

Please find enclosed a statement of certification of compliance with Provision Nos. 1.a through 1.c. of the Compliance Agreement between the TCEQ and the Current Martin Respondents.

Should you require any additional information concerning this certification, please contact me at once.

Sincerely,



Mitchell M. Martin, Jr.

Enclosures: Original statement of certification with Provision Nos. 1.a through 1.c.

cc: Water Section Manager, Houston Regional Office, TCEQ
Mr. Brian Lehmkuhle, P.O. Box 13087, Austin, Texas 78711-3087
Mr. Les Romo, 307 Shannon Lane, Georgetown, Texas 78628
Mr. Michael M. Martin, 27493 Hanna Road, Suite No. 2, Conroe, Texas 77385
Mrs. Carolee Martin, 27493 Hanna Road, Suite No. 2, Conroe, Texas 77385

Mitchell M. Martin, Jr.

27493 Hanna Road, Suite No. 2

Conroe, Texas 77385

Office: 281-367-4460

Fax: 281-292-4439

CERTIFICATION OF COMPLIANCE

This is to certify that the Current Martin Respondents are in compliance with Provision Nos. 1.a through 1.c. of the Compliance Agreement between the TCEQ and the Current Martin Respondents. More specifically, the Current Martin Respondents certify that:

- (A) The currently installed treatment, control, and related appurtenances at all the Systems' facilities are being properly operated and maintained so as to optimize performance and compliance;
- (B) Accurate and precise measurement, monitoring, recording and reporting is being performed for each of the Systems;
- (C) Notices to the public and Commission are being accomplished in the timeframe and manner specified in TCEQ rules.

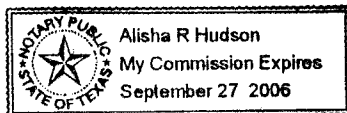
I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Mitchell M. Martin, Jr.
Mitchell M. Martin, Jr.

CO-OWNER
Title

3-10-2006
Date

Subscribed and sworn to me this 10th day of March, 2006, to certify
as witnessed by my hand and seal of office.



Alisha R Hudson
Notary Public in and for the State of Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: Mitch MARTIN

Call from: Peter L.

Date of call: 7/31/06 (pm)

File no.: MARTIN (CA)

Phone no.: (291) 367-4460

Subject: CI PLAN/Shell (Submittal)

Information for file: _____

Traced to contact TMM, Having got
engineer package & fax from MARTIN to
ENSURE I know the full (all) info MARTIN
will provide for July-06 submittal(s).
I did not get an answer (on voice mail)
today.

Signed _____

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen

Call to: BRIAN Lehnkühle
Date of call: 6/24/06
Phone no.: (281) 367-4460
(for cell)

Call from: METCU MARTON
File no.: VARIOUS (w/ 2/24/06 CA)
Subject: due dates, permit +
associated (re: CA audit)

Information for file: • • • Voice mail from METCU (Mm), THEN BRIAN (BJL) calls back, then convo • Basically an likely need for extension of 6/24/06 (CZ-PLAN) due date (∴ no promises if TCEQ officially allow any extension, although BJL NOT opposed to a few weeks {to thru July 06?} given MARTON'S EFFORTS to date) • in requesting extension, Mm will see that BJL gets something in writing +/- tomorrow • in Stonehedge permit apply, getting near Admin complete (FIRST RFI ready, then 2ND ~~TCEQ~~ RFI HAD ONLY 2 needed items) -- Mm may RFI due to BJL give • main RFI (permit) item is Getting Stonehedge INC "rebooted" as a corp (officially); Mm + MARTON CPA work in Permit ^(w/ Mm) STAFF, w/ COA/SOS to expedite corporate reboot -- WRMP STAFF HAS sure been very (beyond 6/30/06 timeframe)) to extend before request application process. Reboot • as meters, Suburban systems may have more % w/ meters than consumers (systems?); ENG do many things in auditing prep rate / increased • since other brief convo, Mm give info to BJL

Signed

Boyd - E/100

CCN/10350/00



CLARENCE L. LITTLEFIELD, P.E.
PRESIDENT

SOUTHWEST ENGINEERS, INC.

ENGINEERS - PLANNERS

307 St. Lawrence Street Phone 830-672-7546
Gonzales, Texas 78629 Fax 830-672-2034

July 31, 2006

Mr. Brian Lehmkuhle
Texas Commission on Environmental Quality
Enforcement Division, Section 3
12100 Park 35 Circle, Building C, Room 124 West
Austin, Texas 78753

RECEIVED
APR 11 2008
TCEQ
CENTRAL FILE ROOM

RE: Martin Systems
Comprehensive Improvements Plan
SEI Project No. 0362-001-06

Dear Mr. Lehmkuhle:

Submitted herewith is a copy of the Comprehensive Improvements Plan for Martin Systems. We appreciate your review and consideration of the Plan.

If you have any questions concerning the contents of the Plan, please do not hesitate to call me at (830) 672-7546.

Sincerely,

Clarence L. Littlefield, P.E.

CLL/ar

Enclosure

cc: TCEQ - Houston Regional Office
Martin Systems w/3 copies
Mr. Les Romo w/copy

● CN 10350 CO

**WATER UTILITY TARIFF
FOR**

Mitchell M. Martin and Dell Martin dba
Community Utility Company
(Utility Name)

P.O. Box 58
(Business Address)

Spring, Texas 77383-0058
(City, State, Zip Code)

6/3/09 10350

(281) 444-7747
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate(s) of Convenience and Necessity:

10350

This tariff is effective in the following counties:

Harris and Montgomery

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions or systems:

Montgomery Terrace, Forest Manor (PWS #1010264), Adams Oaks Section 1 & 2, Pinecrest, Sweetgum Forest (PWS #1700113), Holiday, Heathergate Estates (PWS #1011302)

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION

1.0	RATE SCHEDULE	2
2.0	SERVICE RULES	3
3.0	EXTENSION POLICY	8

APPENDIX A SERVICE AGREEMENTS
ATTACHMENT DROUGHT CONTINGENCY PLAN

RECEIVED
JUN 08 2009
PAGES
CENTRAL FILE ROOM

10350
Lm/ey

Texas Natural Resource Conservation Commission

INTEROFFICE MEMORANDUM

To:

Lisa Mejia
Utilities & Districts Section
Water Permits & Resource Management Division

Date:

3/1/01

From:

Scott Swanson, Water Conservation Specialist
Water Conservation and Drought Management Team
Water Rights Permitting & Availability Section
Water Permits and Resource Management Division

Subject:

Review of IOU Drought Contingency Plan for Administrative Completeness

System:

Community Utility Companies

CCN#

10350

Plan Date:

9/1/00

☒

The Drought Contingency Plan has been reviewed and has been found to be administratively complete per 30 TAC §288.20. No further review is necessary from the Conservation and Drought Management Team.

☐

The Drought Contingency Plan has been reviewed and has not been found to be administratively complete per 30 TAC §288.20. See attached checklist for deficiencies.

This plan has not been reviewed for compliance with 30 TAC §291 Subchapter B.

Comments:

6/3/09

10350

cc:

Bill Billingsley, Water Conservation and Drought Management Team

10350

Lm/ll

CCN | 10350 | CD



8/3/09

10350

Texas Natural Resource Conservation Commission

By These Presents Be It Known To All That

Community Utility Company

having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

Certificate of Convenience and Necessity No. 10350

to provide continuous and adequate water utility service to that service area or those service areas in Montgomery County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application Nos. 32073-C & 32074-C are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of Community Utility Company Water to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this DEC 12 2000

RECEIVED
AUG 3 6 2009
TCEQ
CENTRAL FILE ROOM


For the Commission