

Screening Date 12-Jun-2012
Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media [Statute] Public Water Supply
Enf. Coordinator Epifanio Villarreal

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)

PCW Revision August 3, 2012

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.121(a) and (b)

Violation Description

Failed to develop, maintain and make available for Commission review an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements.

Base Penalty \$1,000

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

140 **Number of violation days**

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0% **Reduction**

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$13

Violation Final Penalty Total \$73

This violation Final Assessed Penalty (adjusted for limits) \$73

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$180	24-Jan-2012	1-Feb-2013	1.02	\$1	\$12	\$13
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare and begin maintaining a chemical and microbiological monitoring plan for the Facility, calculated from the date of the investigation to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$180

TOTAL

\$13

Screening Date 12-Jun-2012
Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media [Statute] Public Water Supply
Enf. Coordinator Epifanio Villarreal

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011);
 PCW Revision August 3, 2011

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="text" value="x"/>

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

Matrix Notes

Failure to have the well meter properly calibrated could result in inaccurate or unavailable water usage and production data, which could allow water containing an insignificant amount of contaminants that would not exceed levels protective of human health to be distributed for consumption.

Adjustment

Violation Events

Number of Violation Events

Number of violation days

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="text" value="x"/>

Violation Base Penalty

Good Faith Efforts to Comply

Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
	Extraordinary	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="x"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Req. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 4

Percent Interest 5.0
Years of Depreciation 15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	0.00				\$0	\$0	\$0
Buildings	0.00				\$0	\$0	\$0
Other (as needed)	0.00				\$0	\$0	\$0
Engineering/construction	0.00				\$0	\$0	\$0
Land	0.00				\$0	n/a	\$0
Record Keeping System	0.00				\$0	n/a	\$0
Training/Sampling	0.00				\$0	n/a	\$0
Remediation/Disposal	0.00				\$0	n/a	\$0
Permit Costs	0.00				\$0	n/a	\$0
Other (as needed)	0.00				\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal	0.00				\$0	\$0	\$0
Personnel	0.00				\$0	\$0	\$0
Inspection/Reporting/Sampling	0.00				\$0	\$0	\$0
Supplies/equipment	0.00				\$0	\$0	\$0
Financial Assurance [2]	0.00				\$0	\$0	\$0
ONE-TIME avoided costs [3]	0.00				\$0	\$0	\$0
Other (as needed)	\$31	24-Jan-2009	24-Jan-2012	3.92	\$6	\$31	\$37

Notes for AVOIDED costs

The avoided cost includes the estimated amount to properly calibrate the well meter, calculated for the three years prior to the date of the investigation.

Approx. Cost of Compliance

\$31

TOTAL

\$37

Screening Date 12-Jun-2012

Docket No. 2012-1193-MLM-E

PCW

Respondent COMMUNITY UTILITY COMPANY

Policy Revision 3 (September 2011)

Case ID No. 44339

PCY Revision August 3, 2011

Reg. Ent. Reference No. RN101198554

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 290.46(m)(1)(B)

Violation Description

Failed to conduct an annual inspection of the Facility's pressure tank.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Complete failure to perform the required inspection of the pressure tank could result in non-detection of a tank defect and compromise the integrity of the tank. This could result in consumers of the Facility being exposed to contaminants which would exceed levels that are protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

140 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

mark only one with an x

Violation Base Penalty \$150

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$45

Violation Final Penalty Total \$219

This violation Final Assessed Penalty (adjusted for limits) \$219

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)	\$41	24-Jan-2011	24-Jan-2012	1.92	\$4	\$41	\$45

Notes for AVOIDED costs

The avoided cost includes the estimated amount to conduct the annual pressure tank inspection, calculated for the year prior to the date of the investigation.

Approx. Cost of Compliance

\$41

TOTAL

\$45

Screening Date 12-Jun-2012
Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media [Statute] Public Water Supply
Enf. Coordinator Epifanio Villarreal
Violation Number 6

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2012

Rule Cite(s) 30 Tex. Admin. Code § 290.41(c)(3)(O)
Violation Description Failed to enclose the well with an intruder-resistant fence. Specifically, the fence at the well site was caved inward next to the ground storage tank and the barbed wire on the top of the fence was sagging.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				5.0%
Potential		X		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to provide the well with an intruder-resistant fence could lead to unauthorized access and vandalism which could expose consumers to a significant amount of contaminants which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events: 2 140 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$100

Two quarterly events are recommended from the date of the Investigation, January 24, 2012, to the date of screening, June 12, 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDRAP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$39

Violation Final Penalty Total \$146

This violation Final Assessed Penalty (adjusted for limits) \$146

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$500	24-Jan-2012	1-Mar-2013	1.10	\$2	\$37	\$39
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs include the estimated amount to provide the well with an intruder-resistant fence, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$39

Screening Date 12-Jun-2012
Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media [Statute] Public Water Supply
Enf. Coordinator Epifanio Villarreal

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

Violation Number 7

Rule Cite(s)

30 Tex. Admin. Code § 290.42(e)(5)

Violation Description

Failed to house the hypochlorination solution container and pump in a secure enclosure to protect them from adverse weather conditions and vandalism. Specifically, plastic was being used as a door to the chlorine room.

Base Penalty \$1,000

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 5.0%

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to properly secure the chlorine room and its components could expose consumers of the facility and its employees to a significant amount of contaminants which would not exceed levels that are protective of human health.

Adjustment \$950

\$50

Violation Events

2

140 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$100

Two quarterly events are recommended from the date of the investigation, January 24, 2012, to the date of screening, June 12, 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDP&P/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$208

Violation Final Penalty Total \$146

This violation Final Assessed Penalty (adjusted for limits) \$146

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Req. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$2,500	24-Jan-2012	1-Apr-2013	1.19	\$10	\$198	\$208
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to properly lock and house the enclosure for the hypochlorination solution, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,500

TOTAL

\$208

Screening Date 12-Jun-2012
 Respondent COMMUNITY UTILITY COMPANY
 Case ID No. 44339

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101198554
 Media [Statute] Public Water Supply
 Enf. Coordinator Epifanio Villarreal

Violation Number 8

Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(C)(iii) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide two or more service pumps having a total capacity of 2.0 gallons per minute ("gpm") per connection. Specifically, at the time of the investigation, it was documented that the Facility has 89 service connections and must provide a total service pump capacity of 178 gpm. However, the Facility has no service pumps, which is a 100% deficiency.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				15.0%
Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Failure to provide adequate service pump capacity may not allow the Facility to supply water to all sections of the distribution system where it is not possible to supply it by gravity; this could expose consumers to contaminants that would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

		5	140	Number of violation days
mark only one with an x	daily			Violation Base Penalty \$750
	weekly			
	monthly	x		
	quarterly			
	semiannual			
	annual			
	single event			

Five monthly events are recommended from the date of the investigation, January 24, 2012, to the date of screening, June 12, 2012.

Good Faith Efforts to Comply

0.0% Reduction \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,507 Violation Final Penalty Total \$1,093

This violation Final Assessed Penalty (adjusted for limits) \$1,093

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 8

Percent Interest 5.0
Years of Depreciation 15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
 Item Description No commas or \$

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment	\$15,000	24-Jan-2012	1-Jul-2013	1.44	\$72	\$1,436	\$1,507
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a total service pump capacity of 2.0 gpm per connection, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$15,000

TOTAL

\$1,507

Screening Date 12-Jun-2012
 Respondent COMMUNITY UTILITY COMPANY
 Case ID No. 44339

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101198554
 Media [Statute] Public Water Supply
 Enf. Coordinator Epifanio Villarreal
 Violation Number 9

Rule Cite(s) 30 Tex. Admin. Code § 290.45(b)(1)(A)(i) and Tex. Health & Safety Code § 341.0315(c)

Violation Description Failed to provide a well capacity of 1.5 gpm per connection. Specifically, at the time of the investigation, it was documented that the Facility has 89 service connections and must provide a total well capacity of 133.5 gpm. However, the Facility provided 61 gpm, which is a 54% deficiency.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to provide adequate well capacity could result in water outages and low pressure problems that could expose consumers of the Facility to contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 5

140 Number of violation days

mark only one with an x

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$750

Five monthly events are recommended from the date of the investigation, January 24, 2012, to the date of screening, June 12, 2012.

Good Faith Efforts to Comply

0.0% Reduction

50

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$502

Violation Final Penalty Total \$1,093

This violation Final Assessed Penalty (adjusted for limits) \$1,093

Economic Benefit Worksheet

Respondent: COMMUNITY UTILITY COMPANY
Case ID No. 44339
Req. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	24-Jan-2012	1-Jul-2013	1.44	\$24	\$479	\$502
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to provide a well capacity of 1.5 gpm per connection, calculated from the date of the investigation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$502

Screening Date 12-Jun-2012
 Respondent COMMUNITY UTILITY COMPANY
 Case ID No. 44339

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101198554
 Media [Statute] Public Water Supply
 Enf. Coordinator Epifanio Villarreal

Violation Number 10

Rule Cite(s)

30 Tex. Admin. Code § 290.106(e)

Violation Description

Failed to provide the results of annual nitrate sampling to the Executive Director. Specifically, the Respondent failed to provide nitrate monitoring results for the annual monitoring period of January 1, 2011 through December 31, 2011.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					0.0%
Potential					

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	X
single event		

Violation Base Penalty \$50

One annual event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$73

This violation Final Assessed Penalty (adjusted for limits) \$73

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Req. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description: No commas or \$

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs are captured in the economic benefit worksheet of Revision 2 associated with Violation No. 3.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 12-Jun-2012
 Respondent COMMUNITY UTILITY COMPANY
 Case ID No. 44339

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Reg. Ent. Reference No. RN101198554
 Media [Statute] Public Water Supply
 Enf. Coordinator Epifanio Viliarreal

Violation Number 11

Rule Cite(s) 30 Tex. Admin. Code § 290.110(e)(4)(A) and (f)(3)

Violation Description

Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of the quarter. Specifically, the Respondent failed to submit DLQORs for the third quarter of 2011, fourth quarter of 2011, and the first quarter of 2012.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor
	X		

Percent 5.0%

Matrix Notes

100% of the rule requirements were not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 3

270 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$150

Three quarterly events are recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV	NOV to EDRP/Settlement Offer
	Extraordinary	
Ordinary		
N/A	X	{mark with x}

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$73

Violation Final Penalty Total \$219

This violation Final Assessed Penalty (adjusted for limits) \$219

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Req. Ent. Reference No. RNI01198554
Media Public Water Supply
Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
<i>No commas or \$</i>							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs
 The delayed costs are captured in the economic benefit worksheet of Revision 2 associated with Violation No. 4.

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$68	10-Sep-2011	10-Apr-2012	1.50	\$5	\$68	\$73
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs
 The avoided costs include the estimated amount to timely prepare and submit DLQORs (\$22.50 per DLQOR) of the failure to submit DLQORs, calculated for the time frame in which DLQORs were not submitted.

Approx. Cost of Compliance	\$68	TOTAL	\$73
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Screening Date 12-Jun-2012
Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media [Statute] Public Water Supply
Enf. Coordinator Epifanio Villarreal

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

V12
Rule Cite(s)
Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="5.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events **Number of violation days**

mark only one with an x

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input checked="" type="checkbox"/>
single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply

0.0% Reduction

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	(mark with x)

Notes

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed costs are captured in the economic benefit worksheet of Revision 2 associated with Violation No. 5.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 12-Jun-2012
Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Reg. Ent. Reference No. RN101198554
Media [Statute] Public Water Supply
Enf. Coordinator Epifanio Villarreal

Docket No. 2012-1193-MLM-E

PCW

Policy Revision 3 (September 2011)
 PCW Revision August 3, 2011

Violation Number 13

Rule Cite(s) 30 Tex. Admin. Code § 290.107(e)

Violation Description
 Failed to provide the results of triennial synthetic organic contaminants ("SOC") sampling to the Executive Director. Specifically, the Respondent failed to SOC results for the monitoring period from January 1, 2009 through December 31, 2011.

Base Penalty \$1,000

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> **Programmatic Matrix**

Falsification	Harm		
	Major	Moderate	Minor
	X		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

1095 **Number of violation days**

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$73

This violation Final Assessed Penalty (adjusted for limits) \$73

Economic Benefit Worksheet

Respondent COMMUNITY UTILITY COMPANY
Case ID No. 44339
Req. Ent. Reference No. RN101198554
Media Public Water Supply
Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$300	31-Dec-2011	1-Mar-2013	1.17	\$1	\$23	\$25
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

The delayed costs include the estimated amount to pay any outstanding lab fees so that the lab will release the SOC sampling results and the Respondent can provide them to the Executive Director. The date required is the last date of the monitoring period in which SOC results were not provided and the final date is the estimated date of compliance.

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance	\$300	TOTAL	\$25
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Forest Manor – amendment

On the north by FM 1960

On the east by approximately 700 ft. east of Rain Forest Dr.

On the south by approximately 150 ft. south of Beckman Dr.

On the West by FM 2100

Heathergate Estates – amendment

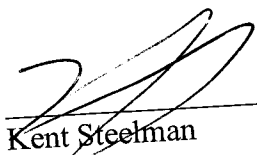
On the north by approximately 250 ft. north of Heathergate Lane

On the east by FM 2100

On the south by approximately 400 ft. south of Indian Shore Rd.

On the west by approximately 300 ft. west of Berry Thicket

12. Other comments:



Kent Steelman

Letter of Transmittal

Date: April 5, 2012

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

From: Bret Fenner
B & D Environmental, Inc.
P.O. Box 500264
Austin, Texas 78750

Karen,

Attached is a single disk containing all the digital data for the proposed and decertification areas for this application. Also, all the hard copy maps meeting the mapping requirements were enclosed with our February 24, 2012, letter. If you have any questions concerning this submittal or any other question concerning this application just give me a call.

Thanks Bret

2012 APR 5 10:51 AM
WATER SUPPLY DIV.
RECEIVED
TOE A

E F
B & D ENVIRONMENTAL, INC.

P.O. BOX 500264
AUSTIN, TEXAS 78750
PHONE NO: (512) 264-9124
FAX NO: (512) 692-1967

EMAIL: bretfenner@yahoo.com

February 24, 2012

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

Re: Application from Mitchell M. Martin d.b.a. Community Utility Company (Community) to Amend and Decertify portions of the Water Certificate of Convenience and Necessity (CCN) of, CCN Number 10350, in Harris and Montgomery Counties;

Dear Ms. Blaschke:

Per your request, I have enclosed following set of maps for this above indicated application.

1. The set of maps show the proposed additional requested service areas for Heathergate; PWS # 1011302 and Forest Manor; PWS #1010264.
2. The set of maps show the two service areas to be decertified; Forest Trails Subdivision and Heathergate Public Utility. Community does not provide water service in either of these two areas.
3. A final map is for Community's current Sweetgum Forest Subdivision; PWS # 1700113 service area which is not being affected by this application.
4. A letter of transmittal from our company submitted to you on February 9, 2012. Submitted with that letter was a disk containing the correct digital data for the requested Forest Manor; PWS # 1010264, service area.
5. A letter from our company submitted to you on January 18, 2012. Submitted with that letter were disks containing the correct digital data for the requested Heathergate; PWS # 1011302, service area and the two services areas to be decertified; Forest Trails and

RECEIVED
TO EQ
WATER SUPPLY DIV.
2012 FEB 24 PM 3 51

Letter of Transmittal

Date: February 9, 2011

To: Ms. Karen Blaschke
TCEQ, Utilities & Districts Section
Water Supply Division, MC 153
P.O. Box 13087
Austin, Texas 78711-3087

From: Bret Fenner
B & D Environmental, Inc.
P.O. Box 500264
Austin, Texas 78750

Karen,

Attached are copies of the maps for the Forest Manor service area of Community Utility Company's CCN amend application as originally submitted with the application. Also, enclosed is a disk which contains the digital data file for the Forest Manor service area.

Thanks Bret

Ms. Kafen Blaschke
Page 2
January 18, 2012

8. CD, labeled Heathergate Public Utility, which contains the digital data for the proposed decertified Heathergate Public Utility service area.

Should you have any further questions concerning this application, please do not hesitate to contact me at (512) 264-9124.

Sincerely,

Bret W. Fenner, P.E.
B & D Environmental, Inc.

Enclosures

T.J. Brace, CAD Designer

Southwest Engineers

TBPE No. F-1909

307 Saint Lawrence Street

Gonzales, Texas 78629

Phone: (830) 672-7546

Fax: (830) 672-2034

Email: tj.brace@swengineers.com

www.swengineers.com

From: Kent Steelman [<mailto:Kent.Steelman@tceq.texas.gov>]

Sent: Friday, January 20, 2012 3:56 PM

To: TJ Brace

Subject: Re: Community Utility Decertification Application

TJ,

Got them to work. Thanks. Also figured out part of why other data would not work. One of the areas is in the Central zone and the other is in south central zone. My software is gonna flag that and not let it work.

Kent Steelman

TCEQ
Utilities & Districts
512-239-5143

>>> "TJ Brace" <tj.brace@swengineers.com> 1/20/2012 2:49 PM >>>

Kent,

Here are the ACAD 2000 drawing files you requested. Please let me know if they do not work for you.

Letter of Transmittal

Date: February 9, 2011

To: Ms. Karen Blaschke
TCEQ, Utilities & Districts Section
Water Supply Division, MC 153
P.O. Box 13087
Austin, Texas 78711-3087

From: Bret Fenner
B & D Environmental, Inc
P.O. Box 500264
Austin, Texas 78750

2011 FEB 9 PM 12 27
RECEIVED
TCEQ
WATER SUPPLY DIV.

Karen,

Attached are copies of the maps for the Forest Manor service area of Community Utility Company's CCN amend application as originally submitted with the application. Also, enclosed is a disk which contains the digital data file for the Forest Manor service area.

Thanks Bret

To: Administrative Reviewer

Date Complete: January 23, 2012

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-107-11/37160-11
Community Utility Company (10350) to amend and to also decertify in Harris and
Montgomery counties

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?

7. Map submitted is digital request digital data.

9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:
All cities and etj's within 2 miles of proposed area
11. Notice: **DO NOT NOTICE**
- X 12. Other comments: **Maps do not meet requirements. Please submit the following.**
(after review of the notice need data for Forest Manor.)
 - i.



Kent Steelman

To: Administrative Reviewer

Date Complete: January 20, 2012

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-107-11/37160-11
Community Utility Company (10350) to amend and to also decertify in Harris and
Montgomery counties

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?

7. Map submitted is digital request digital data.

9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:

All cities and etj's within 2 miles of proposed area

11. Notice: **DO NOT NOTICE**
- X 12. Other comments: **Maps do not meet requirements. Please submit the following. (data for both the decertify areas is not corrupt in some way and not usable)**
 - i.



Kent Steelman

B & D ENVIRONMENTAL, INC.

P.O. BOX 500264
AUSTIN, TEXAS 78750
PHONE NO: (512) 264-9124
FAX NO: (512) 692-1967

EMAIL: bretfenner@yahoo.com

January 18, 2012

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

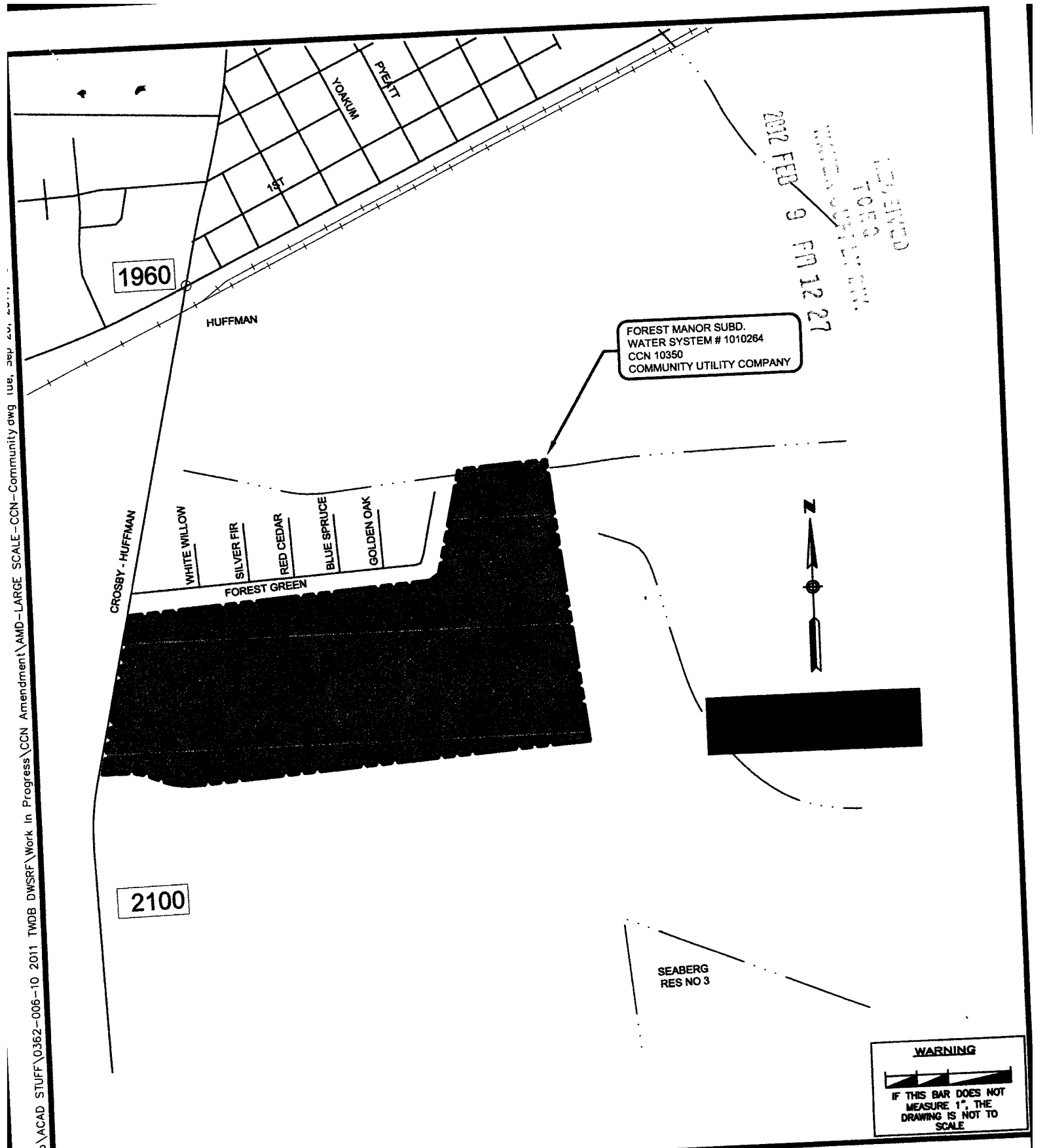
RECEIVED
TCEQ
WATER SUPPLY DIV.
2012 JAN 18 AM 11 46

Re: Application from Mitchell M. Martin d.b.a. Community Utility Company (Community) to Amend and Decertify portions of the Water Certificate of Convenience and Necessity (CCN) of, CCN Number 10350, in Harris and Montgomery Counties; Application No. 37160-C

Dear Ms. Blaschke:

Per your Notice of Deficiency letter of October 27, 2011 and various discussions with your staff, enclosed please find the following revised maps to meet the mapping requirements for the CCN amend application:

1. Four copies of the proposed service area for the Heathergate system: PWS #1011302.
2. Four copies of the facility's map for the Heathergate system: PWS #1011302.
3. Four copies of a general location map of the proposed service area for the Heathergate system: PWS #1011302.
4. A CD, labeled Peach Creek Oaks, which contains the digital data for the proposed Heathergate system's service area.
5. Four copies of a general location map of the proposed decertified Forest Trails service area.
6. A CD, labeled Forest Trails, which contains the digital data for the proposed decertified Forest Trail service area.
7. Four copies of a general location map of the proposed decertified Heathergate Public Utility service area.



CCN AMENDMENT APPLICATION
FOREST MANOR SUBDIVISION LARGE SCALE MAP

COMMUNITY UTILITY COMPANY
 HARRIS AND MONTGOMERY COUNTIES, TEXAS



Southwest Engineers, Inc.

Civil - Environmental - Planning
 Gonzales Austin
 www.swengineers.com
 TBPE No. F-1909

C:\Users\ThomasB.SWE\Desktop\ACAD_STUFF\0362-006-10 2011 TWDB DWSRF\Work In Progress\CCN Amendment\AMD-LARGE SCALE-CCN-Community dwg (ue, sep 20, 2011)

To: Administrative Reviewer

Date Complete: January 23, 2012

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-107-11/37160-11
Community Utility Company (10350) to amend and to also decertify in Harris and
Montgomery counties

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?

7. Map submitted is digital request digital data.

9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:

All cities and etj's within 2 miles of proposed area

11. Notice: **DO NOT NOTICE**
- X 12. Other comments: **Maps do not meet requirements. Please submit the following.**
(after review of the notice need data for Forest Manor.)

i.



Kent Steelman

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

August 25, 2011

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

Re: Water Pass Through Rate Change Application of Community Water Company for Aqua Texas, Inc.'s, Purchased Water Fee Increases provided to Sweetgum Forest Subdivision Subdivision (PWS No. 1700113), Certificate of Convenience and Necessity (CCN) No. 10350 in Montgomery County; Application No. 37060-R

CN: 603180696; RN: 101458933

Dear Mr. Fenner:

On June 2, 2011, the Texas Commission on Environmental Quality (TCEQ) received your application for a pass through rate change for the increases in fees charged by Aqua Texas, Inc., ("Aqua"). Your application has been accepted for filing and assigned Application No. 37060-R. Please refer to this number in future correspondence.

The increase in Aqua fees may go into effect on July 1, 2011, for your customers in Sweetgum Forest Subdivision. This means that the increased pass through fees can be reflected on the August 2011, billing to the affected customers.

Please note the adjusted gallonage rate is subject to the review and re-calculation by the technical staff assigned to your application. After the technical review is complete, you will receive another letter informing you of the final rate along with a copy of the tariff. The letter will also notify you of any further instructions, if necessary.

If you have any further questions, please contact Ms. Sheresia Perryman by phone at (512) 239-3654, or if by correspondence, include MC 153 in the address.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Benter".

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

TB/LG/mm

Pass Through Clause Checklist

Application Number (s) 37060-R

Review Number: R - 044-11

County(s) Harris

Date TCEQ Received Application 6-2-11

Date Assigned to program area 6-7-11

Name on Application: Community Utility Company

Name in WUD: " "

CCN Number (s): 10350

Account Fees Due Regulatory Assessment Fees Due

Three Copies of Application and Attachments

Completed application form. If an alternate method of calculating the adjusted rate is used, it must be accompanied by a written explanation.

Completed Affidavit Notice to Customers

Written documentation that the utility is being required to pay for an increase in purchased water/sewer or a groundwater conservation district water use fee.

Tariff reflecting the applicant's current rates (must be current and on file with the TCEQ).

Approved Drought Contingency Plan in Tariff (must be current and on file with the TCEQ).

Attach a copy of CN and RN from WUD

Not on file with Central Registry. Core Date Form needed.

TNET Resources for TCEQ Employees

T-Net Home Search Subject Index Help Home

iWUD Main Districts Utilities PWS Reports Documents Maps

? Utility details for COMMUNITY UTILITY COMPANY (10350)

- Affiliations
- Documents
- Site Visits
- Schedules

Properties

CR Regulated Entity Number: RN101458933
 CCEDS Status: NO ACTIVE NOE EXISTS
 Utility Type: WATER UTILITY
 Ownership Type: INVESTOR
 Primary County: HARRIS
 County Code: 101

Customers

Reference Number	Name	Role
CN603180696	MARTIN, MITCHELL M	RESPONSIBLE PARTY

Comments

Comment Date	Text	Staff Name
12/07/2010	36894-S MBC Water Systems Inc A1945, receive STM from Community Utility Co 10350	GINA SCHILDWACHTER
11/09/2010	MITCHELL MARTIN DBA COMMUNITY UTILITY COMPANY	
06/14/2001	POR DUAL DECERT TO 12625-HERITAGE OAKS POA INC	

Occurrences retrieved.

Official Address / Phone

Address: PO BOX 58
 SPRING, TEXAS 77383-0000
 Telephone: (281) 444-7747

PWS for this Utility

PWS Name	PWS ID	Status	District(Number)
FOREST MANOR SUBDIVISION	1010264	A	
HEATHERGATE PUBLIC UTILITY	1011302	A	
SWEETGUM FOREST	1700113	A	

Water System occurrences retrieved.

Counties