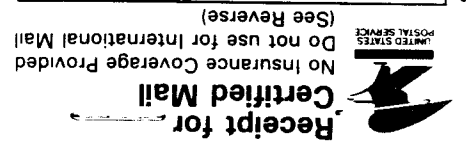


WES0/80950 SKW

Z 382 287 367



Receipt for
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Town of Marshall Creek		Sent to	
P.O. Box 1080		Return Receipt Showing	
Roanoke TX 76262-1080		To Whom & Date Delivered	
Postage \$		Return Receipt Showing	
Certified Fee		Date, and Addressee's Address	
Special Delivery Fee		TOTAL Postage & Fees	
Restricted Delivery Fee		Postmark or Date	

PS Form 3800, March 1993

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
Complete items 1 and/or 2 for additional services.
Complete items 3, 4a, and 4b.
Print your name and address on the reverse of this form so that we can return this card to you.
Attach this form to the front of the mailpiece, or on the back if space does not permit.
Write "Return Receipt Requested" on the mailpiece below the article number.
The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Westlake 6/28/96

4a. Article Number

Z382287367

Town of Marshall Creek
P.O. Box 1080
Roanoke TX 76262-1080

4b. Service Type

☐ Registered

☐ Express Mail

☐ Return Receipt for Merchandise

☐ Certified

7. Date of Delivery

JUL - 1 1996

8. Addressee's Address (Only if requested and fee is paid)

USPS

5. Received By: (Print Name)

Signature: (Addressee or Agent)
[Signature]

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

NOTICE OF APPLICATIONS FOR CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE AND TO DECERTIFY A PORTION OF CCN IN DENTON AND TARRANT COUNTIES

To: Town of Trophy Club
(Neighboring System or City)
100 Municipal Drive
(Address)

(Address)
Trophy Club TX 76262
(City State Zip)

Date Notice Mailed: June 28, 1996

The Town of Westlake has filed applications for CCNs and to decertify a portion of CCN No. 12311 issued to the City of Fort Worth with the Texas Natural Resource Conservation Commission to provide water and sewer utility service in Denton and Tarrant Counties. The proposed utility service areas are located approximately 18 miles north-northwest of downtown Fort Worth, Texas and are generally bounded on the north by State Highway 114, on the east by the Town of Southlake, on the south by the City of Keller, and on the west by State Highway 377. The total area being requested includes approximately 3,951 acres and 62 current customers.

The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing you must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to these applications; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the applications for CCNs; and (5) your proposed adjustment to the applications or CCNs which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to request a hearing or comment should write the:

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

If one or more requests for a hearing are filed, the Executive Director will not issue the CCN and will forward the applications to the State Office Administrative Hearings (SOAH) where a hearing may be held. In the event a hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If a hearing is held it will be a legal proceeding similar to civil trials in State District Court.

SKW

WPS06/80950

Z 382 287 366

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)



Sender	Town of Trophy Club
Street and No.	100 Municipal Drive
City, State and Zip Code	Trophy Club TX 76262
Postage	
Certified Fee	
Special Delivery Fee	
Restricted Delivery	
Return Receipt Showing Date Delivered	
Return Receipt Showing to Whom	
Date and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, March 1993

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to: Westlake 6/28/96

Town of Trophy Club
100 Municipal Drive
Trophy Club TX 76262

4a. Article Number 2382287366

4b. Service Type

☐ Registered ☒ Certified

☐ Express Mail ☐ Insured

☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery 7-1-96

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

6. Signature: [Signature] (Addressee or Agent)

Thank you for using Return Receipt Service.

Domestic Return Receipt

PS Form 3811, December 1994

NOTICE OF APPLICATIONS FOR CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE AND TO DECERTIFY A PORTION OF CCN IN DENTON AND TARRANT COUNTIES

To: Town of Southlake
(Neighboring System or City)
667 North Carroll Avenue
(Address)
Southlake TX 76092
(City State Zip)

Date Notice Mailed: June 28, 19 96

The Town of Westlake has filed applications for CCNs and to decertify a portion of CCN No. 12311 issued to the City of Fort Worth with the Texas Natural Resource Conservation Commission to provide water and sewer utility service in Denton and Tarrant Counties. The proposed utility service areas are located approximately 18 miles north-northwest of downtown Fort Worth, Texas and are generally bounded on the north by State Highway 114, on the east by the Town of Southlake, on the south by the City of Keller, and on the west by State Highway 377. The total area being requested includes approximately 3,951 acres and 62 current customers.

The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing you must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to these applications; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the applications for CCNs; and (5) your proposed adjustment to the applications or CCNs which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to request a hearing or comment should write the:

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

If one or more requests for a hearing are filed, the Executive Director will not issue the CCN and will forward the applications to the State Office Administrative Hearings (SOAH) where a hearing may be held. In the event a hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If a hearing is held it will be a legal proceeding similar to civil trials in State District Court.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back, if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Town of Southlake
667 North Carroll Avenue
Southlake TX 76092

4a. Article Number

2382287365

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ COD
- ☒ Certified
- ☐ Insured

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

[Signature]

8. Addressee's Address (Only if Requested and fee is paid)

07-01-96

I also wish to receive the following services (for an extra fee):

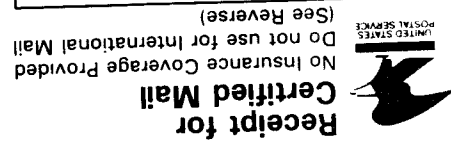
- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

Domestic Return Receipt



SKM

WES06/80950

Z 382 287 365

Sent to:		Town of Southlake		667 North Carroll Avenue		Southlake TX 76092		F.C. State and ZIP Code		Postage		Certified Fee		Special Delivery Fee		Restricted Delivery Fee		Return Receipt Showing to Whom & Date Delivered		Return Receipt Showing to Whom, Date and Addressee's Address		TOTAL Postage & Fees		Postmark or Date	

PS Form 3800, March 1993

[illegible]

Date Notice Mailed: June 28, 1996

The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing you must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to these applications; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the applications for CCNs; and (5) your proposed adjustment to the applications or CCNs which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to request a hearing or comment should write the:

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

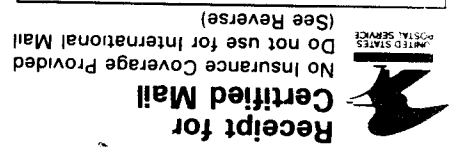
within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

If one or more requests for a hearing are filed, the Executive Director will not issue the CCN and will forward the applications to the State Office Administrative Hearings (SOAH) where a hearing may be held. In the event a hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If a hearing is held it will be a legal proceeding similar to civil trials in State District Court.

SKW

WES06/80950

Z 382 257 364



Receipt for Certified Mail
Do not use for International Mail
(See Reverse)

No Insurance Coverage Provided
UNITED STATES POSTAL SERVICE

City of Keller
P.O. Box 770
Keller TX 76244-0770
Postage \$2.00
Certified Fee \$2.00
Spec. Delivery Fee \$2.00
Restricted Delivery Fee \$2.00
Return Receipt \$2.00
Return Receipt to Whom \$2.00
Return Receipt to Whom \$2.00
Postmark or Date \$2.00

PS Form 3800, March 1993

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

Westlake 6/28/96

3. Article Addressed to:

City of Keller
P.O. Box 770
Keller TX 76244-0770

4a. Article Number
Z382287364

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
7-1-96

8. Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)
City of Keller

6. Signature (Addressee or Agent)
X

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 Domestic Return Receipt

NOTICE OF APPLICATIONS FOR CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE AND TO DECERTIFY A PORTION OF CCN IN DENTON AND TARRANT COUNTIES

To: City of Fort Worth
(Neighboring System or City)
1000 Throckmorton
(Address)

Fort Worth TX 76102
(City State Zip)

Date Notice Mailed: June 28, 19 96

The Town of Westlake has filed applications for CCNs and to decertify a portion of CCN No. 12311 issued to the City of Fort Worth with the Texas Natural Resource Conservation Commission to provide water and sewer utility service in Denton and Tarrant Counties. The proposed utility service areas are located approximately 18 miles north-northwest of downtown Fort Worth, Texas and are generally bounded on the north by State Highway 114, on the east by the Town of Southlake, on the south by the City of Keller, and on the west by State Highway 377. The total area being requested includes approximately 3,951 acres and 62 current customers.

The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing you must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to these applications; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the applications for CCNs; and (5) your proposed adjustment to the applications or CCNs which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to request a hearing or comment should write the:

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

Within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

If one or more requests for a hearing are filed, the Executive Director will not issue the CCN and will forward the applications to the State Office Administrative Hearings (SOAH) where a hearing may be held. In the event a hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If a hearing is held it will be a legal proceeding similar to civil trials in State District Court.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to: Westlake 6/28/96

City of Fort Worth
1000 Throckmorton
Fort Worth TX 76102

4a. Article Number

Z382287363

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

7-1-96

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

G. Delano

PS Form 3811, December 1994

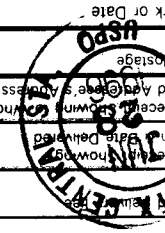
Domestic Return Receipt

Thank you for using Return Receipt Service.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☒ Restricted Delivery
Consult postmaster for fee.

Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to City of Fort Worth		Street and No 1000 Throckmorton		P O State and ZIP Code Worth TX 76102		Postage \$	Certified Fee \$	Special Delivery Fee	Restricted Mail Fee	Return Receipt Fee (Dom. & Int'l)	Date and Addressee's Address	Total Postage & Fees	Postmark or Date
													

PS Form 3800, March 1993

Westlake WFS05/80950

Z 382 287-253

C A N T E Y - H A N G E R, L.L.P.

SARAH K. WALLS

817 877 2807

July 22, 1996

OVERNIGHT MAIL NO. TB688753637US

Doug Holcomb, P.E.

Utility Rates and Services Section

Water Utilities Division

Texas Natural Resource Conservation Commission

P.O. Box 13087

Austin TX 78711-3087

RE: Application of the Town of Westlake for a Water Certificate of Convenience and Necessity (CCN) and to Decertify a Portion of CCN No. 12311 issued to the City of Fort Worth, in Denton and Tarrant Counties; Application No. 31252-C

Application of the Town of Westlake for a Sewer Certificate of Convenience and Necessity (CCN) in Denton and Tarrant Counties; Application No. 31253-C

Dear Mr. Holcomb:

As proof that the notices outlined in your application acceptance letter dated June 24, 1996, enclosed are the following:

1. Original and three copies of the Denton Record Chronicle's affidavit of the newspaper publication with the published notice attached;
2. Original and three copies of the Fort Worth Star-Telegram's affidavit of the newspaper publication with the published notice attached;
3. Four copies of each individual notice to neighboring utilities and other affected parties;
4. An original and three copies of the signed affidavit that individual notice to neighboring utilities, customers, and affected individuals has been given.

There were no affected customers outside of the city limits according to Mayor Scott Bradley.

Sincerely,



Sarah K. Walls

tb

Enclosures

RECEIVED

2100 BURNETT PLAZA

801 CHERRY STREET

FORT WORTH

817 877 2800

METRO 817 429 3815

TELEX 75 8631

FAX 817 877 2807

TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION

Doug Holcomb, P.E.
July 22, 1996
Page 3

cc: Martin C. Rochelle, Esq. (without enclosures)
Lloyd, Gosselink, Fowler, Blevins & Mathews, P.C.
111 Congress Avenue, Suite 1800
Austin TX 78767

Scott Bradley, Esq. (FIRM) (without enclosures)

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

APPLICATION NO. 31252-C
31253-C
 PUBLISHER'S AFFIDAVIT

At

STATE OF TEXAS

COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared Janice Gregory,

who being by me duly sworn, deposes and says that (s)he is the Legal Notices Advertising Representative of the
 TITLE

Star-Telegram; that said
 NAME OF NEWSPAPER

newspaper is regularly published in Tarrant

County(ies) and generally circulated in Tarrant, Parker, Denton,

Hood, Johnson County (Counties), Texas; and that the

attached notice was published in said newspaper on the following

date(s), to wit: July 3 and July 10, 1996

Janice Gregory
 Newspaper Representative's Signature

NOTICE OF APPLICATIONS
 FOR CERTIFICATES OF
 CONVENIENCE AND
 NECESSITY (CCN) TO
 PROVIDE WATER AND
 SEWER UTILITY SERVICE
 AND TO DECEITIFY A
 PORTION OF CCN IN
 DENTON AND TARRANT
 COUNTIES

The Town of Westlake has filed applications for CCNs and to decertify a portion of CCN No. 12311 issued to the City of Fort Worth with the Texas Natural Resource Conservation Commission to provide water and sewer utility service in Denton and Tarrant Counties. The proposed utility service areas are located approximately 18 miles north-northwest of downtown Fort Worth, Texas and are generally bounded on the north by State Highway 114, on the east by the Town of Southlake, on the south by the City of Keller, and on the west by State Highway 377. The total area being requested includes approximately 3,951 acres and 62 current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime phone number; (2) the applicant's name, application number, or another recognizable reference to this application; (3) the statement "I/we request a public hearing"; (4) a brief description of how you or the persons you represent would be adversely affected by the granting of the applications for CCNs; and (5) your proposed adjustment to the applications for CCNs which would satisfy your concerns and cause you to withdraw your request for a hearing. The Executive Director will issue these CCNs unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission
 Water Utilities Division
 Utility Rates and Services Section, MC-153
 P.O. Box 13087
 Austin, TX 78711-3087
 within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

and sworn to before me this 19th day of July, 1996, to certify which witness my hand and seal of

Debra W. Morris
 Notary Public in and for the State of Texas

Debra W. Morris
 Print or Type Name of Notary Public

Commission Expires 3-1-2000

W. MORRIS, Notary Public
 for the State of Texas
 Commission Expires 03-01-2000

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

APPLICATION NO. 31252-C
31253-C

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Denton, Texas

Before me, the undersigned authority, on this day personally appeared Bill Patterson

who being by me duly sworn, deposes and says that (s)he is the

General Manager of the

TITLE

Denton Record-Chronicle; that said

NAME OF NEWSPAPER

newspaper is regularly published in Denton

County ~~(Dent)~~ and generally circulated in Denton

Denton County ~~(Denton)~~, Texas; and that the

attached notice was published in said newspaper on the following date(s), to wit:

July 1, 1996 and July 8, 1996

Bill Patterson
Newspaper Representative's Signature

Subscribed and sworn to before me this 8 day of July, 1996, to certify which witness my hand and seal of office.

Betty J. Ritchie
Notary Public in and for the State of Texas

NOTICE OF APPLICATIONS FOR CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE AND TO DECERTIFY A PORTION OF CCN IN DENTON AND TARRANT COUNTIES

The Town of Westlake has filed applications for CCNs and to decertify a portion of CCN No. 12311 issued to the City of Fort Worth with the Texas Natural Resource Conservation Commission to provide water and sewer utility service in Denton and Tarrant Counties. The proposed utility service areas are located approximately 18 miles north-northwest of downtown Fort Worth, Texas and are generally bounded on the north by State Highway 114, on the east by the Town of Southlake, on the south by the City of Keller, and on the west by State Highway 377. The total area being requested includes approximately 3,951 acres and 62 current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the applications for CCNs; and (5) your proposed adjustment to the applications or CCNs which would satisfy your concerns and cause you to withdraw your request for a hearing. The Executive Director will issue these CCNs unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section, MC-153
P.O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

**MICHENER, LARIMORE, SWINDLE, WHITAKER, FLOWERS,
SAWYER, REYNOLDS & CHALK, L.L.P.**

ATTORNEYS & COUNSELORS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

3500 CITY CENTER TOWER II
301 COMMERCE STREET
FORT WORTH, TEXAS 76102-4186
(817) 335-4417
METRO (817) 429-6268

WRITER'S DIRECT DIAL NUMBER
878-0511

FAX (817) 335-6935

July 26, 1996

**VIA FACSIMILE (512) 239-6972;
WRITTEN CONFIRMATION BY
CERTIFIED MAIL NO. P-912-205-548
RETURN RECEIPT REQUESTED**

RECEIVED

SEWER SERVICE COMMISSION

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services, Section MC-153
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of the Town of Westlake for a Water Certificate of Convenience and Necessity (CCN) and to Decertify a Portion of CCN No. 12311 Issued to the City of Fort Worth, In Denton and Tarrant Counties; Application No. 31252-C.

Application of the Town of Westlake for a Sewer Certificate of Convenience and Necessity (CCN) in Denton and Tarrant Counties; Application No. 31253-C.

Gentlemen:

Trophy Club Municipal Utility District No. 1 is listed in Section 16 of the referenced applications. Trophy Club MUD #1 hereby protests granting the applications and issuing the requested Certificates of Convenience and Necessity and requests a contested public hearing.

Trophy Club MUD #1 presently provides municipal water supply and sewer collection services to the northeast portion of the proposed CCNs. The area of Westlake served by Trophy Club MUD #1 is commonly referred to as the "Solana" office park and

Texas Natural Resource Conservation Commission
July 26, 1996
Page 2

is shown on the map that is attached hereto. A tract of 405.1434 acres within this area of Westlake was annexed into Trophy Club MUD #1 in 1982, and an additional tract of 44.759 acres in Westlake was annexed into Trophy Club MUD #1 in 1986. Each of these two annexations was done with the full support and consent of Westlake and because Westlake did not itself wish to provide water and sewer service to the area. The ordinances by the Board of Aldermen of the Town of Westlake that approved these two annexations (Ordinance No. 127, passed August 3, 1982, and Ordinance 147, passed February 3, 1986) each stated that the annexation was deemed to be in the best interest of the Town of Westlake and of the owner of the land and would result in providing more orderly development and use of the land.

Trophy Club MUD #1 and the owners of the land within Westlake annexed by Trophy Club MUD #1 have relied upon these earlier actions by Westlake in entering long-term contracts and in constructing infrastructure to serve customers in this area. Water and sewer infrastructure costing several million dollars has been installed within this area of Westlake and is presently owned and operated by Trophy Club MUD #1.

Granting of Westlake's applications may adversely affect the ability of Trophy Club MUD #1 to continue providing services to its existing customers within Westlake's proposed CCNs, and may also adversely affect the plant efficiency and costs of the water and sewer operations of Trophy Club MUD #1.

Exclusion of the service area of Trophy Club MUD #1 in Westlake from applicant's proposed CCNs may cause Trophy Club MUD #1 to withdraw this protest.

Respectfully submitted,

Frank R. Booth
Booth & Dillon
NationsBank Tower, Suite 1212
515 Congress Avenue
Austin, Texas 78701-3503
(512) 478-9506
STATE BAR NO. 02647000

MICHENER, LARIMORE, SWINDLE, WHITAKER, FLOWERS,
SAWYER, REYNOLDS & CHALK, L.L.P.

Texas Natural Resource Conservation Commission
July 26, 1996
Page 3

Robert G. West
Michener Larimore Swindle Whitaker Flowers
Sawyer Reynolds & Chalk, L.L.P.
3500 City Center Tower II
301 Commerce Street
Fort Worth, Texas 76102
(817) 335-4417
STATE BAR NO. 21205500

By: 
ROBERT G. WEST

Attorneys for Trophy Club Municipal Utility
District No. 1

Attachment: Map showing general location
of "Solana" office park

Texas Natural Resource Conservation Commission
July 26, 1996
Page 4

CERTIFICATE OF SERVICE

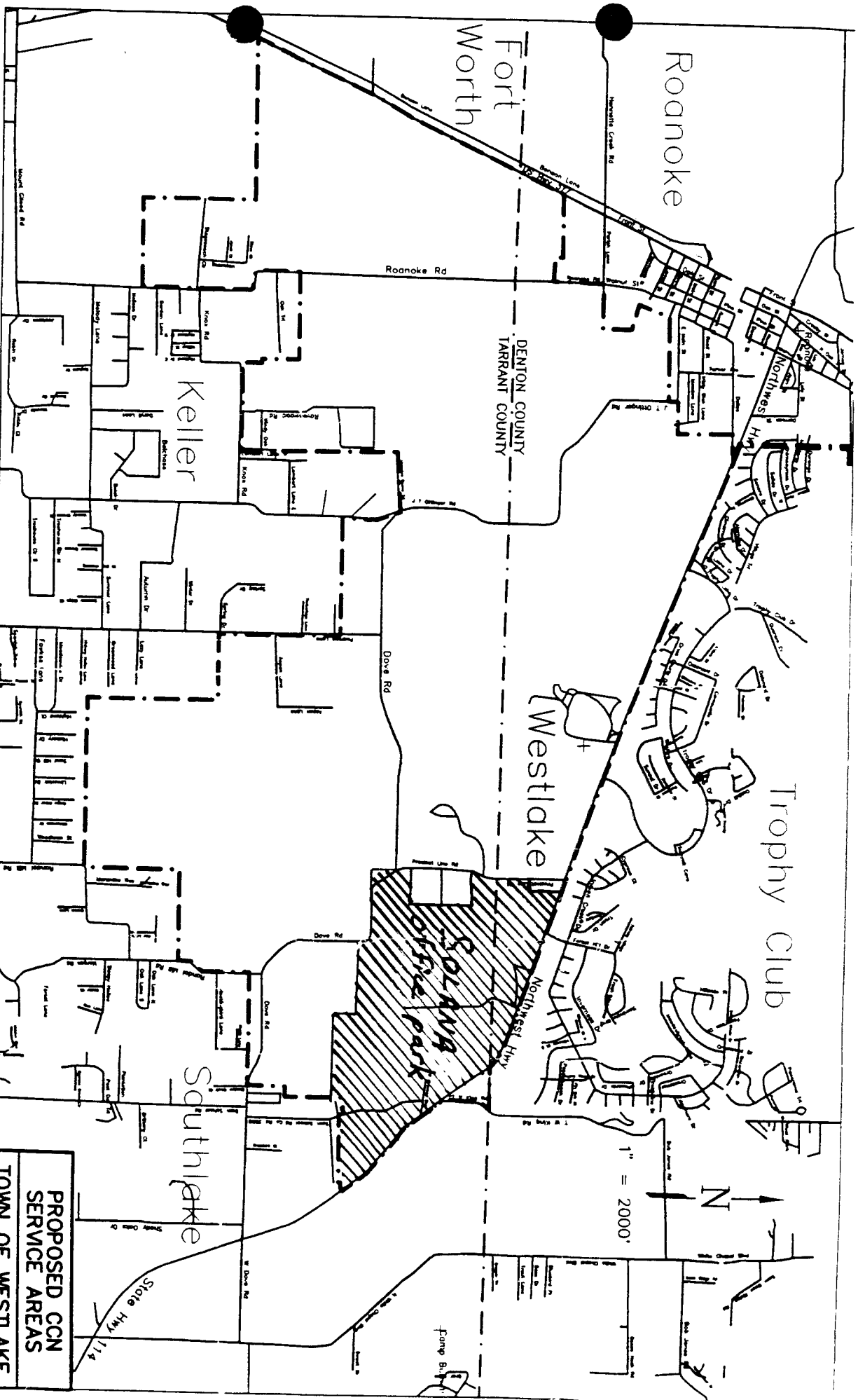
I hereby certify by my signature below that a true and correct copy of the above and foregoing document has been sent by facsimile and U.S. Mail, postage prepaid, on this 26th day of July, 1996, to the following:

Ms. Sarah K. Walls
Cantey & Hanger
2100 Burnett Plaza
801 Cherry Street
Fort Worth, TX 76102
Fax (817) 877-2807
Attorney for Applicant,
Town of Westlake

Mr. Martin C. Rochelle
111 Congress Avenue, Suite 1800
Austin, TX 78701
Fax (512) 472-0532
Special Counsel for Applicant,
Town of Westlake



ROBERT G. WEST



PROPOSED CCN
SERVICE AREAS

TOWN OF WESTLAKE

THE HOGAN CORPORATION
9/78

The land within the Solana office park has been
annexed into Trophy Club MUD #1.

LLOYD, GOSSELINK, FOWLER, BLEVINS & MATTHEWS, P. C.
ATTORNEYS AT LAW

111 CONGRESS AVENUE
SUITE 1800
AUSTIN, TEXAS 78701
TELEPHONE (512) 322-5800
TELECOPIER (512) 472-0532

Mr. Rochelle's Direct Line:
(512) 322-5810

111 SOLEDAD STREET*
SUITE 300
SAN ANTONIO, TEXAS 78205
TELEPHONE (210) 212-5888
TELECOPIER (210) 212-5889
*BY APPOINTMENT ONLY

August 1, 1996

Mr. Doug Holcomb
Texas Natural Resource
Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED
AUG 05 1996

LAND AND WATER RESOURCES
CONSERVATION COMMISSION
UTILITY RATES & SERVICES SECTION

Re: Application of Town of Westlake for Certificate of
Convenience and Necessity -- Applications No. 31252-C
and No. 31253-C (140300:1)

Dear Mr. Holcomb:

As you know, there have been several protests lodged concerning the above-referenced water and sewer CCN applications in the last several days. In an effort to address the concerns of those political subdivisions and/or retail public utilities which have objected to the above-referenced applications, Westlake hereby seeks a 60-day delay in the further processing of the applications. This delay should serve to help resolve the questions and/or concerns of those objecting to the applications, or at least to identify the issues which remain unresolved prior to this matter being forwarded to the State Office of Administrative Hearings for a contested case hearing. Of course, we are hopeful that we can amicably resolve these matters.

If this request of Westlake is acceptable, I would appreciate it if you would advise me of same in writing. Of course, if you or your staff have questions concerning this request or any other aspect of Westlake's applications, I hope you will feel free to call me at your earliest opportunity.

Sincerely,


Martin C. Rochelle

MCR/ldp

1403/000-006.LTR

cc: Mr. Scott Bradley
Mr. Larry Fuson
Ms. Sarah Walls
Mr. Robert G. West
Mr. Kenneth L. Petersen, Jr.
Ms. Lauren J. Kalisek

Attorneys and Counselors

July 24, 1996

Writers Direct Dial Number

214/939-5468

Other Offices

Austin

Houston

Fort Worth

VIA FACSIMILE (512) 239-6972
and OVERNIGHT DELIVERY

RECEIVED

CONSERVATION COMMISSION
JULY 24 1996

Mr. Albert Holck
Utility Rates and Services Section; MC-153
Water Utilities Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

Re: Applications of Westlake, Texas, for Certificates of Convenience and Necessity
for Water/Sewer Service.

Dear Mr. Holck:

We represent Hillwood/Willowbend, Ltd. ("Hillwood"), the owner of approximately 2,000 acres located within the Town of Westlake, Texas ("Westlake"), and commonly known as the Circle T Ranch (the "Ranch"). The Ranch constitutes all of the property located within the boundaries of Lake Turner Municipal Utility District No. 2 ("MUD 2") and Lake Turner Municipal Utility District No. 3 ("MUD 3"). On behalf of Hillwood, we protest the above-referenced applications of Westlake to the extent they would include any part of the Ranch.

The MUDs were created by special acts of the Texas legislature to provide a variety of services that will benefit the Ranch, including, but not limited to, water and sewer service. MUD 2 has acquired ownership and capacity rights in water lines, pump stations, and storage facilities, which rights will enable the MUDs to provide water service for a substantial portion of the Ranch. MUD 3 has acquired wastewater treatment and transmission line capacity rights from the Trinity River Authority, which rights will enable the MUDs to provide sewer service for the entire Ranch. Both MUD 2 and MUD 3 have authorized the issuance of bonds adequate to finance all of the infrastructure necessary for such water and sewer service.

Hillwood has been working with both MUDs for several years to develop a comprehensive, long-term plan for water and sewer service for the Ranch. Hillwood has entered into reimbursement agreements with both MUDs and has made substantial financial investments

July 23, 1996
Page 2

pursuant to such agreements. Hillwood is also the holder of a promissory note from MUD 2, the proceeds of which financed the ownership and capacity rights of MUD 2 in and to the water facilities described above.

Hillwood believes strongly that MUD 2 and MUD 3 are in the best position to provide water and sewer facilities and service to the Ranch. There is no legitimate necessity or reason to grant Westlake any rights that would infringe upon the ability of the MUDs to perform the purposes and provide the services for which the state legislature created them or that would adversely impact the substantial financial investments that Hillwood has made in the above-described water and sewer rights that are owned by the MUDs.

Very truly yours,



Dwight A. Shupe

DAS/m

LAW OFFICES

Small, Craig & Werkenthin

A PROFESSIONAL CORPORATION

Facsimiles
Austin (512) 320-9734
San Antonio (210) 226-2646

Suite 1100, 100 Congress Avenue
Austin, Texas 78701-4099
(512) 472-8355

SAN ANTONIO OFFICE
300 Convent Street, Suite 1950
San Antonio, Texas 78205-3738
(210) 226-2080

July 23, 1996

VIA TELEFAX 239-6972
AND FIRST CLASS MAIL

Mr. Albert Holck
Utility Rates and Services Section; MC-153
Water Utilities Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED
JUL 25 1996

TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION
UTILITY RATES AND SERVICES SECTION

RE: Applications of Westlake, Texas for
Water/Sewer Certificates of Convenience and
Necessity; Denton and Tarrant Counties

Dear Mr. Holck:

Lake Turner Municipal Utility District No. 2 and Lake Turner Municipal Utility District No. 3 protest the above-referenced applications to the extent Westlake is requesting certificated water or sewer utility service rights within their boundaries.

Lake Turner Municipal Utility District No. 2 and Lake Turner Municipal Utility District No. 3 (collectively, the "Districts") were created by special acts of the 70th Legislature for the express purposes, **inter alia**, of providing water and sewer utility service within their respective boundaries. Each of the Districts exists within the corporate limits of the town of Westlake, Texas, and are completely encompassed within the requested water and sewer certificated service areas.

The granting of the certificates of convenience and necessity as requested by Westlake, would disenfranchise the Districts from accomplishing their legislative purpose of providing retail water and sewer utility service. The requested service areas should **not** include certification to any service areas within the boundaries of the Districts.

The Districts respectfully request a public hearing to consider these issues.

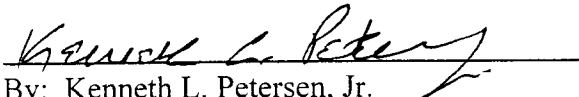
Mr. Albert Holck
July 23, 1996
Page 2

Should you have any questions concerning this request, please do not hesitate to contact me.

Sincerely,

Small, Craig & Werkenthin, P.C.
100 Congress Avenue, Suite 1100
Austin, Texas 78701
(512) 472-8355
(512) 320-9734 fax

Special Counsel to Lake Turner MUD No. 2
and Lake Turner MUD No. 3


By: Kenneth L. Petersen, Jr.

KLP/gra/DS1-AUS-57712-1
18751.1

cc: Steve Blackhurst, P.E.
Texas Natural Resource Conservation Commission

Douglas Holcomb, P.E.
Texas Natural Resource Conservation Commission

Irene Montelongo
Texas Natural Resource Conservation Commission

Martin Rochelle
Counsel, Town of Westlake, Texas

John Carlton
Counsel, MaGuire/Thomas Partners

Ike Shupe
Counsel, Hillwood/Willowbend, Ltd.

Mr. Albert Holck
July 23, 1996
Page 3

Donna Parker
President, Lake Turner MUD No. 2
Rice M. Tilley, Jr.
President, Lake Turner MUD No. 3
c/o Paul W. Phy
General Counsel, Lake Turner Municipal Utility Districts Nos. 2 and 3

Darcy Anderson
Alliance Development Co.

Nine Village Circle
Suite 500
Westlake TX 76262
817 430-0303

July 24, 1996

VIA CERTIFIED MAIL

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section
MC-153
P.O. Box 13087
Austin, Texas 78711-3087

Re: **The Town of Westlake's ("Westlake") Application for a
Certificate of Convenience and Necessity ("CCN");
Application No. 31252-C and 31253-C**

To Whom It May Concern:

Maguire Thomas Partners is a partner, along with International Business Machines Corporation, in Maguire Thomas Partners-Westlake Southlake Partnership and MTP-IBM Phase II/III Joint Venture (the "Partnerships"). The Partnerships protest the Town of Westlake's CCN applications and request a public hearing. The Partnerships own property that is located within and served by Trophy Club Municipal Utility District No. 1 ("District"), which provides water and wastewater service without a CCN. Westlake's application requests certification for the Partnerships' property. The Partnerships have already paid fees and constructed infrastructure to obtain service from the District. If the CCN is granted to Westlake, the Partnerships would lose the benefit of their investment in the District's system. If the boundaries of Westlake's proposed CCN were adjusted to exclude the areas that are currently served by the District and the remaining property owned by the Partnerships, the Partnerships' concerns would be satisfied and they would withdraw this request for a hearing.

Any questions related to this request for hearing should be directed to:

Tom Allen
Maguire Thomas Partners
9 Village Circle, Suite 500
Westlake, Texas 76262

or

John J. Carlton
Strasburger & Price, L.L.P.
2600 One American Center
600 Congress Avenue
Austin, Texas 78701

RECEIVED

TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION

Maguire
Thomas
Partners

If you have any questions, please contact me at your convenience.

Sincerely,



Tom Allen
Partner

WTA/th

cc: Albert Holck, TNRCC, Water Utilities Division
Richard Kuhlman, Maguire Thomas Partners
Tony Canonaco, IBM Corporation
John Carlton, Strasburger & Price, L.L.P. - Austin
Ed Walts, Strasburger & Price, L.L.P. - Dallas
Ron Barger, Strasburger & Price, L.L.P. - Dallas
David Armbrust, Strasburger & Price, L.L.P. - Austin

312-52-C

312-53-C

At

LAW OFFICES
Small, Craig & Werkenthin
A PROFESSIONAL CORPORATION

Suite 1100, 100 Congress Avenue
Austin, Texas 78701-4099

(512) 472-8355

Facsimiles
Austin: (512) 320-9734
San Antonio: (210) 226-2646

SAN ANTONIO OFFICE

300 Convent Street, Suite 1350
San Antonio, Texas 78205-3738

(210) 226-2080

FACSIMILE COVER PAGE

DATE: July 24, 1996

TIME: 2:13 pm

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Mr. Albert Holck

FIRM: TNRCC

CITY & STATE: Austin, Texas

FAX NUMBER: 239-6972

FROM: Kenneth L. Petersen

FILE NUMBER: 18751.1

COMMENTS:

Total Number of Pages, Including this Cover Page: 4

Transmitting Operator: Gail Allen

Transmitting Office/Facsimile Number: Austin - 512/320-9734

The information contained in this facsimile communication is confidential, is intended only for the use of the individual or entity named above, and may constitute information that is attorney/client privileged. If the reader of this Cover Page is not the intended recipient, or the employee or agent responsible to deliver this communication to the intended recipient, you are hereby notified that any distribution, copying or use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original communication to us at the above address via the U.S. Postal Service. Thank you for your cooperation.

Small, Craig & Werkenthin, P.C.

LAW OFFICES

Small, Craig & Werkenthin

A PROFESSIONAL CORPORATION

Facsimiles
Austin: (512) 320-9734
San Antonio: (210) 226-2646

Suite 1100, 100 Congress Avenue
Austin, Texas 78701-4099
(512) 472-8355

SAN ANTONIO OFFICE
300 Convent Street, Suite 1950
San Antonio, Texas 78205-3738
(210) 226-2060

July 23, 1996

VIA TELEFAX 239-6972
AND FIRST CLASS MAIL

Mr. Albert Holck
Utility Rates and Services Section; MC-153
Water Utilities Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

RE: Applications of Westlake, Texas for
Water/Sewer Certificates of Convenience and
Necessity; Denton and Tarrant Counties

Dear Mr. Holck:

Lake Turner Municipal Utility District No. 2 and Lake Turner Municipal Utility District No. 3 protest the above-referenced applications to the extent Westlake is requesting certificated water or sewer utility service rights within their boundaries.

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The granting of the certificates of convenience and necessity as requested by Westlake, would disenfranchise the Districts from accomplishing their legislative purpose of providing retail water and sewer utility service. The requested service areas should **not** include certification to any service areas within the boundaries of the Districts.

The Districts respectfully request a public hearing to consider these issues.

Mr. Albert Holck
July 23, 1996
Page 2

Should you have any questions concerning this request, please do not hesitate to contact me.

Sincerely,

Small, Craig & Werkenthin, P.C.
100 Congress Avenue, Suite 1100
Austin, Texas 78701
(512) 472-8355
(512) 320-9734 fax

Special Counsel to Lake Turner MUD No. 2
and Lake Turner MUD No. 3


By: Kenneth L. Petersen, Jr.

KLP/gra/DS1-AUS-57712-1
18751.1

cc: Steve Blackhurst, P.E.
Texas Natural Resource Conservation Commission

Douglas Holcomb, P.E.
Texas Natural Resource Conservation Commission

Irene Montelongo
Texas Natural Resource Conservation Commission

Martin Rochelle
Counsel, Town of Westlake, Texas

John Carlton
Counsel, MaGuire/Thomas Partners

Ike Shupe
Counsel, Hillwood/Willowbend, Ltd.

Mr. Albert Holck
July 23, 1996
Page 3

Donna Parker
President, Lake Turner MUD No. 2
Rice M. Tilley, Jr.
President, Lake Turner MUD No. 3
c/o Paul W. Phy
General Counsel, Lake Turner Municipal Utility Districts Nos. 2 and 3

Darcy Anderson
Alliance Development Co.

Walnut Grove Water System
624 Walnut Grove
Roanoke, TX 76262

July 10, 1996

RECEIVED
JUL 12 1996

TNRCC
Water Utilities Division
Utility Rates and Services Section, MC-153
PO Box 13087
Austin, TX 78711-3087

STATE OF TEXAS
CONSERVATION COMMISSION
UTILITY RATES AND SERVICES SECTION

SUBJECT: Request for Notification of Hearing

**REFERENCE: Town of Westlake Application for CCN, and
Decertification of a portion of CCN No. 12311**

Dear TNRCC:

The Walnut Grove Water System received notification that the Town of Westlake has applied for a CCN (copy attached). Based on our review of the need and application, we feel that this is a reasonable request and fully support The Town of Westlake in their efforts.

In fact, The Town of Westlake should be applauded for their efforts, as long-term residents of the area, to control their community through local government involvement. This should, by its very nature, provide the most effective arrangement for all concerned.

If a public hearing is scheduled, please notify us at the address listed above. We would most likely attend as an interested party, and not as a participant, unless asked to specifically by one of the involved parties.

Thank you,,



Rick Frederick
Walnut Grove Water System

cc: Mike Groomer, Assistant City Manager
City of Fort Worth

NOTICE OF APPLICATIONS FOR CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE AND TO DECERTIFY A PORTION OF CCN IN DENTON AND TARRANT COUNTIES

To: Walnut Grove Water System
 (Neighboring System or City)
624 Walnut Grove Road
 (Address)

 (Address)
Roanoke TX 76262
 (City State Zip)

Date Notice Mailed: June 28, 19 96

430-0941
Mayor Scott Ruelby 877-2801

The Town of Westlake has filed applications for CCNs and to decertify a portion of CCN No. 12311 issued to the City of Fort Worth with the Texas Natural Resource Conservation Commission to provide water and sewer utility service in Denton and Tarrant Counties. The proposed utility service areas are located approximately 18 miles north-northwest of downtown Fort Worth, Texas and are generally bounded on the north by State Highway 114, on the east by the Town of Southlake, on the south by the City of Keller, and on the west by State Highway 377. The total area being requested includes approximately 3,951 acres and 62 current customers.

The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing you must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to these applications; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the applications for CCNs; and (5) your proposed adjustment to the applications or CCNs which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to request a hearing or comment should write the:

Texas Natural Resource Conservation Commission
 Water Utilities Division
 Utility Rates and Services Section, MC-153
 P. O. Box 13087
 Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

If one or more requests for a hearing are filed, the Executive Director will not issue the CCN and will forward the applications to the State Office Administrative Hearings (SOAH) where a hearing may be held. In the event a hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If a hearing is held it will be a legal proceeding similar to civil trials in State District Court.



HH

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

APPLICATION NO. 31252-C
31253-C

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF TARRANT

Town of Westlake has provided individual notice to the following entities:

DATE

(See attached list)

OATH

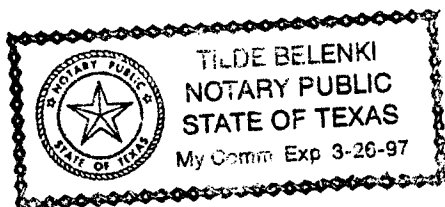
I, Sarah K. Walls, being duly sworn, file this form as attorney (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set forth therein are true and correct.

Sarah K. Walls
Applicants Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 15th day of July, 1996, to certify which witness my hand and seal of office.)

Tilde Belenki
Notary Public in and for the State of Texas



Tilde Belenki
Print or Type Name of Notary Public
Commission Expires 2-26-97

CERTIFIED MAIL/RRR NO. Z382287363
City of Fort Worth
1000 Throckmorton
Fort Worth TX 76102

Date
06/28/96

CERTIFIED MAIL/RRR NO. Z382287364
City of Keller
P.O. Box 770
Keller TX 76244-0770

06/28/96

CERTIFIED MAIL/RRR NO. Z382287365
Town of Southlake
667 North Carroll Avenue
Southlake TX 76092

06/28/96

CERTIFIED MAIL/RRR NO. Z382287366
Town of Trophy Club
100 Municipal Drive
Trophy Club TX 76262

06/28/96

CERTIFIED MAIL/RRR NO. Z382287367
Town of Marshall Creek
P.O. Box 1080
Roanoke TX 76262-1080

06/28/96

CERTIFIED MAIL/RRR NO. Z382287368
Town of Roanoke
201 Bowie Street
Roanoke TX 76262

06/28/96

CERTIFIED MAIL/RRR NO. Z382287369
Lake Turner MUD No. 1
ATTN: Ms. Pamela Ricco
500 North Akard, Suite 3500
Dallas TX 75201

06/28/96

CERTIFIED MAIL/RRR NO. Z382287370
Lake Turner MUD No. 2
8300 Douglass, Suite 800
Dallas TX 75225

06/28/96

CERTIFIED MAIL/RRR NO. Z382287371

Rice Tilley, Jr., Esq., President
Lake Turner MUD No. 3
c/o Alliance Development Company
2421 Westport Parkway, Suite 200
Fort Worth TX 76177

06/28/96

CERTIFIED MAIL/RRR NO. Z382287372

Ms. Connie White, President
Trophy Club MUD No. 1 and 2
100 Municipal Drive
Trophy Club TX 76262

06/28/96

CERTIFIED MAIL/RRR NO. Z382287373

McKee Water Service
7600 Shady Grove Road
Fort Worth TX 76180

06/28/96

CERTIFIED MAIL/RRR NO. Z382287374

Walnut Grove Water System
624 Walnut Grove Road
Roanoke TX 76262

06/28/96

CERTIFIED MAIL/RRR NO. Z382287375

Southlake Park Service, Inc.
3400 Southlake Park Road
Southlake TX 76092

06/28/96

LLOYD, GOSSELINK, FOWLER, BLEVINS & MATHEWS, P. C.
ATTORNEYS AT LAW

111 CONGRESS AVENUE
SUITE 1800
AUSTIN, TEXAS 78701
TELEPHONE (512) 322-5800
TELECOPIER (512) 472-0532

Mr. Rochelle's Direct Line:
(512) 322-5810

111 SOLEDAD STREET*
SUITE 300
SAN ANTONIO, TEXAS 78205
TELEPHONE (210) 212-5888
TELECOPIER (210) 212-5889
*BY APPOINTMENT ONLY

RECEIVED
JUN 5 1996
1996

Cashier
Texas Natural Resource
Conservation Commission
Building A, Room 300A
Austin, Texas 78711-3087

Texas Natural Resource
CONSERVATION COMMISSION
UTILITY RATES & SERVICES SECTION

VIA HAND-DELIVERY

Re: Application of the Town of Westlake for Certificate of
Convenience and Necessity (140300:1)

Dear Madame or Sir:

Enclosed please find a check for the additional \$100 fee required for the Town of Westlake's Application to Obtain or Amend a Water and Sewer Certificate of Convenience and Necessity. These applications were originally filed on May 28, 1996, and I have also enclosed the first page of the application, for your reference. We received a phone call today from Mr. Albert Holck informing us that an additional \$100 filing fee was required.

If you or your staff have any questions concerning the attached materials, please feel free to call me at your earliest opportunity.

Sincerely,


Martin C. Rochelle

MCR/ldp
1403/000-004.LTR
ENCLOSURES

cc: (w/o encl.)
Mr. Albert Holck
Mr. Scott Bradley
Mr. Larry Fuson
Ms. Sarah Walls

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Water Utilities Division
Utility Rates and
Services Section



APPLICATION TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

1. Applicant: Town of Westlake, Texas
(Individual, Corporation, or Other Legal Entity)
- Utility Name: Westlake Water and Sewer Utilities
(If different than above)
- Address: 3 Village Circle, Suite 207 Roanoke, Texas 76262 Telephone: 817/430-8616
- Tax Identification Number (Social Security Number for Individuals): N/A
2. Check the appropriate box and provide information regarding the legal status of the applicant:
- ☐ Individual
- ☐ Home or Property Owners Association
- ☐ Partnership; attach copy of partnership agreement
- ☐ Corporation; provide charter number as recorded with the Office of the Secretary of State for Texas: _____
- ☐ Non-profit, member-owned, member-controlled Cooperative Corporation (Article 1434(a) Water Supply or Sewer Service Corporation); provide charter number: _____
- ☒ Other (please explain): City
3. The purpose of this application is to:
- ☒ Obtain ☒ Water CCN ☐ Amend ☐ Water CCN No.: _____
- ☒ Sewer CCN -OR- ☐ Sewer CCN No.: _____
- to provide utility service to: Town of Westlake in: Denton & Tarrant Counties
(Subdivision or area) (County)
4. Is any portion of the proposed service area inside an incorporated city?
- ☐ No. (skip the rest of this question and go to the next one)
- ☒ Yes. Within the City limits of: Westlake Provide a copy of any franchise, permit, or consent granted by the City. If not available, please explain: _____

LLOYD, GOSSSELINK, FOWLER, BLEVINS & MATTHEWS
ATTORNEYS AT LAW

111 CONGRESS AVENUE
SUITE 1800
AUSTIN, TEXAS 78701
TELEPHONE (512) 322-5800
TELECOPIER (512) 472-0532

Mr. Rochelle's Direct Line:
(512) 322-5810

111 SOLEDAD STREET
SUITE 300
SAN ANTONIO, TEXAS 78205
TELEPHONE (210) 212-5888
TELECOPIER (210) 212-5889
*BY APPOINTMENT ONLY

May 28, 1996

VIA HAND-DELIVERY

Mr. Doug Holcomb, P.E.
Utility Rates and Services Section
Water Utilities Division
Texas Natural Resource
Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application of the Town of Westlake for Certificate of
Convenience and Necessity (140300:1)

Dear Mr. Holcomb:

Enclosed please find the original and three (3) copies of an Application to Obtain
or Amend a Water and Sewer Certificate of Convenience and Necessity of the Town
of Westlake, together with our check for the \$100 filing fee.

If you or your staff have any questions concerning the attached materials,
please feel free to call me at your earliest opportunity.

Sincerely,



Martin C. Rochelle

MCR/ldp
1403/000-003.LTR
ENCLOSURES

cc: (w/o encl.)
Mr. Scott Bradley
Mr. Larry Fuson
Ms. Sarah Walls

RECEIVED
MAY 30 1996

TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION
UTILITY RATES & SERVICES SECTION

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



RECEIVED
MAY 23 1996

er Utilities Division
Utility Rates and
Services Section

TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION
UTILITY RATES & SERVICES SECTION

APPLICATION TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

Applicant: Town of Westlake, Texas
(Individual, Corporation, or Other Legal Entity)

Utility Name: Westlake Water and Sewer Utilities
(If different than above)

Roanoke, Texas Telephone: 817/430-8616

Address: 3 Village Circle, Suite 207 76262

Tax Identification Number (Social Security Number for Individuals): N/A

2.

Check the appropriate box and provide information regarding the legal status of the applicant:

☐ Individual

☐ Home or Property Owners Association

☐ Partnership; attach copy of partnership agreement

☐ Corporation; provide charter number as recorded with the Office of the Secretary of State for Texas: _____

☐ Non-profit, member-owned, member-controlled Cooperative Corporation (Article 1434(a) Water Supply or Sewer Service Corporation); provide charter number: _____

☒ Other (please explain): City

3.

The purpose of this application is to:

☒ Obtain

☒ Water CCN

☒ Sewer CCN

-OR-

☐ Amend

☐ Water CCN No.: _____

☐ Sewer CCN No.: _____

to provide utility service to: Town of Westlake
(Subdivision or area)

in: Denton & Tarrant
(County)

4.

Is any portion of the proposed service area inside an incorporated city?

☐ No. (skip the rest of this question and go to the next one)

☒ Yes. Within the City limits of: Westlake

or consent granted by the City. If not available, please explain: _____

Provide a copy of any franchise _____

the applicant is an *Individual* provide the following information. If not, skip to the next question.

Name: _____

Telephone: _____

Address: _____

If the applicant is other than an *Individual* provide the following information regarding the officers or partners of the legal entity applying for the CCN. You must complete either question 5. or question 6., whichever applies to the applicant.

• Name: Scott Bradley

Telephone: 817/877-2800

Address: 2100 Burnett Plaza 801 Cherry Street Fort Worth, TX 76102

Position: Mayor, Town of Westlake

Ownership % (if applicable): N/A

Telephone: _____

• Name: _____

Address: _____

Ownership % (if applicable): _____

Position: _____

Telephone: _____

• Name: _____

Address: _____

Ownership % (if applicable): _____

Position: _____

Telephone: _____

• Name: _____

Address: _____

Ownership % (if applicable): _____

Position: _____

- Attach additional sheet(s) if necessary -

Important: • If the applicant is a for-profit corporation, please provide a copy of the corporation's "Certification of Account Status" from the State Comptroller Office. This "Certification of Account Status" can be obtained from:

Comptroller of Public Accounts, Office Management
P. O. Box 13528, Capitol Station
Austin, Texas 78711
1-800-252-5555

• If the applicant is an Article 1434a water supply or sewer service corporation or other non corporation, please provide a copy of the Articles of Incorporation and By-Laws.

- ALL APPLICANTS SHOULD COMPLETE THE REMAINDER OF THE APPLICATION -

7. Contact person. Please provide information about the person to be contacted regarding this application. Indicate person is the owner, operator, engineer, attorney or accountant.

Name: Martin C. Rochelle

Title: Special Co

Address: 111 Congress Avenue, Suite 1800
Austin, Texas 78701

Telephone: 512/322-5

is is a proposed utility system or a proposed amendment, please provide:

An explanation of all attempts or the feasibility of obtaining service from adjacent retail public utilities:
The town is a member of Northeast Tarrant County Regional Water Supply Committee,
which has conducted a feasibility study for a regional water supply system funded
by the members and the Texas Natural Resource Conservation Commission. Additionally,
the town has offered to purchase the assets of Turner Lake MUD Nos. 1, 2 and 3.

- 3. Date Construction is scheduled to commence: Construction has already commenced on both water and sewer lines.
- C. Date service is scheduled to commence: Immediately after town procures a wholesale water supply contract with the city of Fort Worth.
- D. Method and source of financing (the applicant must be able to demonstrate the ability to fund system facilities and improvements):

The town will finance all improvements from its general revenues, water and sewer revenues, and impact fees.

- E. The number of requests for service that the applicant has received in the requested service area and indicate if verbal or written, and a clear explanation of the need for service in the requested area.
The town's Board of Aldermen has determined that the town will be the sole provider of water and sewer service within the town's boundaries.

If this is an existing utility system, please provide: N/A

- A. When was construction on the system completed? _____
- B. What was the original cost of the system? _____
- C. When did service begin? _____
- D. Is the applicant the original owner of the system?

☐ Yes. (skip the rest of this item and go to question 9E.)
☐ No. Please answer the following questions to the best of your ability:

- 1. When was the system acquired? _____
- 2. What was the purchase price? _____
- 3. Who was the immediate preceeding owner?
Name: _____ Telephone: _____
Address: _____
- 4. If the applicant is not the current owner of the system, please indicate who owns the utility ass
Name: _____ Telephone: _____
Address: _____

☒ Enclose three copies of the lease agreement or contract the applicant has with the owner of the applicant to operate the system:

- E. List the dates that the applicant's rates have changes since September 1, 1976. (not applicable to ci political subdivisions of the state):

(date of last customer count)

Water System			Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
Non-Metered		0	Residential		1,710
5/8" or 3/4" meter	15	1520	Commercial	17	55
1" meter	2	190	Industrial		25
1½" meter		25	Other:		
2" meter		40			
4" meter	16	25			
Other: 3" meter	1	25			
Total Water	45	1,825	Total Sewer	17	1,790

- Do you currently purchase water or sewer treatment capacity?
- ☐ No. (skip the rest of this question and go to the next one)
- ☒ Yes - Water
- Source: City of Southlake
- Purchased on a (X)regular - ()seasonal - ()emergency basis
- % of total supply: 10%
- Source: City of Keller
- Trophy Club MUD
- Purchased on a (X)regular - ()seasonal - ()emergency basis
- % of total supply: 20%
- ☒ Yes - Sewer treatment capacity
- Source: Trophy Club MUD
- Purchased on a (X)regular - ()seasonal - ()emergency basis
- % of total treatment 100%
- If you purchase water or sewer treatment capacity purchase agreement or contract, standards, please provide the following information:

- ☒ Yes - Sewer treatment capacity.
- Source: Trophy Club MUD
- ☞ Provide a copy of the water or sewer treatment capacity purchase agreement or contract.
12. For the water and/or sewer system's compliance with minimum standards, please provide the following information:
- A. Water system's TNRCC Public Water System identification number: (for each system)
[][][][][][][] ; [][][][][][][][] N/A
- B. Sewer system's TNRCC Discharge Permit number: (for each system)
[W][Q][][][][][][] - [][][][][][][] ; [W][Q][][][][][][] - [][][][][][][] N/A
- C. For each system, attach a copy of the plans specifications or plat approval letter of required from a city, and state agency. N/A
- D. For each system, attach a copy of the most recent inspection report letter. If necessary, also include a the utility's response to that letter. N/A
- E. For any system deficiencies, attach a brief explanation listing the actions taken or being taken by the correct the listed deficiencies, including the proposed completion dates. N/A
- F. If the system is operating and over 85% of minimum standard capacity for any facility component for the number of customers, attach an explanation listing of actions to be taken to make system improvements
number of customers: [][][][][][][][] - dates: [][][][][][][][] N/A

de the following information concerning the financial status of the utility:

What is the amount of equity or total capital in the utility system? Unknown

Provide the following information for all utility debt:

Date of issue	Date of maturity	Current outstanding principal	Interest rate	Total annual payment	Payable to whom
Total					

- Attach additional sheet(s) if necessary -

Provide the following information about the utility's certified operators: None at this time

Name	Classs	License Number

- Attach additional sheet(s) if necessary -

5. A If this application is for a water CCN, please explain how sewer service is provided:
From Trinity River Authority's Denton Creek Regional WWTP.

B: If this application is for a sewer CCN, please explain how water service is provided:
From Northeast Tarrant County Regional Water Supply System; alternatively,
from City of Fort Worth and/or City of Keller.

16. A. List all neighboring utility service providers and cities within two miles of the applicant's proposed cert area:

City of Fort Worth

City of Keller

Town of Southlake

Town of Trophy Club

Trophy Club MUD Nos. 1 and 2

Town of Marshall Creek

Town of Roanoke

Lake Turner MUD Nos. 1, 2 and

☒ Notice must be provided to these entities after the application is accepted for filing.

B. If the applicant is providing service to the requested area without a CCN, the applicant must also not the customers in the requested service area. A notice form for providing customer notice is inclu

Attach the following maps with each copy of the application: (All maps should include applicant's telephone number and date of drawing or revision). All maps should be folded to 8½ x 11 inches).

- A. One county map (Texas Highway Department 1" = 2 miles) showing Applicant's requested service area (and present service area if applicable). Service area boundaries should conform to verifiable landmarks such as roads, creeks, railroads, etc. County maps may be obtained locally or from the State Department of Highways and Public Transportation; Attention File D-10, P. O. Box 5051, Austin, Texas 78763; 512/465-7397.
- B. One large scale map showing the exact proposed service area and any existing service area and if available the existing and proposed facilities. A metes and bounds description is not required, however, the facilities and service area boundaries should be shown with such exactness that they can be located on the ground. Applicant should use U.S.G.S. 7½-minute series, subdivision plat, engineer planning map, or other large scale map.

ALL APPLICABLE QUESTIONS MUST BE ANSWERED FULLY.

THE APPLICATION WILL NOT BE ACCEPTED FOR FILING WITHOUT MAPS, A TARIFF (OR RATE SCHEDULE FOR UTILITIES OR POLITICAL SUBDIVISIONS) AND COMPLETED NOTICES.

PLEASE NOTE THE FILING OF THIS APPLICATION DOES NOT CONSTITUTE AUTHORITY TO OPERATE A WATER/SEWER SYSTEM.

OATH

State of Texas

County of Tarrant

Scott Bradley

Mayor, Town of Westlake

being duly sworn, file this application as (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, am qualified and authorized to file and verify such application, am personally familiar with the maps filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Natural Resource Conservation Commission.

further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.

Scott Bradley

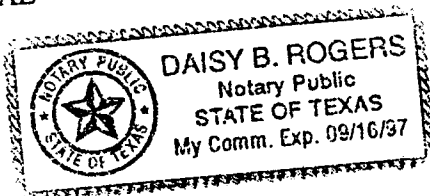
AFFIANT

(Applicant's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

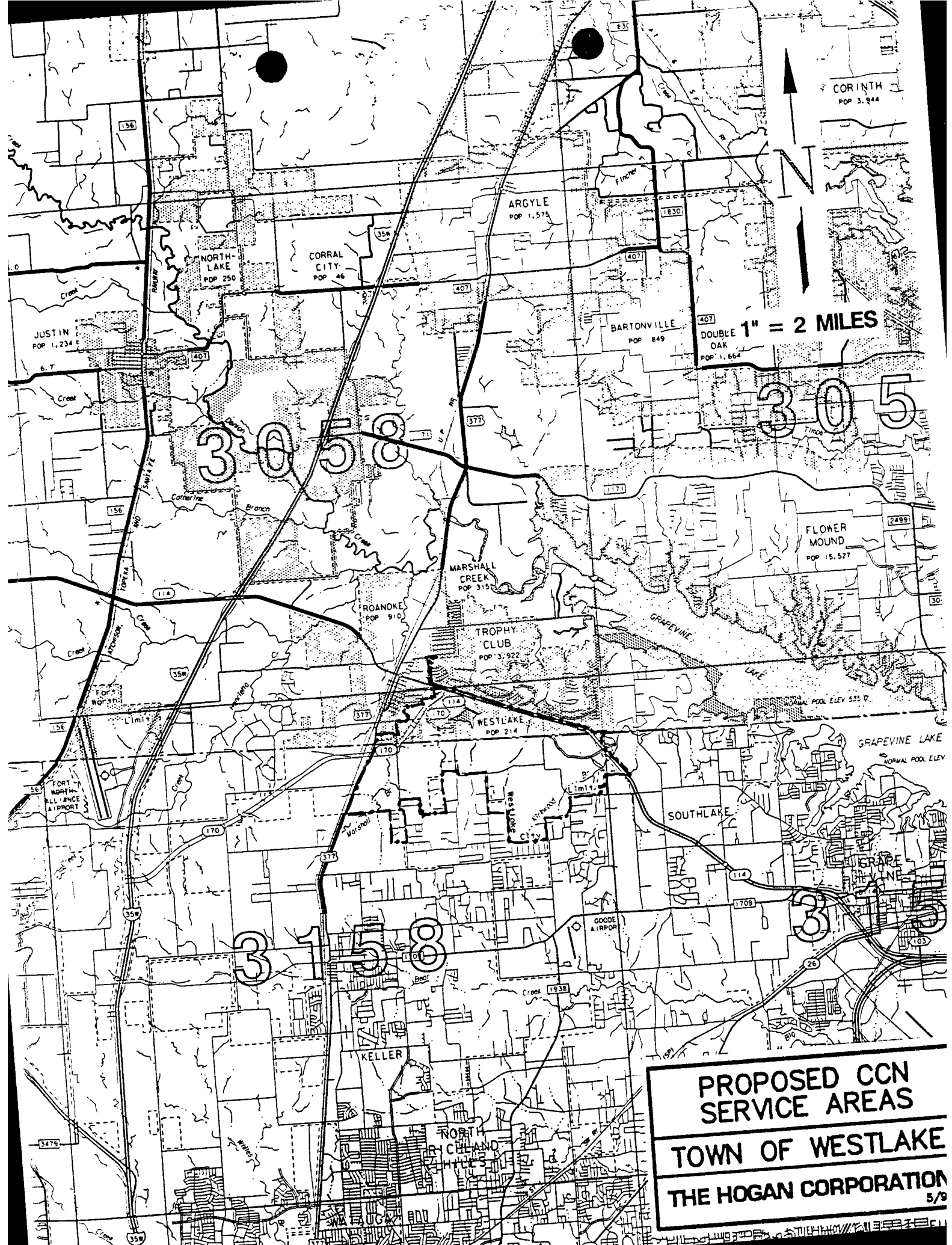
SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State and County above-named, this 24th day of May, 19 96.

SEAL



Daisy B. Rogers

NOTARY PUBLIC



CORINTH
POP. 3,944

ARGYLE
POP. 1,575

NORTH LAKE
POP. 250

CORRAL CITY
POP. 46

JUSTIN
POP. 1,234

BARTONVILLE
POP. 649

DOUBLE OAK
POP. 1,664

1" = 2 MILES

FLOWER MOUND
POP. 15,527

MARSHALL CREEK
POP. 315

ROANOKE
POP. 910

TROPHY CLUB
POP. 3,922

WESTLAKE
POP. 214

GRAPEVINE LAKE
NORMAL POOL ELEV. 535.0'

SOUTHLAKE

KELLER

NORTH RICHLAND HILLS

**PROPOSED CCN
SERVICE AREAS**
TOWN OF WESTLAKE
THE HOGAN CORPORATION
5/9

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) TO PROVIDE WATER/SEWER
UTILITY SERVICE IN DENTON & TARRANT COUNTIES

Town of Westlake has filed an application for a CCN/to amend CCN
No. _____/and to decertify a portion(s) of _____ with the
(Name of Applicant) (Decertified Utility)

Texas Natural Resource Conservation Commission to provide water & sewer utility service in
Denton & Tarrant County(ies). The proposed utility service area is located approximately 18 miles
NE of downtown Fort Worth, [City or Town] Texas and is generally bounded
on the north by State Highway 114; on the east by the Town of Southlake;
on the south by the City of Keller; and on the west by State Highway 377.
The total area being requested includes approximately 3951 acres and 62 current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing. The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided.

Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN DENTON & TARRANT COUNTIES

Date Notice Mailed: _____, 19____

To: _____
(Neighboring System or City)

(Address)

(Address)

(City State Zip)

Town of Westlake has filed an application for a CCN/to amend CCN

No. _____/and to decertify a portion(s) of _____ with the
(Name of Applicant) (Decertificated Utility)

Texas Natural Resource Conservation Commission to provide water & sewer [water/sewer] utility service in
Denton & Tarrant [County Name] County(ies). The proposed utility service area is located approximately 18 miles
NNE [direction] of downtown Fort Worth, [City or Town] Texas and is generally bounded
on the north by State Highway 114; on the east by the Town of Southlake;
on the south by the City of Keller; and on the west by State Highway 377.
The total area being requested includes approximately 3,951 acres and 62 current customers.

The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing you must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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Water Utilities Division
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P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

If one or more requests for a hearing are filed, the Executive Director will not issue the CCN and will forward the application to the State Office Administrative Hearings (SOAH) where a hearing may be held. In the event an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If a hearing is held it will be a legal proceeding similar to civil trials in State District Court.

File no. _____

[illegible]

LOG OF ITEMS IN FILE (Con't)

File No. 31252-C

Date	No.	Item Description
7-25	11	Protest: Hillwood/Willowbend, htd
7-30	12	Protest: Trophy Club MUD 1
7-30	13	Protest: City of Kellan
7-30	14	Protest: Lake Turner MUD 1
8-5	15	Ltr from Westlake - delay requested
8-19	16	Ltr from Lake Peterson: delay OK
8-21	17	Ltr from Bradley
8-21	18	Ltr to walls - delay for 60 days
8-21	19	Ltr from Westlake to Peterson
9-3	20	Ltr to Rochelle from Peterson
9-4	21	Ltr from Westlake to Lake Turner MUD 2
9-3	22	Ltr from Westlake to Lake Turner MUD 3
9-3	23	Ltr to West
10-31	24	Ltr from Rochelle: agreement of Trophy Club