

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.

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

ATTORNEYS AT LAW

SARAH K. WALLS  
DIRECT DIAL 817/877-2811

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  
817/877-2800

801 CHERRY STREET  
METRO 817/429-3815

FORT WORTH  
TELEX 75-8631

Texas Natural Resource  
Conservation Commission  
FAX 817/877-2807

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)

PROPERTY DEBTORS  
BATCH EDIT REPORT

TX Natural Resource Conserv Com  
REVENUE REPORT

PRINTED ON 07JUN96 4:26PM PAGE 2  
AS AT JUN01,96  
FOR CURRENT PERIOD 96/10

BATCH	SITE	SLIP	EXP	BATCH
NUMBER	CODE	NUMBER	NUMBER	OPER
DEP	TRAN	TRANS	STATUS	
DATE	TYPE	CODE	CODE	TOTAL
BANK	ACCOUNT	NAME	PAID	
BY				
BANK				
BRANCH				
CARD				
AUTH				
ACCT	CARD			
NUMBER	NUM			
TRAN	HEADR			
USER	DATA			

ENDRSMT# INVOICE  
REF# 1 REF# 2

CHECK  
NUM

TRANSAC  
AMOUNT

TYPE: CCN

BATCH # SITE CODE SLIP #  
4928 RS D6802560  
DATE TYPE CODE STATUS  
JUN10,96 8 N 1

EXP TOTAL 2691.70-  
EXP COUNT 0  
OPER - ear

CCN' OBTAIN/TOWN OF WESTLAKE  
JUN06,96 0

LLOYD GOSSELINK FOWLER BLEVINS 0

E629873

0  
39031

TOTAL ENDRSMT#: E629873

TOTAL BATCH NUM: 4928

TOTAL FEE TYPE: CCN

100.00-

100.00-

100.00-

100.00-

RECEIVED  
JUN 10 1996

TX NATURAL RESOURCE  
CONSERVATION COMMISSION  
UTILITY RATES & SERVICES SECTION

RECEIVED  
JUN 10 1996

TX NATURAL RESOURCE  
CONSERVATION COMMISSION  
UTILITY RATES & SERVICES SECTION

# YD. GOSSELINK, FOWLER, BLEVINS & MATHEWS, P.C.

VENDOR		INVOICE DATE		INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN
OUR REF. NO.	YOUR INV. NO.					
35176	JUNE2598	06/05/96		100.00	100.00	.00
FILING FEE					Check total	
CLIENT #1403-00						
				873		

1

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

June 5, 1996

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

**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.: \_\_\_\_\_  
-OR- ☒ Sewer CCN ☐ 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: \_\_\_\_\_



PROPERTY DEBTORS  
BATCH EDIT REPORT

TX Natural Resource Constr Com  
REVENUE REPORT

PRINTED ON 10JUN96 9:10AM PAGE 2  
AS AT JUN01,96  
FOR CURRENT PERIOD 96/10

BATCH	SITE	SLIP	EXP	BTC	CARD
NUMBER	CODE	NUMBER	NUMBER	OPER	AUTH
DEP	TRAN	TRANS	STATUS	TOTAL	
DATE	TYPE	CODE	CODE		
FEE	BANK	ACCOUNT	PAID	BANK	CARD
TYPE	NAME		BY	BRANCH	AUTH
RECD					
DATE					
ACCT	CARD				
NUMBER	NUM				
TRAN	HEAD				
USER	DATA				

TYPE: CCN

BATCH #	SITE CODE	SLIP #	EXP TOTAL	EXP COUNT	OPER
4929	RS	D6802559		0	eer
JUN10,96	DATE	TYPE	CODE	STATUS	
8	N		11581.04-		

CCN	OBTAIN/TOWN OF WESTLAKE	LLOYD GOSSELINK FOWLER BLEVINS	0	0
JUN06,96				
CCN	0	E629821		38977
999				

TOTAL ENDRSMT#: E629821

TOTAL BATCH NUM: 4929

TOTAL FEE TYPE: CCN

100.00-  
100.00-  
100.00-  
=====

TRANSAC  
AMOUNT

LLOYD, GOSSELINK, FOWLER, BLEVINS &amp; MATHEWS, P.C.

CHECK NO. 38977  
038977

VENDOR

TEX56

OUR REF. NO.	YOUR INV. NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN
35085	MAY2583	05/28/96	FILING FEES 100.00	100.00 Check total	.00 100.00
CLIENT #	1403-00				



999

RECEIVED

MAY 28 1996

LAND AND NATURAL RESOURCE  
CONSERVATION COMMISSION  
UTILITY RATES & SERVICES SECTION

[illegible]

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\_\_\_\_\_

# 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)  
Roanoke, Texas
- Address: 3 Village Circle, Suite 207 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 ☐ Sewer CCN No.: \_\_\_\_\_
- OR-
- 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: \_\_\_\_\_

RECEIVED

TEXAS NATURAL RESOURCE  
CONSERVATION COMMISSION  
UTILITY RATES & SERVICES SECTION

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 27 1996  
LDI

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

111 CONGRESS AVENUE  
SUITE 1800  
AUSTIN, TEXAS 78701  
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TELECOPIER (210) 212-5889  
\*BY APPOINTMENT ONLY

May 28, 1996

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

**VIA HAND-DELIVERY**

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

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 76262 Roanoke, Texas 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:

<input type="checkbox"/>	Individual
<input type="checkbox"/>	Home or Property Owners Association
<input type="checkbox"/>	Partnership; attach copy of partnership agreement
<input type="checkbox"/>	Corporation; provide charter number as recorded with the Office of the Secretary of State for Texas: _____
<input type="checkbox"/>	Non-profit, member-owned, member-controlled Cooperative Corporation (Article 1434(a) Water Supply or Sewer Service Corporation); provide charter number: _____
<input checked="" type="checkbox"/>	Other (please explain): <u>City</u>

**RECEIVED**  
JUN 23 1996

TEXAS NATURAL RESOURCE  
CONSERVATION COMMISSION  
UTILITY RATES & SERVICES SECTION

3. The purpose of this application is to:

<input checked="" type="checkbox"/> Obtain	<input checked="" type="checkbox"/> Water CCN	-OR-	<input type="checkbox"/> Amend	<input type="checkbox"/> Water CCN No.: _____
	<input checked="" type="checkbox"/> Sewer CCN		<input type="checkbox"/> 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?

<input type="checkbox"/>	No. (skip the rest of this question and go to the next one)
<input checked="" type="checkbox"/>	Yes. Within the City limits of: <u>Westlake</u> Provide a copy of any franchise, permit, or consent granted by the City. If not available, please explain: _____



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

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_

6. 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

•Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_ Ownership % (if applicable): \_\_\_\_\_

•Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_ Ownership % (if applicable): \_\_\_\_\_

•Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_ Ownership % (if applicable): \_\_\_\_\_

- 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-profit 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 if this person is the owner, operator, engineer, attorney or accountant.

Name: Martin C. Rochelle Title: Special Counsel

Address: 111 Congress Avenue, Suite 1800 Telephone: 512/322-5810  
Austin, Texas 78701

8. If this is a proposed utility system or a proposed amendment, please provide:

- A. 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.
- B. 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.

9. 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 assets:  
Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_

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

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

10. List the number of existing and/or proposed metered and non-metered connections (by size).

This information is valid as of:

(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	16	40			
4" meter	1	25			
Other: 3" meter	11	25			
Total Water	45	1,825	Total Sewer	17	1,790

11. Do you currently purchase water or sewer treatment capacity from another source?

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

☒ Yes - Water Purchased on a (X)regular - ( )seasonal - ( )emergency basis

• Source: City of Southlake % of total supply: 10%

• Source: City of Keller % of total supply: 20%  
Trophy Club MUD 70%

☒ Yes - Sewer treatment capacity Purchased on a (X)regular - ( )seasonal - ( )emergency basis

• Source: Trophy Club MUD % of total treatment 100%

☒ 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, county and state agency. N/A

D. For each system, attach a copy of the most recent inspection report letter. If necessary, also include a copy of 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 utility to 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 current number of customers, attach an explanation listing of actions to be taken to make system improvements including proposed completion dates. N/A

13. Provide the following information concerning the financial status of the utility:

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

B. 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 -

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

Name	Class	License Number

- Attach additional sheet(s) if necessary -

15. 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 certificate area:

City of Fort Worth

Trophy Club MUD Nos. 1 and 2

City of Keller

Town of Marshall Creek

Town of Southlake

Town of Roanoke

Town of Trophy Club

Lake Turner MUD Nos. 1, 2 and 3

☒ 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 notify each of the customers in the requested service area. A notice form for providing customer notice is included in this application.

17. Attach the following maps with each copy of the application: (All maps should include applicant's name, address, 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 CITIES 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

I, Scott Bradley being duly sworn, file this application as Mayor, Town of Westlake (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, I 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.

**I 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

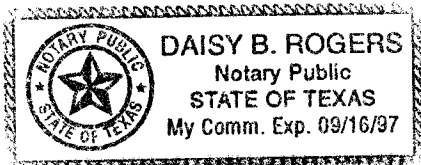
AFFIANT

(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

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  
(Name of Applicant)  
No. \_\_\_\_\_/and to decertify a portion(s) of \_\_\_\_\_  
(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  
NE \_\_\_\_\_ [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 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

To: \_\_\_\_\_  
(Neighboring System or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City State Zip)

Date Notice Mailed: \_\_\_\_\_, 19\_\_\_\_

Town of Westlake

(Name of Applicant)

No. \_\_\_\_\_/and to decertify a portion(s) of \_\_\_\_\_ with the  
(Decertified 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.

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 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.



**CCN/A1332/582-03-0679/CO**

**CROSS REFERENCE SHEET**

FILE NAME/NUMBER: Wollaston Properties; CCN No. A1332

DATE: March 24, 2003

REGARDING:

1 Tape for a **SOAH HEARING** held on March 24, 2003.

**SEE:**

FILE NAME / NUMBER: SOAH Hearing; CCN/A1332/582-03-0679/CO

LOCATION: CENTRAL FILE ROOM, TAPE SHELF

CAN/A1332/582-03-0679/CO

**DOCKET FILE INDEX**

Wollaston Properties

**SOAH DOCKET NO. 582-03-0679**

**TCEQ CASE NO. 2002-1004-UCR**

ITEM NO.	DATE FILED OR ISSUED	DOCUMENT FILED/ISSUED	BY WHOM FILED OR ISSUED
1.	10/15/02	Referral to SOAH	M. Abrams
2.	11/21/02	Motion for Continuance	L. Dougal
3.	11/27/02	Order No. 1 Granting Motion to Continue Preliminary Hearing	W. Newchurch
4.			
5.			
6.			

STATE OFFICE OF ADMINISTRATIVE HEARINGS

PUBLIC HEARING REGISTRATION

ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE

PLEASE PRINT CLEARLY

Date: 3-24-03

Name: Leonard Douglas Occupation: Attorney

Mailing Address: Jackson Walker LLP  
100 Congress Ave Suite 1100 Austin TX 78701  
 Street or P.O. Box City State Zip

Daytime Phone: (512) 236-2000 Fax #: (512) 236-2002

Representing: ☐ Self ☒ Other (specify): Wollaston Pipelines LLC  
dba Whitewater Springs Water System

Mailing Address: \_\_\_\_\_  
 Street or P.O. Box City State Zip

Daytime Phone: ( ) \_\_\_\_\_

Title of matter being considered: Wollaston CEN Application

Your position regarding the matter being considered: ☒ In Favor ☐ Opposed ☐ Undecided ☐ Observer

STATE OFFICE OF ADMINISTRATIVE HEARINGS

PUBLIC HEARING REGISTRATION

ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE

PLEASE PRINT CLEARLY

Date: 3/24/03

Name: LARRY NEWMAN Occupation: ATTORNEY

Mailing Address: MC-178 G.O. Box 2017 Austin TX 78711 3087  
 Street or P.O. Box City State Zip

Daytime Phone: (512) 239-1121 Fax #: (512) 239-0606

Representing: ☐ Self ☐ Other (specify): EVERETT ELECTRIC

Mailing Address: \_\_\_\_\_  
 Street or P.O. Box City State Zip

Daytime Phone: ( ) \_\_\_\_\_

Title of matter being considered: \_\_\_\_\_

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer



STATE OFFICE  
OF  
ADMINISTRATIVE  
HEARINGS

**PUBLIC HEARING REGISTRATION**  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY

Date: 3-24-03

Name: Joe Srouse Occupation: ENGINEER

Mailing Address: PO BOX 13087 AUSTIN TX 78711  
Street or P.O. Box City State Zip

Daytime Phone: ( 512 ) 239-6953 Fax Number: ( ) \_\_\_\_\_

Representing: ☐ Self ☒ Other (specify): TCEQ E.D.

Mailing Address: \_\_\_\_\_  
Street or P.O. Box City State Zip

Daytime Phone: ( ) \_\_\_\_\_

Title of matter being considered: Whiteman Springs / Wallerston Properties CCN prelim. Hg.

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☒ Observer

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**PUBLIC HEARING REGISTRATION**  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY

Date: 03/24/03

Name: Kamal Adhikari Occupation: Engineer

Mailing Address: P.O. Box 13087 Austin TX 78711  
Street or P.O. Box City State Zip

Daytime Phone: ( 512 ) 239-0680 Fax #: ( 512 ) 239-6972

Representing: ☐ Self ☐ Other (specify): E.D.

Mailing Address: \_\_\_\_\_  
Street or P.O. Box City State Zip

Daytime Phone: ( ) \_\_\_\_\_

Title of matter being considered: Wallerston Properties dba White Lake Springs Water System

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer

**SOAH DOCKET NO. 582-03-0679  
TCEQ DOCKET NO. 2002-1004-UCR**

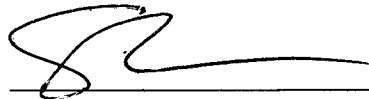
<b>APPLICATION OF WOLLASTON PROPERTIES L.L.C. dba WHITEWATER SPRINGS WATER SYSTEM TO OBTAIN A CERTIFICATE OF CONVENIENCE AND NECESSITY IN BURNET COUNTY</b>	§ § § § § § §	<b>BEFORE THE STATE OFFICE  OF  ADMINISTRATIVE HEARINGS</b>
---	---------------------------------	---

**ORDER REMANDING CASE**

Today, March 24, 2003, a preliminary hearing was held in this case. At the preliminary hearing, the Administrative Law Judge determined that the State Office of Administrative Hearings (SOAH) has jurisdiction over this matter. The parties to this case were designated as follows: Wollaston Properties L.L.C. (Wollaston), the Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ), and the Public Interest Counsel (PIC) of the TCEQ.<sup>1</sup> No other persons or entities appeared seeking party status in this matter. Wollaston made an oral motion to remand this matter to the ED; the ED did not contest the motion.

The motion is **granted**; this case shall be remanded to the ED and dismissed from SOAH's docket.

SIGNED this 24<sup>th</sup> of March, 2003.



\_\_\_\_\_  
**SHANNON KILGORE  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS**

---

<sup>1</sup> The PIC was not represented at the preliminary hearing.

Mailing List  
Wollaston Properties  
SOAH Docket No. 582-03-0679  
TCEQ Docket No. 2002-1004-UCR

Leonard H. Dougal  
Attorneys and Counselors  
100 Congress Avenue, Suite 1100  
Austin, Texas 78701  
Ph: 512/236-2000  
Fax: 512/236-2002

Representing Wollaston Properties

Lara Nehman, Staff Attorney  
Legal Services Division - MC 175  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Ph: 512/239-3400  
Fax: 512/239-3434

Representing: the Executive Director of  
Texas Commission on Environmental Quality

Blas Coy, Attorney  
Public Interest Counsel - MC-103  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Ph: 512/239-6363  
Fax: 512/239-6377

Amy Cortinas  
Utility Rates and Services Section  
Water Utilities Division - MC 153  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Ph: 512/239-6960  
Fax: 512/239-6972

Shannon Kilgore, Administrative Law Judge  
State Office of Administrative Hearings  
300 W. 15th, Ste 502  
PO Box 13025  
Austin, TX 78711-3025  
Ph: 512/936-0712  
Fax: 512/936-0730

Docket Clerk  
Office of Chief Clerk - MC-105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 512/239-3311

# FAX TRANSMITTAL

State Office of Administrative Hearings  
P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 475-4993

TO:	FAX NUMBER:
Blas Coy	239-6377
Docket Clerk (TCEQ)	239-3311
Lara Nehman (TCEQ ED)	239-3434 or 239-0606
Leonard H. Dougal (Jackson Walker, L.L.P.)	236-2002
Amy Cortinas	239-6972

FROM:	Lorena Acosta
FAX #:	(512) 936-0730

DATE:	March 24, 2003
# OF PAGES:	(Including this Page) 3

SOAH Docket No. 582-03-0679; TCEQ Docket No. 2002-1004-UCR; Wollaston Properties.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

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\*\*\* MULTI TRANSACTION REPORT \*\*\*  
\*\*\*\*\*

TX/RX NO.

5724

INCOMPLETE TX/RX

TRANSACTION OK

9p2396377

9p2393311

9p2393434

9p2396972

9p2362002

ERROR



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State Office of Administrative Hearings  
P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 475-4993

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Blas Coy	239-6377
Docket Clerk (TCEQ)	239-3311
Lara Nehman/Todd Galiga (TCEQ ED)	239-3434 or 239-0606
Richard Jacobs (Wilson, Grosenheider Moore & Jacobs, L.L.P.)	478-9016
Leonard H. Dougal (Jackson Walker, L.L.P.)	236-2002
All other parties	Via Regular Mail
Amy Cortinas	<del>239</del> -6972
FROM:	Norma Lopez, Assistant to William G. Newchurch
FAX #:	(512) 936-0730
DATE:	November 27, 2002
# OF PAGES:	(Including this Page) 7
SOAH Docket No. 582-03-0679; TCEQ Docket No. 2002-1004-UCR; Wollaston Properties.	
<p>The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.</p>	

11/27/02

13:49

☎512 9360770

SOAH UTILITY DIV

001

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\*\*\* MULTI TRANSACTION REPORT \*\*\*  
\*\*\*\*\*

TX/RX NO.

7411

INCOMPLETE TX/RX

TRANSACTION OK

9p2393311

9p2396377

9p2393434

9p2390606

9p4789016

ERROR

\*\*\*\*\*  
\*\*\* ACTIVITY REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO. 7414  
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CONNECTION ID JACKSON WALKER L  
START TIME 11/27 15:26  
USAGE TIME 03'26  
PAGES 7  
RESULT OK

## FAX TRANSMITTAL

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P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 475-4993

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Lara Nehman/Todd Galiga (TCEQ ED)	239-3434 or 239-0606
Richard Jacobs (Wilson, Grosenheider Moore & Jacobs, L.L.P.)	478-9016
Leonard H. Dougal (Jackson Walker, L.L.P.)	236-2002
All other parties	Via Regular Mail
Amy Cortinas	<del>239</del> -6972
FROM	Norma Lopez, Assistant to William G. Newchurch
FAX	(512) 936-0730
DATE	November 27, 2002
# OF PAGES	(Including this Page) 7

\*\*\*\*\*  
\*\*\* ACTIVITY REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO. 7410

CONNECTION TEL 9p2396972

CONNECTION ID

START TIME 11/27 13:10

USAGE TIME 03'03

PAGES 7

RESULT OK

## FAX TRANSMITTAL

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P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 475-4993

TO	FAX NUMBER
Blas Coy	239-6377
Docket Clerk (TCEQ)	239-3311
Lara Nehman/Todd Galiga (TCEQ ED)	239-3434 or 239-0606
Richard Jacobs (Wilson, Grosenheider Moore & Jacobs, L.L.P.)	478-9016
Leonard H. Dougal (Jackson Walker, L.L.P.)	236-2002
All other parties	Via Regular Mail
Amy Cortinas	239-239-6972
FROM	Norma Lopez, Assistant to William G. Newchurch
FAX	(512) 936-0730
DATE	November 27, 2002
# OF PAGES	(Including this Page) 7

ATTORNEYS & COUNSELORS  
100 Congress Avenue, Suite 1100  
Austin, Texas 78701  
(512) 236-2000 • fax (512) 236-2002  
www.jw.com



JACKSON WALKER L L.P.

Leonard H. Dougal  
(512) 236-2233  
ldougal@jw.com

BN

November 21, 2002

Hon. William G. Newchurch  
Administrative Law Judge  
State Office of Administrative Hearings  
300 West 15<sup>th</sup> Street, Suite 502  
Austin, Texas 78701-1649

NOV 21 11 31 AM  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

RE: **SOAH Docket No. 582-03-0679**; TCEQ Docket No. 2002-1004-UCR; Wollaston Properties, LLC d/b/a Whitewater Springs Water System Application to Obtain a Water Certificate of Convenience and Necessity (CCN), in Burnet County, Texas

Dear Judge Newchurch:

Enclosed please find a Motion for Continuance to be filed in the above-referenced matter.

As set forth in paragraph 4 of the Motion, the undersigned counsel has spoken with all other counsel involved in this matter and none oppose this continuance. Mr. Richard Jacobs is believed to represent the majority of protestants. However, given the large number of protestants, this letter should serve as notice that pursuant to SOAH Rule 155.29(g) responses to motions for continuance are to be filed within three (3) days after receipt of the motion.

Sincerely

Leonard H. Dougal

LHD:pjs  
109122.00004  
Enclosure

cc: David Wollaston

All Parties on Service List

Austin  
Dallas  
Fort Worth  
Houston  
Richardson  
San Angelo  
San Antonio

BN

SOAH DOCKET NO. 582-03-0679  
TCEQ DOCKET NO. 2002-1004-UCR

WOLLASTON PROPERTIES, LLC	§	BEFORE THE STATE OFFICE
D/B/A WHITEWATER SPRINGS WATER	§	
SYSTEM APPLICATION	§	
TO OBTAIN A	§	OF
WATER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY (CCN),	§	
IN BURNET COUNTY, TEXAS	§	ADMINISTRATIVE HEARINGS

**MOTION FOR CONTINUANCE**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Wollaston Properties, L.L.C. d/b/a Whitewater Springs Water System ("Wollaston"), applicant herein for a retail water certificate of convenience and necessity ("CCN"), files this Motion for Continuance to reschedule the jurisdictional hearing presently set for December 10, 2002 in the above-referenced docket. In support of this Motion, Wollaston would respectfully show as follows:

1. This matter involves Wollaston's application for a new CCN for the water system serving the Whitewater Springs development (the "Development").
2. Wollaston is in active negotiations with the Lower Colorado River Authority to acquire and operate the subject water system and if those negotiations are successfully concluded, there will be no need for either LCRA or Wollaston to obtain the CCN which is the subject of the Application. A continuance of the hearing date would therefore serve the purposes of judicial economy, as it may well be that no hearing will be required. A continuance would further save all persons the time and expense of traveling to Austin for the hearing on December 10.
3. No motion for continuance has been previously filed in this docket by any person.
4. The undersigned has contacted Mr. Todd Galiga, staff attorney for the Executive Director, Mr. Scott Humphrey, Office of Public Interest Counsel, and Mr. Richard Jacobs, an

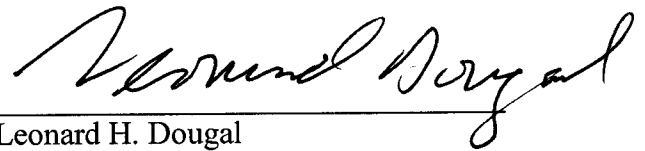
attorney believed to represent the majority of the protestants, and no attorney objects to the proposed continuance of this hearing.

5. After conferring with the above-described counsel, Wollaston would suggest that the hearing be moved to any day during the week of the 24<sup>th</sup> of March, 2003. None of the attorneys have indicated any scheduling conflicts that week.

WHEREFORE PREMISES CONSIDERED, Wollaston requests that the hearing scheduled for December 10, 2002 in the above docket be continued and rescheduled to the week of 24<sup>th</sup> of March 2003, and that Wollaston be granted such other and further relief as it may be entitled.

Respectfully submitted,

JACKSON WALKER L.L.P.

By:   
Leonard H. Dougal  
State Bar No. 06031400

100 Congress, Suite 1100  
Austin, TX 78701  
(512) 236-2000  
(512) 236-2002 - Fax

ATTORNEYS FOR WOLLASTON  
PROPERTIES, LLC D/B/A  
WHITEWATER SPRINGS WATER  
SYSTEM

### CERTIFICATE OF SERVICE

This is to certify that on this 21<sup>st</sup> day of November, 2002, a true and correct copy of the foregoing Motion for Continuance was served via United States mail, postage prepaid, upon each of the persons listed below.

Chad Wollaston, Project Manager  
Whitewater Springs  
10900 South FM 1174  
Bertram, Texas 78605

Tony Plumlee  
Corey W. Lipps, P.E.  
Willis Environmental Engineering, Inc.  
310 Main Street  
Marble Falls, Texas 78654

Natural Resources Docket Clerk  
State Office of Administrative Hearings  
P. O. Box 13025  
Austin, Texas 78711-3025

Lara Nehman, (MC-173)  
Todd Galiga  
Staff Attorney  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

Kamal Adhikari (MC-153)  
Staff Engineer  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

Blas Coy (MC-103)  
Office of Public Interest Counsel  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

Andy Saenz (MC-118)  
Agency Communications – Media Relations  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

Dell Sites (MC-217)  
Support Services Telecommunications  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

Richard Jacobs  
Wilson Grosenheider Moore & Jacobs, LLP  
6836 Austin Center Boulevard, Suite 280  
Austin, Texas 78767

Protestants  
Robert & Janet Webb  
7814 Edgemoor  
Houston, Texas 77036

Lori McCartney  
8535 Lake Crystal  
Houston, Texas 77095

H. F. Posey and Patricia Kennedy  
260 Whitewater Dr.  
Bertram, Texas 78605

Lyle & Sharon Thompson  
6306 Old Harbor Lane  
Austin, Texas 78739

Rick & Cindy Englishbee  
17306 Lowick  
Spring, Texas 77379

Rick Cortez  
7703 Govedale Tr.  
Austin, Texas 78729

Albert & Anita Karras  
104 Wood Hollow Dr.  
Bertram, Texas 78605

Clark & Linda Penrod  
2112 Whitewater Dr.  
Bertram, Texas 78605



John B. White  
3108 Whitewater Dr.  
Bertram, Texas 78605

Jerry & Patsy Martinez  
1320 Whitewater Dr.  
Bertram, Texas 78605

Duane Brosowske  
906 Cedar Dr.  
Purcell, OK 73080

Minnie Eaton  
5130 Manorhaven Ln.  
Houston, Texas 77084

Norman & Sue Grimes  
2351 Whitewater Dr.  
Bertram, Texas 78605

A. L. Nash  
16435 Shady Elms Dr.  
Houston, Texas 77059

Terri A. Halliburton &  
Robert M. Whaley  
12042 Sturdivant St.  
Meadows Place, Texas 77477

Phillip C. Peeples &  
Charlanne S. Peeples  
1308 Whitewater Dr.  
Bertram, Texas 78605

E. J. & C. M. Merkel  
2408 Whitewater Dr.  
Bertram, Texas 78605

Don & Barbara Oliver  
18911 Robin Lane  
Tomball, Texas 77375

Howard E. Knippa  
2113 Whitewater Dr.  
Bertram, Texas 78605

Russell & Norman Cranmer  
Whitewater Spring Lot 47  
Bertram, Texas 78605

Jeanie Calaway  
302 Harvard Rd.  
Huffman, Texas 77336

Elizabeth & Robert Glen  
5312 Teddington Park  
Plano, Texas 75023

Michael F. Goni  
P. O. Box 111415  
Carrollton, Texas 75011

Leonard B. Urbanovsky  
14514 Foxford Way  
Houston, Texas 77051

Bill & Cynthia A. Mangels  
15607 Township Glen Lane  
Cypress, Texas 77429

David Straiton  
1712 Scottsdale Dr.  
Plano, Texas 75023

Joe T. Cassidy  
3956 Bordeaux Circle  
Flower Mound, Texas 75022

Rich & Patrice Wright  
1035 Lakewood Dr.  
Albany, OR 97321

Charles L. Rolls  
133303 Briar Hollow Dr.  
Austin, Texas 78729

Paul Nichols  
1514 Anvil Dr.  
Houston, Texas 77090

Gerry M. Shaffer  
919 Easton Place  
Dallas, Texas 75218

Lan & Margaret Thomson  
2101 Whitewater Dr.  
Bertram, Texas 78605

Charles F. Rogers  
17306 Oak Hollow Way  
Spring, Texas 77379

Donna Poppa  
642 Balcones Ridgeway  
Bertram, Texas 78604

W. A. Hiers, Jr.  
Whitewater Springs Lot 331  
Bertram, Texas 78605

Kiem So Trinch &  
Marlana T. Alden  
1015 E. Yager Lane Unit 161  
Austin, Texas 78758

Patrick A. Muehlenweg &  
Ivonne Q. Muehlenweg  
2955 Marsh Hawk Dr.  
Waldorf, MD 20603

Kathleen Long  
615 Chaneys Crossing  
Bertram, Texas 78605

Edward V. Burget  
2212 Whitewater Dr.  
Bertram, Texas 78605

Dave & Linda Payne  
9116 La Fauna View  
Austin, Texas 78737

Shelley Gatlin  
101 Sunset Peak  
Bertram, Texas 78605

Buford Randall Jean &  
Jeanette A. Jean  
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Mary & David Tynell  
112 Spring Hollow Dr. Lot 134  
Bertram, Texas 78605

  
Leonard H. Dougal

3264208v1

**TEXAS NATURAL  
RESOURCE CONSERVATION COMMISSION****INTEROFFICE MEMORANDUM**

**TO:** LaDonna Castanuela, Chief Clerk **DATE:** August 6, 2002

**THRU:** Doug Holcomb, P. E., Manager  
Utilities and Districts Section

**FROM:** Michelle Abrams  
Utilities and Districts Section

**SUBJECT:** Docket No. 2002-1004-UCR; Application from Wollaston Properties L.L.C. dba  
Whitewater Springs Water System to Obtain a Water Certificate of Convenience and  
Necessity (CCN), in Burnet County (Application No. 33837-C)

We hereby transfer the official file for the above application to the Chief Clerk's Office. Please refer this application to the State Office of Administrative Hearings and request that a hearing be scheduled.

This utility's application is being protested by 63 customers of the proposed service area

Staff estimates 25 people to attend this hearing. Attached is a mailing list.

The staff assigned to this case are:

Technical - Kamal Adhikari

Legal -

If we may be of further service regarding this matter, please call.

  
Michelle Abrams

MA/KA/ac

cc: TNRCC Public Interest Counsel; ATTN: Vic McWherter  
TNRCC Agency Communications; ATTN: Andy Saenz, Director  
TNRCC Chief Clerk's Office; ATTN: Melanie Mohair  
TNRCC Legal Division; ATTN: Angela Stepherson

CHIEF CLERK'S OFFICE

2002 AUG -8 PM 3:10

TEXAS NATURAL  
RESOURCE CONSERVATION  
COMMISSION



# TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



THE STATE OF TEXAS  
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a  
Texas Commission on Environmental Quality document,  
which is filed in the permanent records of the Commission.  
Given under my hand and the seal of office on

*LaDonna Castañuela* OCT 29 2002

LaDonna Castañuela, Chief Clerk  
Texas Commission on Environmental Quality

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

I, LaDonna Castañuela, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached lists persons to whom the attached notice of the public hearing for Wollaston Properties L.L.C. dba Whitewater Springs Water System, SOAH Docket No. 582-03-0679, TCEQ Docket No. 2002-1004-UCR, was mailed on October 24, 2002.

Given under my hand and the seal of the Texas Commission on Environmental Quality,  
this the 24<sup>th</sup> day of October, 2002.

*LaDonna Castañuela*  
LaDonna Castañuela, Chief Clerk  
Texas Commission on Environmental Quality

(SEAL)

ED 1

# TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



THE STATE OF TEXAS  
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a Texas Commission on Environmental Quality document, which is filed in the permanent records of the Commission. Given under my hand and the seal of office on

*LaDonna Castañuela* OCT 29 2002

LaDonna Castañuela, Chief Clerk  
Texas Commission on Environmental Quality

## NOTICE OF HEARING WOLLASTON PROPERTIES L.L.C. DBA WHITEWATER SPRINGS WATER SYSTEM

SOAH Docket No. 582-03-0679  
TCEQ Docket No. 2002-1004-UCR

**APPLICATION.** Wollaston Properties L.L.C. dba Whitewater Springs Water System, 10900 South FM 1174, Bertram, Texas 78605, Application No. 33837-C, has applied with the Texas Commission on Environmental Quality (TCEQ) to obtain a Water Certificate of Convenience and Necessity (CCN), in Burnet County, Texas.

**CONTESTED CASE HEARING.** The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing on this application at:

10:00 a.m. - December 10, 2002  
William P. Clements Building  
300 West 15<sup>th</sup> Street, 4<sup>th</sup> Floor  
Austin, Texas 78701

The hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 13, Texas Water Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 291; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the hearing as a party, you must attend the hearing and show you would be affected by the petition in a way not common to members of the general public.

**INFORMATION.** For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For additional information, contact the Water Utilities Division, MC 153, P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-6960. General information regarding the TCEQ can be found at our web site at [www.TCEQ.state.tx.us](http://www.TCEQ.state.tx.us).

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the Office of Public Assistance at 1-800-687-4040 or 1-800-RELAY-TX (TDD), at least one week prior to the hearing.

Issued: October 24, 2002

*LaDonna Castañuela*  
LaDonna Castañuela, Chief Clerk  
Texas Commission on Environmental Quality

**MAILING LIST**  
**WOLLASTON PROPERTIES L.L.C. DBA WHITEWATER SPRINGS WATER**  
**SYSTEM**

**SOAH Docket No. 582-03-0679**  
**TCEQ Docket No. 2002-1004-UCR**

Chad Wollaston, Project Manager  
Whitewater Springs  
10900 South FM 1174  
Bertram, Texas 78605  
Representing: Whitewater Springs Water System

Tony Plumlee  
Willis Environmental Engineering, Inc.  
310 Main Street  
Marble Falls, Texas 78654  
Representing: Whitewater Springs Water System

Corey W. Lipps, P.E.  
Willis Environmental Engineering, Inc.  
310 Main Street  
Marble Falls, Texas 78654  
Representing: Whitewater Springs Water System

**PROTESTORS**

See Attached:

Natural Resources Docket Clerk  
State Office of Administrative Hearings  
P. O. Box 13025  
Austin, Texas 78711-3025

Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

Lara Nehman, Staff Attorney, Office of Legal Services (Mail Code 173)  
Kamal Adhikari, Staff Engineer, Utility Rates & Services (Mail Code 153)  
Blas Coy, Office of Public Interest Counsel (Mail Code 103)  
Andy Saenz, Agency Communications - Media Relations (Mail Code 118)  
Dell Sites, Support Services - Telecommunications (Mail Code 217)



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Bertram TX 78605

Lyle & Sharon Thompson  
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Austin TX 78739

Rick & Cindy Englishbee  
17306 Lowick  
Spring TX 77379

Rick Cortez  
7703 Govedale Tr.  
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3108 Whitewater Dr.  
Bertram TX 78605

Ferry & Pasty Martinez  
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2408 Whitewater Dr.  
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Bertram TX 78605

Russell & Norman Cranmer  
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