



Control Number: 44211



Item Number: 19

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014

WATER UTILITY TARIFF FOR

RECEIVED

Dan Neal dba Frontier Park Resort & Marina
(Utility Name)

2015 JAN 12 AM 7:49

(Business Address)

Hemphill, Texas 75948
(City, State, Zip Code)

PUBLIC UTILITY COMMISSION

FILING CLERK

(409) 625-4712

(Area Code/Telephone)

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

12689

This tariff is effective in the following county:

Sabine

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

None

This tariff is effective in the following subdivisions and/or public water systems:

Frontier Park Marina and Canal City: PWS ID # 2020028

TABLE OF CONTENTS

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

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TEXAS COMM. ON ENVIRONMENTAL QUALITY
37722-R, CCN 12689, NOVEMBER 18, 2013
APPROVED TARIFF BY SP/HG

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

Flat Fee: \$19.10 per connection per month.

Section 1.01 --Temporary rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>
5/8" or 3/4"	\$ <u>55.66</u> Flat Rate for water <u>and</u> sewer
	\$ <u>28.00</u> Flat Rate for water <u>or</u> sewer

The temporary rates will remain in effect for the duration of the temporary management and receivership of the nonfunctioning system.

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT.....1.0%
 TCEQ RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.

Section 1.02 - Miscellaneous Fees

TAP FEE..... \$125.00
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Unique costs) Actual Cost
 FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

TAP FEE (Large meter) Actual Cost
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE Actual Relocation Cost, Not to Exceed Tap Fee
 THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED.

RATES LISTED ARE EFFECTIVE ONLY
 IF THIS PAGE HAS TCEQ APPROVAL STAMP

SECTION 1.0 -- RATE SCHEDULE (Continued)

METER TEST FEE \$25.00

THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00) \$25.00
- b) Customer's request that service be disconnected..... \$25.00

TRANSFER FEE \$25.00

THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) \$5.00

TCEQ RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$25.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) \$0.00

COMMERCIAL & NON-RESIDENTIAL DEPOSIT 1/6TH OF ESTIMATED ANNUAL BILL

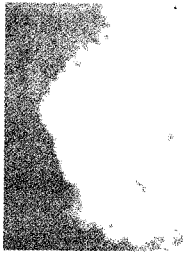
GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE N/A

WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [30 TAC 291.21(K)(2)]

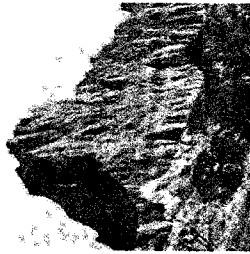
LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

RATES LISTED ARE EFFECTIVE ONLY
IF THIS PAGE HAS TCEQ APPROVAL STAMP



OBTAINING



TCEQ RULES



This brochure provides the basic information you need to find the statutes, codes, and rules pertaining to Texas environmental quality.

**TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

GE-032 (Rev. 4/11)

Code vs. Rule

Laws enacted by the Texas Legislature appear in the form of statutes, some of which have been grouped into codes, such as the Texas Water Code. These statutes or codes are legal requirements that the Legislature has determined must be observed.

In these statutes or codes, the Legislature often directs state agencies to develop the specifics or details of the requirements, with public input. These more specific requirements are adopted by state agencies and are called rules.

Statutes and rules both have the force of law. However, if there is a conflict in meaning, a statute or code always takes precedence over a rule adopted to carry out that statute or code.

The Texas Register publishes rules for all state agencies (including emergency proposed, withdrawn, and adopted rules) in numerical order. It is the official source for the Texas Administrative Code (TAC), which is a compilation of the current rules that have been adopted by all state agencies.

The TAC is organized into numbered categories called titles, which are then subdivided by chapters. The title pertaining to the Texas Commission on Environmental Quality is Title 30. A list of all the TCEQ rules, or chapters, in Title 30 appears right.

The TCEQ Rules

When ordering individual rules, you should refer to the following chapters (of Title 30, Texas Administrative Code):

1. Purpose of Rules, General Provisions
3. Definitions
5. Advisory Committees and Groups
7. Memoranda of Understanding
9. Training
10. Commission Meetings
11. Contracts
12. Payment of Fees
14. Grants
15. Fleet Vehicle Management
17. Tax Relief for Property Used for Environmental Protection
18. Rollback Relief for Pollution Control Requirements
19. Electronic Reporting; Electronic Transmission of Information by Commission
20. Rulemaking
21. Water Quality Fees
25. Environmental Testing Laboratory Accreditation and Certification
30. Occupational Licenses and Registrations
33. Consolidated Permit Processing
35. Emergency and Temporary Orders and Permits; Temporary Suspension or Amendment of Permit Conditions
37. Financial Assurance
39. Public Notice
40. Alternative Dispute Resolution Procedure
50. Action on Applications and Other Authorizations
55. Requests for Reconsideration and Contested Case Hearings; Public Comment
60. Compliance History
70. Enforcement
80. Contested Case Hearings
86. Special Provisions for Contested Case Hearings
90. Innovative Programs
91. Alternative Public Notice and Public Participation Requirements for Specific Designated Facilities

101. General Air Quality Rules
106. Permits by Rule
111. Control of Air Pollution from Visible Emissions and Particulate Matter
112. Control of Air Pollution from Sulfur Compounds
113. Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants
114. Control of Air Pollution from Motor Vehicles
115. Control of Air Pollution from Volatile Organic Compounds
116. Control of Air Pollution by Permits for New Construction or Modification
117. Control of Air Pollution from Nitrogen Compounds
118. Control of Air Pollution Episodes
122. Federal Operating Permits Program
205. General Permits for Waste Discharges
210. Use of Reclaimed Water
213. Edwards Aquifer
214. Secondary Containment Requirements for Underground Storage Tank Systems Located Over Certain Aquifers
216. Water Quality Performance Standards for Urban Development
217. Design Criteria for Domestic Wastewater Systems
218. Brine Evaporation Pits
220. Regional Assessments of Water Quality
222. Subsurface Area Drip Dispersal Systems
230. Groundwater Availability Certification for Plating
279. Water Quality Certification
281. Applications Processing
285. On-Site Sewage Facilities
288. Water Conservation Plans, Drought Contingency Plans, Guidelines and Requirements
290. Public Drinking Water
291. Utility Regulations
292. Special Requirements for Certain Districts and Authorities
293. Water Districts
294. Priority Groundwater Management Areas
295. Water Rights, Procedural
297. Water Rights, Substantive
298. Environmental Flow Standards for Surface Water
299. Dams and Reservoirs
301. Levee Improvement Districts, District Plans of Reclamation, and Levees and Other Improvements
303. Operation of the Rio Grande
304. Watermaster Operations
305. Consolidated Permits
307. Texas Surface Water Quality Standards
308. Criteria and Standards for the National Pollutant Discharge Elimination System
309. Domestic Wastewater Effluent Limitation and Plant Siting
311. Watershed Protection
312. Sludge Use, Disposal, and Transportation
314. Toxic Pollutant Effluent Standards
315. Pretreatment Regulations for Existing and New Sources of Pollution
319. General Regulations Incorporated into Permits
321. Control of Certain Activities by Rule
323. Waste Disposal Approvals
324. Used Oil Standards
327. Spill Prevention and Control
328. Waste Minimization and Recycling
329. Drilled or Mined Shafts
330. Municipal Solid Waste
331. Underground Injection Control
332. Composting
333. Brownfields Initiatives
334. Underground and Aboveground Storage Tanks
335. Industrial Solid Waste and Municipal Hazardous Waste
336. Radioactive Substance Rules
337. Dry Cleaner Environmental Response
339. Groundwater Protection Recommendation Letters and Fees
344. Landscape Irrigation
350. Texas Risk Reduction Program
351. Regionalization

Sources

TCEQ rules, as well as statutes and codes, are available in a variety of formats, from a number of sources, both public and private. Depending on the source and the format, some of this material is free of charge, and some must be purchased. Prices are subject to change, so the prices given in this brochure should be used as guidelines only. In this regard, and when comparing products, please contact each company or agency directly for current, detailed information.

Texas Administrative Code

Many chapters of Title 30 of the Texas Administrative Code (30 TAC) undergo frequent revision, due to the scope and complexity of federal and state mandates and other rulemaking initiatives. Consequently, a printed copy of a TCEQ rule may have a very short "shelf life." For this reason, we strongly encourage you to consider obtaining the rules electronically.

The most common electronic formats you'll find are PDF (Portable Document Format) and HTML (Hypertext Markup Language). Many public libraries provide Internet access.

Internet Access

The TCEQ. TCEQ rules (unofficial version of 30 TAC) are available in PDF at <www.tceq.texas.gov/rules>. For downloading instructions, click on the "Site Help" option near the bottom of the page (and of all TCEQ Web pages).

You can also receive free updates by e-mail every time a proposal, adoption, incorporation, or public hearing notice is uploaded on the rules web pages. To subscribe, go to the TCEQ's home page at <www.tceq.texas.gov> and click on "Sign up for e-mail updates."

The Secretary of State.

The entire official Texas Administrative Code is available for free online viewing at the Web site of the Secretary of State, at <www.sos.state.tx.us> (go to the "State Rules and Open Meetings" button at the top of the page, and then click on "Texas Administrative Code"). For assistance, please call the Secretary of State, Texas Register Division at 512-463-5561.

Legal Publishers. The Texas Administrative Code is also available online for a fee from the legal publishers Westlaw (1-800-328-9352), LexisNexis (1-800-356-6548), and Loislaw (1-800-364-2512). Please contact them for current subscriber pricing.

Printed and CD Copies

The TCEQ. Both printed and CD copies of TCEQ rules are available through TCEQ Publications. The initial copy is free and the customer is allowed to reproduce as many additional copies as needed. Should the TCEQ be requested to reproduce additional copies, a fee will be charged in accordance with Texas Building and Procurement Commission guidelines.

TCEQ Publications, MC 195
P.O. Box 13087
Austin, TX 78711-3087
512-239-0028, fax 512-239-4488

Thomson West. New editions of the official Texas Administrative Code, Title 30: Environmental Quality, are printed annually in March by the Thomson West company. Contact Thomson West for current prices and availability.

Thomson West Customer Service
P.O. Box 64833
St. Paul, MN 55164-0833
1-800-328-4880 (M-F, 7 a.m. to 7 p.m. CST)
<www.west.thomson.com>

The Secretary of State. Printed copies from the Texas Administrative Code are available from the Secretary of State. Price is \$.50 per rule. Rules are available as photocopies or in Word or PDF.

Texas Secretary of State
P.O. Box 12887
Austin, TX 78711
512-463-5561 or <register@sos.state.tx.us>

Texas Register

Internet Access

The Secretary of State makes the Texas Register available for online viewing at <www.sos.state.tx.us> (go to the "State Rules and Open Meetings" button at the top of the page, and then click on "Texas Register").

The Texas Register archive includes issues published since June 1991 and is hosted by the University of North Texas Libraries, at <<http://texinfo.library.unt.edu/texasregister/>>.

Printed Copies

LexisNexis Matthew Bender & Co. publishes the Texas Register each Friday, and mails it to subscribers on a weekly basis, with four quarterly cumulative indexes. Subscriptions are \$211 per year, sent via second-class mail. Subscriptions sent via first-class mail are \$311 per year. Single copies of back issues are available for purchase as well.

LexisNexis Matthew Bender & Co.
Attn: Renewals Unit
1275 Broadway
Albany, NY 12204
1-800-223-1940

Texas Statutes and Codes

Internet Access

Texas statutes and codes are made available by the Texas Legislative Council at <www.statutes.legis.state.tx.us>.

Printed and CD Copies

Texas statutes and codes can be purchased in print or CD format from the Thomson West company.

Thomson West Customer Service
P.O. Box 64833
St. Paul, MN 55164-0833
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<www.west.thomson.com>

For more information on specific TCEQ rules, please contact the Texas Register Team at the Office of Legal Services, 512-239-0600.

TCEQ encourages you to submit your comments concerning proposed rulemakings online. Your comments will be reviewed by TCEQ staff. To learn more, go to <<http://www5.tceq.texas.gov/rules/comments>>

How is our customer service?

www.tceq.texas.gov/goto/customer/survey

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Debi Loockerman

From: Hollis Henley
Sent: Thursday, December 05, 2013 11:06 AM
To: Debi Loockerman
Subject: Frontier Park Resort & Marina

Hello Debi,

It is the ELD's opinion that 30 TAC 291.147 allows the ED to issue Sabine River Authority an order for a temporary rate for services provided to a nonfunctioning system for water and sewer service, even though Sabine River Authority does not have a sewer CCN for the Frontier Park & Marina system. If you have any question, please feel free to contact me.

Hollis Henley
Texas Commission on Environmental Quality
Environmental Law Division
(512) 239-0602
Hollis.Henley@tceq.texas.gov

Confidential Attorney - Client Communication/Attorney Work Product

Debi Loockerman

From: Heidi Graham
Sent: Friday, November 22, 2013 9:35 AM
To: Hollis Henley
Cc: Todd Galiga; Debi Loockerman; Lisa Fuentes; Vera Poe; Tammy Benter; Ada Lichaa
Subject: Frontier Park & Marina
Attachments: TCEQ CR Query - Frontier Park Resort and Marina.htm; Frontier Park and Marina temporary rate request.pdf; Frontier Park and Marina water Emergency Order 2013-1429-UCR-E.pdf; Frontier Park sewer Emergency Order 2013-1405-UCR-E.pdf

Hollis,

I am assigned with Debi Loockerman to the water and sewer temporary rate request for Frontier Park and Marina from the temporary manager, Sabine River Authority. The request was received on September 6, 2013 and the deadline is December 7, 2013.

Frontier Park & Marina has a water CCN, 12689, but no sewer CCN. Sabine River Authority has been told that they do not have to apply for a sewer CCN. The proposed temporary rate is based on the existing rates that have been charged for unmetered water and wastewater systems. The proposed rates are a combined flat rate of \$55.66 for water and sewer or a flat rate of \$28.00 for water or sewer depending upon which services a customer has.

We are not sure what the order should say or how the tariff should be prepared since they only have a water CCN and not a sewer CCN.

Heidi Graham
Utilities Technical Review Team
Water Supply Division
Texas Commission on Environmental Quality
(512) 239-0844
heidi.graham@tceq.texas.gov

Debi Loockerman

From: Debi Loockerman
Sent: Monday, November 18, 2013 11:06 AM
To: Hollis Henley
Subject: Sabine River Authority of Texas Temporary Manager emergency rate increase for Frontier Park Water and Wastewater Non-functioning system
Attachments: 37722-R Sabine River Authority Temporary Rate approve order.doc

Good morning Hollis,

Attached please find a memo and proposed ED order for the above case. We have a short deadline for the order, so I am sending you the draft for review. I will also put a copy of the working file in inter-agency mail. Please call me if you have questions.

Regards,

Debi Loockerman
Certified Public Accountant
Utilities Financial Review
Texas Commission on Environmental Quality
(512) 239-4714