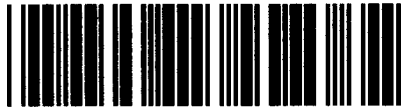




Control Number: 44268



Item Number: 3

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

44 268

RECEIVED

2015 JAN 13 PM 2:07

PUBLIC UTILITY COMMISSION
FILING CLERK

Texas Commission on Environmental Quality

APPLICATION NO. 35496-C & 35497-C

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Orange

CHIEF CLERKS OFFICE

2007 NOV - 8 PM 4:39

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

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

November 5 & 12, 2006

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

the Carly Thibodeaux

TITLE

Accounting Clerk

said

NAME OF NEWSPAPER

newspaper is regularly published in Orange Leader

County(ies) and generally circulated in

Orange

County (Counties), Texas; and that

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

Carly Thibodeaux

Newspaper Representative's Signature

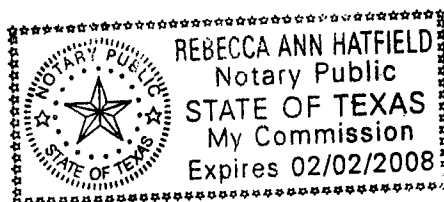
Subscribed and sworn to before me this 17 day of Nov 2006, to certify which

witness my hand and seal of office.

Rebecca Ann Hatfield
Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____



890 Public Notices

superintendence for the construction of a New Mechanic Shop Building and Pumping Plant Building Renovations. The scope of work includes installation of a pre-engineered metal building, building insulation, overhead doors, metal roofing and siding and concrete work. Bids will immediately be publicly opened and read aloud at that location. Any bids received after the closing time will be returned unopened.

The Owner reserves the right to waive any formalities or technicalities and to reject any or all bids. Each bidder must deposit with his bid, a bid security in the amount, form, and subject to the conditions provided in the Information for Bidders.

Any bidder that withdraws his bid within 60 days after the actual date of the bid opening thereof will forfeit his bid bond. Award of this contract, if any, will be made on the basis of the lowest responsive bid.

The Information for Bidders, Bid Form, Plans, Specifications, and other contract documents may be examined at the Authority General Office, 12777 Highway 87 North, Orange, Texas 77632 (409/746-2192), and copies of the bid documents may also be obtained by qualified bidders (No deposit required) SRA will conduct a site visit for all interested bidders on Tuesday, November 21, 2006, at 1:30 p.m. at the Gulf Coast Division Office.

Sabine River Authority
Jerry Clark

Show, tell and
sell!
In print, online,

890 Public Notices

NOTICE TO CONTRACTORS OF PROPOSED TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) CONTRACTS

Sealed proposals for contracts listed below will be received by TxDOT until the date(s) shown below, and then publicly read

CONSTRUCTION/MAINTENANCE/BUILDING FACILITIES CONTRACT(S)

Dist/Div: Beaumont
Contract 0065-05-133 for SEAL COAT in HARDIN County, etc will be opened on December 05, 2006 at 1:00 pm at the State Office.

Plans and specifications are available for inspection, along with bidding proposals, and applications for the TxDOT Prequalified Contractor's list, at the applicable State and/or Dist/Div Offices listed below. If applicable, bidders must submit prequalification information to TxDOT at least 10 days prior to the bid date to be eligible to bid on a project. Prequalification materials may be requested from the State Office listed below. Plans for the above contract(s) are available from TxDOT's website at www.dot.state.tx.us and from reproduction companies at the expense of the contractor. NPO: 21898

* State Office

Constr./Maint. Division
200 E. Riverside Dr.
Austin, Texas 78704
Phone: 512-416-2540

Dist/Div Office(s)

Beaumont District
District Engineer
8350 Eastex Freeway
Beaumont, Texas 77708
Phone: 409-892-7311

Minimum wage rates are set out in bidding documents and the rates will be part of the contract. TxDOT ensures that bidders will

890 Public Notices

ORDINANCE NO. 06-09

AN ORDINANCE EMPOWERING THE GOVERNING BODY OF THE CITY OF BRIDGE CITY, STATE OF TEXAS, TO CAUSE THE REPAIR OR REMOVAL OF SUBSTANDARD BUILDINGS OR HAZARDOUS STRUCTURES WITHIN SAID CITY; PRESCRIBING A PROCEDURE FOR THE COMPLETION OF SUCH REPAIR OR REMOVAL; PROVIDING FOR A HEARING THEREON AND FOR A NOTICE THEREOF; AUTHORIZING THE CITY TO COMPLETE SUCH REMOVAL IN CERTAIN INSTANCES AND RECOVERY OF THE COST THEREOF; PROVIDING FOR THE IMMEDIATE REMOVAL WITHOUT PRIOR NOTICE OR HEARING OF STRUCTURES WHICH CONSTITUTE AN IMMEDIATE HAZARD; PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE NOT TO EXCEED \$500.00; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR ENFORCEMENT; AND REPEALING ORDINANCE NO. 93-13 OF THE CITY OF BRIDGE CITY, STATE OF TEXAS, THAT WAS ADOPTED OCTOBER 19, 1993.

PASSED BY THE CITY COUNCIL OF THE CITY OF BRIDGE CITY, TEXAS, this 7th day of November 2006.

/s/ Kirk Roccaforte
KIRK ROCCA FORTE,
Mayor

NOTICE TO BIDDERS

Sealed proposals addressed to the City of Groves, Texas will be received at the Groves Public Works office, 4925 McKinley (FM 366 at McKinley), Groves, Texas 77619; for furnishing all necessary materials, equipment, superinten-

890 Public Notices

Bids without such guarantee will not be considered.

Award of this contract will be made on the basis of the lowest responsive responsible bid. The successful bidder must furnish Performance Bond and Payment Bond on the forms provided in the amount of one hundred percent (100%) of the total contract price from a Surety or other Sureties acceptable to the Owner.

The Notice to Bidders, Instruction to Bidders, plans, specifications, and other contract documents may be examined at the following locations:

Schaumburg & Polk, Inc.
Consulting Engineers
8865 College Street
Beaumont, Texas 77707
(409) 866-0341

Associated General
Contractors
5458 Ave. A
Beaumont, Texas
(409) 835-6661

City of Groves
Public Works
4925 McKinley
Groves, Texas 77619
(409) 960-5700

F.W Dodge
4101 Greenbriar,
Suite 320
Houston, Texas 77098
(713) 529-4895

Copies may be obtained at the office of Schaumburg & Polk, Inc., Consulting Engineers, located at 8865 College Street, Beaumont, Texas 77707 for a payment of \$30.00 for each set. Parties requesting sets to be mailed (regular, bus, express mail, etc.) will pay all charges involved. Purchases of these documents are **non - refundable**.

Public Notices

NOTICE TO BID

Housing Authority of Port Arthur, receive bids for at Carver Terrace Apartment Square, Port Arthur, Texas 77642, at which place all bids publicly opened aloud.

Pre-Bid will be held at Carver Terrace Room 1400 DeWalt Port Arthur, TX on November 16, 2006.

Housing Authority of Port Arthur, receive bids for Building to be Carver Terrace Complex, Port Arthur, TX until 2:00 P.M. November 16, 2006. Bids will be republished at the Moore, Stansbury & Vaughn Architects, Inc., 3100 - 25th Street, Port Arthur, TX, at which place all bids publicly read aloud.

Pre-Bid will be held at Carver Terrace Room 1400 DeWalt Port Arthur, TX on November 16, 2006.

Forms of contracts, including specifications, are available at the office of Moore, Stansbury & Vaughn Architects, Inc., 3100 - 25th Street, Port Arthur, TX. Copies of

890 Public Notices

the documents may be obtained by depositing \$100.00 with the Architects: Moore, Stansbury & Vaughn for each set of documents so obtained. Such deposit will be refunded to each person that returns the plans, specifications and other documents in good condition within ten (10) days after bid opening.

A certified check or bank draft, payable to the Housing Authority of the City of Port Arthur, Texas, U.S. Government Bonds, or a satisfactory bid bond executed by the bidder and acceptable sureties in an amount equal to five percent of

890 Public Notices

the greatest amount bid shall be submitted with each bid.

The successful bidder will be required to furnish and pay for satisfactory performance and payment bond or bonds.

Attention is called to the provisions for equal employment opportunity, and payment of not less than the minimum salaries and wages as set forth in the Specifications must be paid on this project.

The Housing Authority of Port Arthur reserves the right to reject any or all bids or to waive any infor-

890 Public Notices

malities in the bidding.

No bid shall be withdrawn for a period of thirty (30) days subsequent to the opening bids without the consent of the Housing Authority.

Cele Quesada, Executive Director
Housing Authority of Port Arthur, TX

890 Public Notices

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN ORANGE COUNTY

City of Orange has filed applications to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Utilities, Inc. dba Aqua Texas, Inc., North Orange Water & Sewer, LLC dba Country Squire Water and Sewer and G. Kelly Brewer with the Texas Commission on Environmental Quality to provide water & sewer utility service in Orange County

Classified brings buyers and sellers together.

650 Apartments/ Rooms

650 Apartments/ Rooms

700 Homes For Sale

700 Homes For Sale

PINE HOLLOW Apartments NOW LEASING

- 1, 2 AND 3 Bedrooms
- Washer/dryer connections

Call for Special

883-9699
4020 Sikes Rd., Orange

ACE REAL ESTATE
409-728-ACES (2237)

1615 Magnolia - Port Neches

119 Atlanta - Ned.	3/2/2	\$104,900
4141 Cobblestone - P.A.	4/2/2	\$99,900
808 Detroit - Ned		\$92,500
1112 Dallas - P.N. House & 2 garage apts.		\$89,900
1716 Fairbanks - Ned	3/1/2	\$59,900
650 Neches Oak - PN	Lot	\$52,500
207 S. 15th St. - Ned.	2/1/1	\$49,900
275 Stapper - B.C.	2.4 Acres	\$39,900
2849 Cooley - PN-GISD	2/1 on 2 Lots	\$35,900
3908 3rd - P.A.	2/1/3	\$29,900
1503 Martin - P.A.	3/1	\$29,900
Lot in Groves - PNGISD	55 X 175	\$19,900

Call us to see any of the homes in this ad or for a full list of homes in your price range.

RENTAL PROPERTIES AVAILABLE

Leslie Symmonds, Broker/Owner.....726-6165
Jon Symmonds, REALTOR.....726-6166

700 Homes For Sale

700 Homes For Sale

700 Homes For Sale

700 Homes For Sale

The Property Shoppe

NEW LISTING!! 3/1/1 in Port Acres needing some TLC but priced to sell. Mid \$20's.

MOVE-IN READY!! 2/1/1 Just like new with Rita roof, new carpet, flooring, bath tile, and fresh paint. Owner may finance. \$40's.

NEW LISTING!! 3/1.5/1 Cute brick home in very good condition. Inground



PAT HOLMES REAL ESTATE

PAT.HOLMESREALTOR@AOL.COM

Office: (409) 983-3400
Cell: (409) 626-2990



NEW LISTING!! 1+BR/2BA 2-story cottage nestled on 1-acre in LCM school dist. \$45,000

TOTALLY UPDATED!! New flooring, paint, cabinets, ceiling fans, blinds, CA/H. \$49,900

NEW ROOF!! Spacious brick 3/2/2 w/ formals + 18 x 20 gameroom. \$70's

REDUCED!! Nostalgic 2/1/2 w/hardwoods & new tile flooring, wainscoting, & DW. \$60's

Wanted

er

s a

Tamayo

RURAL WATER COMPANY

Mailing Address: P. O. Box 1409, VIDOR TX 77670

Office Address: 1020 N. Main, Vidor TX 77662

Office Hours: 8 a.m. - 5 p.m. Monday - Friday

Emergency (24 Hour) Telephone: 409-769-9030 or 800-261-2110

RECEIVED
TCEQ WATER SUPPLY

NOV 27 PM 3:20

November 22, 2006

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
PO Box 13087
Austin, Texas 78711-3087

Dear Sirs,

W.L.

My name is Kelly Brewer, DBA Rural Water Company PO Box 1409
Vidor, TX 77670; Daytime phone is (409) 769-9030.

The City of Orange is annexing an area that includes one half of my water
system Hi-Ho Acres PWS#1810076. I am adversely affected by the city's
application as it takes away one half of my operation, leaving the other
half to bear the burden.

I demand a public hearing on this matter. I would withdraw my request if
the City of Orange would not decertify my CCN#12400, and let my water
system operate as it always has.

Thank you,
Kelly Brewer

Cc: Ken Peterson
Texas Rural Water Association

273

Notice to Neighboring Systems and Cities

**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY
(CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN ORANGE COUNTY**

To: Brewer Kelly

Date Notice Mailed: 11-02, 2006

(Neighboring System or City)

(Address) P.O. Box 1409

(City Vidor State TX Zip) 77670

City of Orange has filed applications to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Utilities, Inc. dba Aqua Texas, Inc., North Orange Water & Sewer, LLC dba Country Squire Water and Sewer and G. Kelly Brewer with the Texas Commission on Environmental Quality to provide water & sewer utility service in Orange County.

The proposed utility service area is located approximately 4.2 miles north of downtown Orange, Texas, and is generally bounded on the north by the intersection of SH 87 and West Bluff Road; on the east by Union-Pacific Spur (Railroad); on the south by FM 3247; and on the west by Sabine River Authority canal. The total area being requested includes approximately 951 acres and 1,611 current customers. See enclosed map of the proposed service area.

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.

Persons who wish to intervene or comment should write the:

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

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

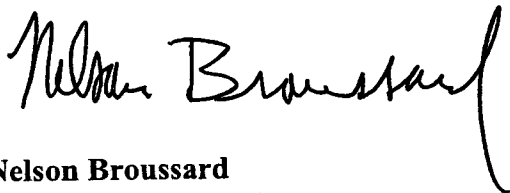
Tamayo
RECEIVED
TCEQ WATER SUPPLY
35496-C+
35497-C
2006 NOV 30 PM 3:57

Re: City of Orange files to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Texas, North Orange Water and Sewer, Country Squire Water and Sewer.

Gentlemen,

I would like to hereby request to be notified if a hearing is set in reference to the above mentioned request by the City of Orange.

Thanks,



**Nelson Broussard
6403 Hazelwood Drive
Orange, Texas 77632**

P.O. Box 520
Orange, Texas 77631-0520
(409) 886-3611

CITY OF ORANGE

RECEIVED
TCEQ WATER SUPPLY

2006 NOV 29 PM 4:50

November 27, 2006

Ms. Tammy Benter, Team Leader
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: CCN Application Nos. 35496-C and 35497-C

Dear Ms. Benter:

Enclosed are the documents requested in your letter of November 7, 2006 relating to Application Nos. 35496-C and 35497-C. Please let us know if you need more information.

Sincerely,



Kerry Kittrell
City Secretary

Enclosures

10406 N Hwy 87
Orange, Texas 77632
409-746-9640
409-746-2129 Fax

TO: [illegible]
FROM: [illegible]

North Orange Water & Sewer, LLC

November 28, 2006

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

Re: Decertification of CCN of North Orange Water & Sewer, LLC dba Country
Squire Water and Sewer and application by the City of Orange for CCN

Dear Sir or Madam:

We request a public hearing. We would adversely be affected by the granting of the CCN and decertification. We own and operated this system and derive revenue from it which supports our personnel income along with the income of our employees. We request that the amended CCN not be granted to the City of Orange and not decertify our CCN which would eliminate us from operating. If the City of Orange request for a CCN and decertification of our CCN is not granted we would withdraw our request for a hearing.

North Orange Water & Sewer, LLC dba Country Squire Water & Sewer
10406 N Hwy 87
Orange, Texas 77632
409-746-9640

Sincerely,

Bobby Manshack

Bobby Manshack
President, North Orange Water & Sewer, LLC

cc: Tommy Gunn
Bret Fenner

.....

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

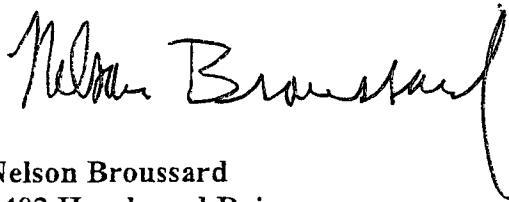
TO: [unclear]
FROM: [unclear]
SUBJECT: [unclear]
DATE: [unclear]
TIME: [unclear]

Re: City of Orange files to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Texas, North Orange Water and Sewer, Country Squire Water and Sewer.

Gentlemen,

I would like to hereby request to be notified if a hearing is set in reference to the above mentioned request by the City of Orange.

Thanks,



Nelson Broussard
6403 Hazelwood Drive
Orange, Texas 77632

Tamayo

BARRETT & SMITH PLLC

ATTORNEYS
505 W. 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 1, 2006

Mr. Mike Cowan
Water Supply Division, MC 154
TCEQ
PO Box 13087
Austin, Texas 78711-3087

RE: City of Orange CCN Application; Case No. 35496 and 35497; Document ID 226883 and 226884

Dear Mr. Cowan:

This firm represents Aqua Texas, Inc. in connection with the above referenced matter. The City of Orange's application appears to seek to amend its Certificate of Convenience and Necessity for both water and sewer into areas that are currently certificated to Aqua Texas, Inc.

Aqua Texas, Inc., pursuant to CCN #'s 11157 and 20453 currently provide continuous and adequate water and sewer service to some of the areas which the City of Orange wishes to include in this application. There is no need for additional providers in this area as service is being provided. As such, Aqua Texas, Inc. requests a public hearing on the City of Orange's application.

Aqua Texas, Inc. has not yet received formal notice on this matter but intends to continue monitoring the process. Nonetheless, we request that the TCEQ consider this a formal protest and request for a contested case hearing.

We appreciate your time and attention to this matter. If you have any questions, please do not hesitate to contact me at 472-9326.

Very truly yours,


Andrew N. Barrett

BARRETT & Smith, PLLC

35496-C
+
35497-C
DR

TO: Utilities & District Section
MC-153

From: Andy Barrett

Protest Letter for City of Orange C&N Applications;
Case #'s 35496 & 35497; Doc ID 226883-226884

BARRETT & SMITH PLLC

ATTORNEYS
505 W 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-8463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 2, 2006

TCEQ
Water Supply Division
Utilities and District Section, MC 153
PO Box 13087
Austin, Texas 78711-3087

RE: City of Orange CCN Application; Case No. 35496 and 35497; Document ID 226883 and 226884

Dear Mr. Cowan:

This firm represents Aqua Utilities, Inc., dba Aqua Texas, Inc. (Aqua Texas, Inc.) in connection with the above referenced matter. Our name, address and daytime telephone number are provided in the letterhead. The City of Orange's above-referenced applications appears to seek to amend its Certificate of Convenience and Necessity for both water and sewer into areas that are currently certificated to Aqua Texas, Inc. and to decertify from Aqua Texas service areas that are currently certificated and being served by Aqua Texas.

Aqua Texas, Inc., pursuant to CCN #'s 11157 and 20453 currently provide continuous and adequate water and sewer service to some of the areas which the City of Orange wishes to include in this application. There is no need for additional providers in this area as service is being provided. In addition, Aqua Texas would be impaired by losing its CCN for that area by losing its ability to serve the area that it currently serves and has made substantial investments to serve. As such, Aqua Texas, Inc. requests a public hearing on the City of Orange's applications.

Should the City of Orange amend its applications to exclude any mention of decertifying area currently certificated to Aqua Texas, Inc., Aqua Texas, Inc. and would remove any intention of serving in Aqua Texas, Inc.'s certificated area, Aqua Texas, Inc. would strongly consider withdrawing its objection to the City of Orange's applications. Until that time, we request that the TCEQ consider this a formal protest and request for a public hearing/contested case hearing.

We appreciate your time and attention to this matter. If you have any questions,
please do not hesitate to contact me at 472-9326.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andrew Barrett". The signature is fluid and cursive, with a large initial "A" and a stylized "B".

Andrew N. Barrett

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Martin A. Hubert, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 27, 2006

Mr. James B Wolf, P.E.
Director of Public Works
City of Orange
P.O. Box 520
Orange, Texas 77631-0520

Re: Application from the City of Orange, Certificate of Convenience and Necessity (CCN) No. 11398, to Decertify a Portion of CCN No. 11157 from Aqua Utilities, Inc. dba Aqua Texas, Inc., to Decertify a Portion of CCN No. 11642 from North Orange Water & Sewer, LLC dba Country Squire Water and Sewer, to Decertify a Portion of CCN No. 12400 from G. Kelly Brewer and to Amend CCN No. 11398 in Orange County; Application No. 35496-C

Application from the City of Orange, CCN No. 20535, to Decertify a Portion of CCN No. 20453 from Aqua Utilities, Inc. dba Aqua Texas, Inc., to Decertify a Portion of CCN No. 20564 from North Orange Water & Sewer, LLC dba Country Squire Water and Sewer and to Amend CCN No. 20535 in Orange County; Application No. 35497-C

CN: 600643530; RN: 101198307

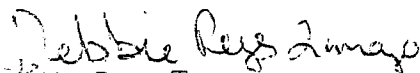
Dear Mr. Wolf:

Enclosed are letters from Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and from Aqua Utilities, Inc., dba Aqua Texas, Inc. that will be represented by Mr. Andy Barrett, have requested a hearing on City of Orange's applications for the water and sewer CCN's. This copy is sent to you so that the City of Orange may contact Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and Mr. Andy Barrett and attempt to resolve the issues brought forward in their letters.

Please respond to Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and Mr. Andy Barrett and forward a copy of their response to this office. If Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and Mr. Andy Barrett do not file a written withdrawal of their requests for a hearing, the application will be sent to the State Office of Hearings Administration and a hearing requested.

Thank you for your attention to this matter. If you have any questions, or will not be able to forward the requested information to this office by January 26, 2007, please call me at 512/239-4683.

Sincerely,


Debbie Reyes Tamayo
Utilities & Districts Section
Water Supply Division

DRT/ac

Enclosures

12-01-06

BARRETT & SMITH PLLC

ATTORNEYS
505 W 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 1, 2006

Mr. Mike Cowan
Water Supply Division, MC 154
TCEQ
PO Box 13087
Austin, Texas 78711-3087

RE: City of Orange CCN Application; Case No. 35496 and 35497; Document ID 226883
and 226884

Dear Mr. Cowan:

This firm represents Aqua Texas, Inc. in connection with the above referenced matter. The City of Orange's application appears to seek to amend its Certificate of Convenience and Necessity for both water and sewer into areas that are currently certificated to Aqua Texas, Inc.

Aqua Texas, Inc., pursuant to CCN #'s 11157 and 20453 currently provide continuous and adequate water and sewer service to some of the areas which the City of Orange wishes to include in this application. There is no need for additional providers in this area as service is being provided. As such, Aqua Texas, Inc. requests a public hearing on the City of Orange's application.

Aqua Texas, Inc. has not yet received formal notice on this matter but intends to continue monitoring the process. Nonetheless, we request that the TCEQ consider this a formal protest and request for a contested case hearing.

We appreciate your time and attention to this matter. If you have any questions, please do not hesitate to contact me at 472-9326.

Very truly yours,


Andrew N. Barrett

BARRETT & SMITH, PLLC

35496-C
+
35497-C
DR

TO: Utilities & District Section
mc-153

From: Andy Barrett

Protest Letter for City of Orange C/N Applications;
Case #'s 35496 & 35497; Doc ID 226883-226887

FROM ANDREW N. BARRETT

PHONE NO. : 512 472 64

Dec. 02 2006 11 23PM P3

We appreciate your time and attention to this matter. If you have any questions,
please do not hesitate to contact me at 472-9326

Very truly yours,

A handwritten signature in cursive script, appearing to read "Andrew Barrett".

Andrew N. Barrett

Debbie Reyes Tamayo - City of Orange Applications 35496-C & 35497-C

From: Debbie Reyes Tamayo
To: jwolf@orangetexas.net
Date: 3/22/2007 4:27 PM
Subject: City of Orange Applications 35496-C & 35497-C
CC: Tammy Lee Holguin-Benter

Mr. Jim Wolf,

This e-mail is confirming your request for extension to be granted to work out the differences with the people that protested the City of Orange's applications and extended to May 1, 2007.

If you request further assistance please call me at 512-239-4683.

Thank you, Debbie Reyes Tamayo

Debbie Reyes Tamayo
dreyesta@tceq.state.tx.us
Utilities Financial Review Team
Water Supply Division
512-239-4683 512-239-0030 Fax

RECEIVED
TCEQ: WATER SUPPLY

2006 NOV 30 PM 4: 01

Tamayo 35496-C +
35497-C
10406 N Hwy 87
Orange, Texas 77632
409-746-9640
409-746-2129 Fax

North Orange Water & Sewer, LLC

November 28, 2006

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

Re: Decertification of CCN of North Orange Water & Sewer, LLC dba Country
Squire Water and Sewer and application by the City of Orange for CCN

Dear Sir or Madam:

We request a public hearing. We would adversely be affected by the granting of the CCN and decertification. We own and operated this system and derive revenue from it which supports our personnel income along with the income of our employees. We request that the amended CCN not be granted to the City of Orange and not decertify our CCN which would eliminate us from operating. If the City of Orange request for a CCN and decertification of our CCN is not granted we would withdraw our request for a hearing.

North Orange Water & Sewer, LLC dba Country Squire Water & Sewer
10406 N Hwy 87
Orange, Texas 77632
409-746-9640

Sincerely,

BOBBY MANSHACK

Bobby Manshack
President, North Orange Water & Sewer, LLC

cc: Tommy Gunn
Bret Fenner

.....

BARRETT & SMITH PLLC

ATTORNEYS
505 W. 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 4, 2006

RECEIVED
TCEQ WATER SUPPLY
2006 DEC -4 PM 2:44

TCEQ
Water Supply Division
Utilities and District Section, MC 153
PO Box 13087
Austin, Texas 78711-3087

RE: City of Orange CCN Application; Case No. 35496 and 35497; Document ID 226883 and 226884

Dear Sir or Madame:

This firm represents Aqua Utilities, Inc., dba Aqua Texas, Inc. (Aqua Texas, Inc.) in connection with the above referenced matters. Our name, address and daytime telephone number are provided in the letterhead. The City of Orange's above-referenced applications appear to seek to amend its Certificate of Convenience and Necessity for both water and sewer into areas that are currently certificated to Aqua Texas, Inc. and to decertify from Aqua Texas, Inc. service areas that are currently certificated and being served by Aqua Texas, Inc. As such, Aqua Texas, Inc. requests a public hearing on the City of Orange's applications.


Aqua Texas, Inc., pursuant to CCN #'s 11157 and 20453, currently provides continuous and adequate water and sewer service to at least some of the areas which the City of Orange wishes to include in this application. Aqua Texas, Inc. would be impaired by losing its CCN's for that area that the City of Orange wishes to decertify. Without the CCN's, Aqua Texas, Inc. would have no authorization to provide service to the area where it owns a utility. Granting the applications would quite obviously cause great harm to Aqua Texas, Inc. in that the company would lose substantial investment in the systems that serve its certificated area. In addition, there is no need for additional providers in this area as continuous and adequate service is being provided to the customers in this area.

Should the City of Orange amend its applications to exclude any mention of decertifying area currently certificated to Aqua Texas, Inc., and would remove any mention of any intention of serving in Aqua Texas, Inc.'s certificated area, Aqua Texas, Inc. would strongly consider withdrawing its objections to the City of Orange's

applications. Until that time, we request that the TCEQ consider this a formal protest and request for a public hearing/contested case hearing.

We appreciate your time and attention to this matter. If you have any questions, please do not hesitate to contact me at 472-9326.

Very truly yours,


Andrew N. Barrett

MAILING LIST
CITY OF ORANGE
SOAH Docket No. 582-08-0132
TCEQ Docket No. 2007-0358-UCR

James B. Wolf, P.E.
Director of Public Works
City of Orange
P.O. Box 520
Orange, Texas 77631
Representing: City of Orange

Kelly Brewer
dba Rural Water Company
P.O. Box 1409
Vidor, Texas 77670
Representing: Hi-Ho Acres

Andrew N. Barrett
Barrett & Smith PLLC
505 West 14th Street
Austin, Texas 78701
Representing: Aqua Texas, Inc.

Bobby Manshack
10406 North Highway 87
Orange, Texas 77632
Representing: North Orange Water & Sewer LLC dba Country Squire Water & Sewer

Nelson Broussard
6403 Hazelwood Drive
Orange, Texas 77632

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

Brian MacLeod, Staff Attorney, Environmental Law Division (MC 173)
Debbie Reyes Tamayo, Technical Staff, Water Supply Division, Utilities & Districts
Section (MC 153)
Brian Dickey, Technical Staff, Water Supply Division, Utilities & Districts Section
(MC 153)
Blas Coy, Office of Public Interest Counsel (MC 103)

P.O. Box 520
Orange, Texas 77631-0520
(409) 886-3611

CITY OF ORANGE

RECEIVED
TCEQ WATER SUPPLY

DT

2006 NOV 29 PM 4:50

35496-C

&
35497-C

November 27, 2006


Ms. Tammy Benter, Team Leader
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: CCN Application Nos. 35496-C and 35497-C

Dear Ms. Benter:

Enclosed are the documents requested in your letter of November 7, 2006 relating to Application Nos. 35496-C and 35497-C. Please let us know if you need more information.

Sincerely,



Kerry Kittrell
City Secretary

Enclosures

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Martin A. Hubert, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 27, 2006

Mr. James B. Wolf, P.E.
Director of Public Works
City of Orange
P.O. Box 520
Orange, Texas 77631-0520

Re: Application from the City of Orange, Certificate of Convenience and Necessity (CCN) No. 11398, to Decertify a Portion of CCN No. 11157 from Aqua Utilities, Inc. dba Aqua Texas, Inc., to Decertify a Portion of CCN No. 11642 from North Orange Water & Sewer, LLC dba Country Squire Water and Sewer, to Decertify a Portion of CCN No. 12400 from G. Kelly Brewer and to Amend CCN No. 11398 in Orange County; Application No. 35496-C

Application from the City of Orange, CCN No. 20535, to Decertify a Portion of CCN No. 20453 from Aqua Utilities, Inc. dba Aqua Texas, Inc., to Decertify a Portion of CCN No. 20564 from North Orange Water & Sewer, LLC dba Country Squire Water and Sewer and to Amend CCN No. 20535 in Orange County; Application No. 35497-C

CN: 600643530; RN: 101198307

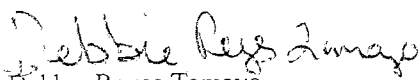
Dear Mr. Wolf:

Enclosed are letters from Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and from Aqua Utilities, Inc., dba Aqua Texas, Inc. that will be represented by Mr. Andy Barrett, have requested a hearing on City of Orange's applications for the water and sewer CCN's. This copy is sent to you so that the City of Orange may contact Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and Mr. Andy Barrett and attempt to resolve the issues brought forward in their letters.

Please respond to Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and Mr. Andy Barrett and forward a copy of their response to this office. If Ms. Kelly Brewer, Mr. Nelson Broussard, Mr. Bobby Manshack, and Mr. Andy Barrett do not file a written withdrawal of their requests for a hearing, the application will be sent to the State Office of Hearings Administration and a hearing requested.

Thank you for your attention to this matter. If you have any questions, or will not be able to forward the requested information to this office by January 26, 2007, please call me at 512/239-4683.

Sincerely,


Debbie Reyes Tamayo
Utilities & Districts Section
Water Supply Division

DRT/ac

Enclosures

RECEIVED
TCEQ WATER SUPPLY

2006 NOV 30 PM 4:01

Tamayo 35496-C +
35497-C

10406 N Hwy 87
Orange, Texas 77632
409-746-9640
409-746-2129 Fax

North Orange Water & Sewer, LLC

November 28, 2006

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

Re: Decertification of CCN of North Orange Water & Sewer, LLC dba Country
Squire Water and Sewer and application by the City of Orange for CCN

Dear Sir or Madam:

We request a public hearing. We would adversely be affected by the granting of the CCN and decertification. We own and operated this system and derive revenue from it which supports our personnel income along with the income of our employees. We request that the amended CCN not be granted to the City of Orange and not decertify our CCN which would eliminate us from operating. If the City of Orange request for a CCN and decertification of our CCN is not granted we would withdraw our request for a hearing.

North Orange Water & Sewer, LLC dba Country Squire Water & Sewer
10406 N Hwy 87
Orange, Texas 77632
409-746-9640

Sincerely,

Bobby Manshack

Bobby Manshack
President, North Orange Water & Sewer, LLC

cc: Tommy Gunn
Bret Fenner

.....

BARRETT & SMITH PLLC

ATTORNEYS
505 W. 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 4, 2006

RECEIVED
TCEQ WATER SUPPLY
2006 DEC -4 PM 2:44

TCEQ
Water Supply Division
Utilities and District Section, MC 153
PO Box 13087
Austin, Texas 78711-3087

RE: City of Orange CCN Application; Case No. 35496 and 35497; Document ID 226883 and 226884

Dear Sir or Madame:

This firm represents Aqua Utilities, Inc., dba Aqua Texas, Inc. (Aqua Texas, Inc.) in connection with the above referenced matters. Our name, address and daytime telephone number are provided in the letterhead. The City of Orange's above-referenced applications appear to seek to amend its Certificate of Convenience and Necessity for both water and sewer into areas that are currently certificated to Aqua Texas, Inc. and to decertify from Aqua Texas, Inc. service areas that are currently certificated and being served by Aqua Texas, Inc. As such, Aqua Texas, Inc. requests a public hearing on the City of Orange's applications.

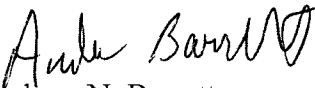
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applications. Until that time, we request that the TCEQ consider this a formal protest and request for a public hearing/contested case hearing.

We appreciate your time and attention to this matter. If you have any questions, please do not hesitate to contact me at 472-9326.

Very truly yours,


Andrew N. Barrett

12-24-06

BARRETT & SMITH PLLC

ATTORNEYS
505 W 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 1, 2006

Mr. Mike Cowan
Water Supply Division, MC 154
TCEQ
PO Box 13087
Austin, Texas 78711-3087

RE: City of Orange CCN Application; Case No. 35496 and 35497; Document ID 226883
and 226884

Dear Mr. Cowan:

This firm represents Aqua Texas, Inc. in connection with the above referenced matter. The City of Orange's application appears to seek to amend its Certificate of Convenience and Necessity for both water and sewer into areas that are currently certificated to Aqua Texas, Inc.

Aqua Texas, Inc., pursuant to CCN #'s 11157 and 20453 currently provide continuous and adequate water and sewer service to some of the areas which the City of Orange wishes to include in this application. There is no need for additional providers in this area as service is being provided. As such, Aqua Texas, Inc. requests a public hearing on the City of Orange's application.

Aqua Texas, Inc. has not yet received formal notice on this matter but intends to continue monitoring the process. Nonetheless, we request that the TCEQ consider this a formal protest and request for a contested case hearing.

We appreciate your time and attention to this matter. If you have any questions, please do not hesitate to contact me at 472-9326.

Very truly yours,


Andrew N. Barrett

BARRETT & SMITH, PLLC

35496-C
+
35497-C
DR

TO: UTILITIES & DISTRICT SECTION
MC-153

From: Andy Barrett

Protest Letter for City of Orange C/N Applications;
Case #'s 35496 & 35497; Doc ID 226883-226884

BARRETT & SMITH PLLC

ATTORNEYS
505 W 14th Street
AUSTIN, TEXAS 78701
(512) 438 1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETT.LAW.NET

December 2, 2006

TCEQ
Water Supply Division
Utilities and District Section, MC 153
PO Box 13087
Austin, Texas 78711-3087

RE City of Orange CCN Application, Case No 35496 and 35497, Document ID 226883 and 226884

Dear Mr Cowan.

This firm represents Aqua Utilities, Inc , dba Aqua Texas, Inc (Aqua Texas, Inc) in connection with the above referenced matter. Our name, address and daytime telephone number are provided in the letterhead. The City of Orange's above-referenced applications appears to seek to amend its Certificate of Convenience and Necessity for both water and sewer into areas that are currently certificated to Aqua Texas, Inc and to decertify from Aqua Texas service areas that are currently certificated and being served by Aqua Texas.

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10406 N Hwy 87
Orange, Texas 77632
409-746-9640
409-746-2129 Fax

North Orange Water & Sewer, LLC

November 28, 2006

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

Re: Decertification of CCN of North Orange Water & Sewer, LLC dba Country
Squire Water and Sewer and application by the City of Orange for CCN

Dear Sir or Madam:

We request a public hearing. We would adversely be affected by the granting of the CCN and decertification. We own and operated this system and derive revenue from it which supports our personnel income along with the income of our employees. We request that the amended CCN not be granted to the City of Orange and not decertify our CCN which would eliminate us from operating. If the City of Orange request for a CCN and decertification of our CCN is not granted we would withdraw our request for a hearing.

North Orange Water & Sewer, LLC dba Country Squire Water & Sewer
10406 N Hwy 87
Orange, Texas 77632
409-746-9640

Sincerely,

Bobby Manshack

Bobby Manshack
President, North Orange Water & Sewer, LLC

cc: Tommy Gunn
Bret Fenner

.....

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

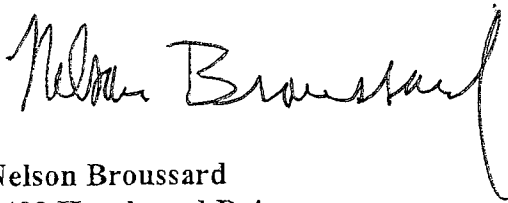
TO: [unclear]
FROM: [unclear]
SUBJECT: [unclear]
DATE: [unclear]
35-97-C

Re: City of Orange files to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Texas, North Orange Water and Sewer, Country Squire Water and Sewer.

Gentlemen,

I would like to hereby request to be notified if a hearing is set in reference to the above mentioned request by the City of Orange.

Thanks,



Nelson Broussard
6403 Hazelwood Drive
Orange, Texas 77632

Tom 240

RURAL WATER COMPANY

Mailing Address: P. O. Box 1409, VIDOR TX 77670
Office Address: 1020 N. Main, Vidor TX 77662
Office Hours: 8 a.m. - 5 p.m. Monday - Friday
Emergency (24 Hour) Telephone: 409-769-9030 or 800-261-2110

RECEIVED
TCEQ WATER SUPPLY
NOV 27 11 3 20

November 22, 2006

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
PO Box 13087
Austin, Texas 78711-3087

Dear Sirs,

My name is Kelly Brewer, DBA Rural Water Company PO Box 1409 Vidor, TX 77670; Daytime phone is (409) 769-9030. The City of Orange is annexing an area that includes one half of my water system Hi-Ho Acres PWS#1810076. I am adversely affected by the city's application as it takes away one half of my operation, leaving the other half to bear the burden.

I demand a public hearing on this matter. I would withdraw my request if the City of Orange would not decertify my CCN#12400, and let my water system operate as it always has.

Thank you,
Kelly Brewer

Cc: Ken Peterson
Texas Rural Water Association

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY
(CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN ORANGE COUNTY

To: Brewer Kelly Date Notice Mailed 11-02, 2006
(Neighboring System or City)

(Address) P.O. Box 1409

(City/Vicinity State TX Zip) 77670

City of Orange has filed applications to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Utilities, Inc. dba Aqua Texas, Inc., North Orange Water & Sewer, LLC dba Country Squire Water and Sewer and G. Kelly Brewer with the Texas Commission on Environmental Quality to provide water & sewer utility service in Orange County.

The proposed utility service area is located approximately 4.2 miles north of downtown Orange, Texas, and is generally bounded on the north by the intersection of SH 87 and West Bluff Road; on the east by Union-Pacific Spur (Railroad); on the south by FM 3247; and on the west by Sabine River Authority canal. The total area being requested includes approximately 951 acres and 1,611 current customers. See enclosed map of the proposed service area.

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.

Persons who wish to intervene or comment should write the:

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

Tamayo

BARRETT & SMITH PLLC

ATTORNEYS
505 W. 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 1, 2006

Mr. Mike Cowan
Water Supply Division, MC 154
TCEQ
PO Box 13087
Austin, Texas 78711-3087

RE: City of Orange CCN Application; Case No. 35496 and 35497; Document ID 226883 and 226884

Dear Mr. Cowan:

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Aqua Texas, Inc. has not yet received formal notice on this matter but intends to continue monitoring the process. Nonetheless, we request that the TCEQ consider this a formal protest and request for a contested case hearing.

We appreciate your time and attention to this matter. If you have any questions, please do not hesitate to contact me at 472-9326.

Very truly yours,


Andrew N. Barrett

BARRETT & SMITH, PLLC

35496-C
+
35497-C
DR

TO: Utilities & District Section
mc-153

From: Andy Barrett

Protest Letter for City of Orange C&N Applications;
Case #'s 35496 & 35497; Doc ID 226883-226889

BARRETT & SMITH PLLC

ATTORNEYS
505 W 14th Street
AUSTIN, TEXAS 78701
(512) 439-1234
FAX (512) 472-6463

WRITER'S E-MAIL ADDRESS ANB@BARRETTLAW.NET

December 2, 2006

TCEQ
Water Supply Division
Utilities and District Section, MC 153
PO Box 13087
Austin, Texas 78711-3087

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Very truly yours,

A handwritten signature in cursive script, appearing to read "Andrew Barrett".

Andrew N. Barrett

Tamayo

RURAL WATER COMPANY

Mailing Address: P. O. Box 1409, VIDOR TX 77670

Office Address: 1020 N. Main, Vidor TX 77662

Office Hours: 8 a.m. - 5 p.m. Monday - Friday

Emergency (24 Hour) Telephone: 409-769-9030 or 800-261-2110

RECEIVED
TCEQ WATER SUPPLY
NOV 27 PM 3:20

November 22, 2006

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
PO Box 13087
Austin, Texas 78711-3087

Dear Sirs,

ML

My name is Kelly Brewer, DBA Rural Water Company PO Box 1409
Vidor, TX 77670; Daytime phone is (409) 769-9030.

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Thank you,
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Cc: Ken Peterson
Texas Rural Water Association

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY
(CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN ORANGE COUNTY

To: Brewer Kelly Date Notice Mailed 11-02, 2006
(Neighboring System or City)

(Address) P.O. Box 1409

(City Vidor State TX Zip) 77670

City of Orange has filed applications to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Utilities, Inc. dba Aqua Texas, Inc., North Orange Water & Sewer, LLC dba Country Squire Water and Sewer and G. Kelly Brewer with the Texas Commission on Environmental Quality to provide water & sewer utility service in Orange County.

The proposed utility service area is located approximately 4.2 miles north of downtown Orange, Texas, and is generally bounded on the north by the intersection of SH 87 and West Bluff Road; on the east by Union-Pacific Spur (Railroad); on the south by FM 3247; and on the west by Sabine River Authority canal. The total area being requested includes approximately 951 acres and 1,611 current customers. See enclosed map of the proposed service area.

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

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Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

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

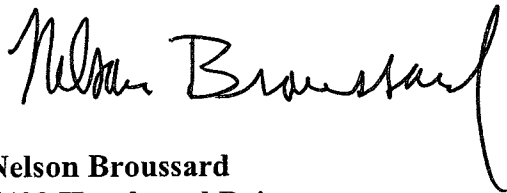
Tamayo
RECEIVED
TCEQ WATER SUPPLY
35496-C+
35497-C
2006 NOV 30 PM 3:57

Re: City of Orange files to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Texas, North Orange Water and Sewer, Country Squire Water and Sewer.

Gentlemen,

I would like to hereby request to be notified if a hearing is set in reference to the above mentioned request by the City of Orange.

Thanks,



Nelson Broussard
6403 Hazelwood Drive
Orange, Texas 77632

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 13, 2007

CERTIFIED MAIL

Mr. James B Wolf, P.E.
Director of Public Works
City of Orange
P.O. Box 520
Orange, Texas 77631-0520

Re: Application from the City of Orange, Certificate of Convenience and Necessity (CCN) No. 11398, to Decertify a Portion of CCN No. 11157 from Aqua Utilities, Inc., dba Aqua Texas, Inc., to Decertify a Portion of CCN No. 11642 from North Orange Water & Sewer, LLC, dba Country Squire Water and Sewer, to Decertify a Portion of CCN No. 12400 from G. Kelly Brewer and to Amend CCN No. 11398 in Orange County; Application No. 35496-C

Application from the City of Orange, CCN No. 20535, to Decertify a Portion of CCN No. 20453 from Aqua Utilities, Inc., dba Aqua Texas, Inc., to Decertify a Portion of CCN No. 20564 from North Orange Water & Sewer, LLC, dba Country Squire Water and Sewer and to Amend CCN No. 20535 in Orange County; Application No. 35497-C

CN: 600643530; RN: 101198307

Dear Mr. Wolf:

As you are aware, the Texas Commission on Environmental Quality (TCEQ) has received protests from Mr. Kelly Brewer, Mr. Andrew Barrett, and Mr. Bobby Manshack regarding your applications referenced above.

The Commission's Chief Clerk has assigned Docket No. 2006-0358-UCR to this matter. Any further communications should refer to these docket numbers. V.T.C.A. Water Code, Section 13.246 provides that affected parties may protest the applications and request a hearing on whether a CCN should be granted.

This matter has been referred to the State Office of Administrative Hearings to schedule a hearing. When a hearing has been scheduled, you will receive a notice of hearing which explains when and where the hearing will be held.

In order to review the CCN application, the staff of the TCEQ may need additional information regarding your utility's service. You may be receiving Staff Requests for Information (RFI's) within a few weeks. We would appreciate your cooperation in providing the information requested.

Mr. James B Wolf, P.E.

Page 2

March 13, 2007

If you have questions about this process or what material you should bring with you to the hearing, please contact Ms. Debbie Reyes Tamayo at (512) 239-4683.

Sincerely,

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

Tammy Benter, Team Leader
Utilities & Districts Section
Water Supply Division

TB/DRT/ac

cc: Mailing List

Mailing List for Application No. 35496-C & 35497-C
City of Orange

Mr. James B Wolf, P.E.
Director of Public Works
City of Orange
P.O. Box 520
Orange, Texas 77631-0520

Representing: City of Orange

Mr. Kelly Brewer, dba Rural Water Company
P.O. Box 1409
Vidor, TX 77670

Representing: Hi-Ho Acres

Mr. Andrew N. Barrett
Barrett & Smith PLLC
505 W 14th Street
Austin, TX 78701

Representing: Aqua Texas, Inc.

Mr. Bobby Manshack
10406 N HWY 87
Orange, TX 77632

Representing:
North Orange Water & Sewer LLC dba Country Squire Water & Sewer

Mr. Nelson Broussard
6403 Hazelwood Drive
Orange, TX 77632

Requested to be on mailing list.

TCEQ:

TCEQ Region 10, Beaumont Office
Debbie Reyes Tamayo, MC-153, Water Supply Division

Debbie Reyes Tamayo - City of Orange Applications 35496-C & 35497-C

From: Debbie Reyes Tamayo
To: jwolf@orangetexas.net
Date: 3/22/2007 4:27 PM
Subject: City of Orange Applications 35496-C & 35497-C
CC: Tammy Lee Holguin-Benter

Mr. Jim Wolf,

This e-mail is confirming your request for extension to be granted to work out the differences with the people that protested the City of Orange's applications and extended to May 1, 2007.

If you request further assistance please call me at 512-239-4683.

Thank you, Debbie Reyes Tamayo

Debbie Reyes Tamayo
dreyesta@tceq.state.tx.us
Utilities Financial Review Team
Water Supply Division
512-239-4683 512-239-0030 Fax

RECEIVED
TCEQ: WATER SUPPLY

10406 N Hwy 87
Orange, Texas 77632
409-746-9640
409-746-2129 Fax

North Orange Water & Sewer, LLC

November 28, 2006

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

Re: Decertification of CCN of North Orange Water & Sewer, LLC dba Country
Squire Water and Sewer and application by the City of Orange for CCN

Dear Sir or Madam:

We request a public hearing. We would adversely be affected by the granting of the CCN and decertification. We own and operated this system and derive revenue from it which supports our personnel income along with the income of our employees. We request that the amended CCN not be granted to the City of Orange and not decertify our CCN which would eliminate us from operating. If the City of Orange request for a CCN and decertification of our CCN is not granted we would withdraw our request for a hearing.

North Orange Water & Sewer, LLC dba Country Squire Water & Sewer
10406 N Hwy 87
Orange, Texas 77632
409-746-9640

Sincerely,

BOBBY MANSACK

Bobby Manshack
President, North Orange Water & Sewer, LLC

cc: Tommy Gunn
Bret Fenner

.....

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

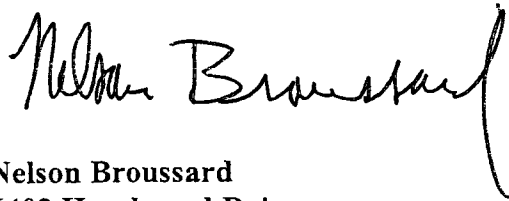
TO: [unclear]
FROM: [unclear]
SUBJECT: [unclear]
35490-04
35497-
NOV 3 - PM 3:57

Re: City of Orange files to amend CCN Nos. 11398 and 20535 and to decertify portions of Aqua Texas, North Orange Water and Sewer, Country Squire Water and Sewer.

Gentlemen,

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Thanks,



Nelson Broussard
6403 Hazelwood Drive
Orange, Texas 77632

Debbie Reyes Tamayo - City of Orange 35496-C & 35497-C

From: Debbie Reyes Tamayo
To: jwolf@orangetexas.net; kkittrell@orangetexas.net
Date: 6/4/2007 11:12 AM
Subject: City of Orange 35496-C & 35497-C

Mr. Wolf, I am going over the applications and I do not see the affidavit of notice to neighboring utilities sand affected parties for the City of Pinehurst 11237/20494 and Mauriceville SUD 11722/20811. Can you please provide a copy of the affidavit for the two utilities. Please see the attached if you do not have this form.

Ms. Kittrell, I am also sending you a copy, because of the form attached, from my previous e-mail to you, I sent you another form that should be this form instead.

Thank you both in advance. If you have any questions, please call me.

Debbie Reyes Tamayo
dreyesta@tceq.state.tx.us
Utilities Financial Review Team
Water Supply Division
512-239-4683 512-239-0030 Fax



Texas Commission on Environmental Quality

APPLICATION NO. _____

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF _____

_____ has provided individual notice to
the following entities:

DATE

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

OATH

I, _____, being duly sworn, file this form as
_____ (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 for
therein are true and correct.

Applicant's 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 _____ day of _____, 20____, to
certify which witness my hand and seal of office.

Notary Public in and for the
State of Texas

Print or Type Name of Notary Public
Commission Expires _____