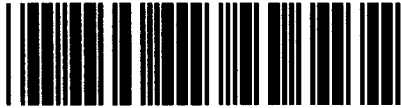




Control Number: 44287



Item Number: 7

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



STATE OFFICE
OF
ADMINISTRATIVE
HEARINGS

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

44287

RECEIVED

2015 JAN 13 PM 3:32

Date: 8/11/08

OCCUPATION: ATTORNEY
PUBLIC UTILITY REGISTRATION
FILING CLERK

Name: DOUGLAS BROWN

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

Daytime Phone: () _____ Fax Number: () _____

Representing: ☐ Self ☐ Other (specify): TCEQ

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

Daytime Phone: () _____

Title of matter being considered: Inline Utilities, LLC

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

SE-C M7 81 KAL 2105



STATE OFFICE
OF
ADMINISTRATIVE
HEARINGS

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

Date: 8/11/09

Name: STEPHANIE SKOGEN Occupation: STAFF ATTORNEY

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

Daytime Phone: () _____ Fax Number: () _____

Representing: ☐ Self ☒ Other (specify): ED (2nd chair attorney)

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

Daytime Phone: () _____

Title of matter being considered: Online Utilities, LLC

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: 8/11/09

Name: STACY LEIGH FOSTER

Occupation: TCEQ WATER Supply Division

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

Daytime Phone: () _____ Fax Number: () _____

Representing: ☐ Self ☒ Other (specify): ED

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

Daytime Phone: () _____

Title of matter being considered: Indine Utilities LLC

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

le



STATE OFFICE
OF
ADMINISTRATIVE
HEARINGS

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

Date: 8-11-09

Name: Brian Dickel Occupation: _____

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

Daytime Phone: (512) 239-0963 Fax Number: (512) 239-6972

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

Mailing Address: TC EQ MC 153
Street or P.O. Box City State Zip

Daytime Phone: () _____

Title of matter being considered: CCN for Inline development

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



100



STATE OFFICE
OF
ADMINISTRATIVE
HEARINGS

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

Date: Aug 11, 2009

Name: JACK COBLENTZ Occupation: CONSULTANT

Mailing Address: 4100 WESTHEIMER HOUSTON TX 77027
Street or P.O. Box City State Zip

Daytime Phone: 713) 621-4474 Fax Number: 713) 621-4588

Representing: ☐ Self ☒ Other (specify): INLINE UTILITIES

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

Daytime Phone: () _____

Title of matter being considered: INLINE UTILITIES CCN's

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

EXHIBIT LIST AND CERTIFICATION

DOCKET NUMBER: 582-09-4318
 STYLE OF CASE: IN LINE UTILITIES
 DATE OF HEARING: 8/11/09

Page of

EXH NO.	DESCRIPTION	OBJ Y/N	ADM Y/N	REMARKS
Petitioner's Exhibits				
A	Notice to U			JUR
B	Notice to LO			JUR
C				JUR
D	Notice to CC			JUR
Respondent's Exhibits				

I hereby affirm that the exhibits included on this exhibit list identify all the exhibits admitted in this proceeding. Any exhibits not admitted but included in an offer of proof are also listed and identified as such. The referenced exhibits are being placed under seal and returned to the referring agency in the condition in which they were received into evidence.

William B. Nye
 ADMINISTRATIVE LAW JUDGE

TT Coblenz

Δ

Date Signed: 8/11/09

Docket No. _____

I hereby affirm that the exhibits referenced on the attached exhibit list identify all the exhibits admitted in this proceeding. Any exhibits not admitted but included in an offer of proof are also listed and identified as such. The referenced exhibits are being placed under seal and returned to the referring agency in the condition in which they were received into evidence.

ADMINISTRATIVE LAW JUDGE

Date Signed: _____

To...	
Cc...	
Subject:	Docket Change
Case Name:	* INLINE UTILITIES, INC.
Docket Number:	* 582-09-4318
Case:	* NEWCHURCH
Date:	* Thu 07/09/2009

Type of Action:

* Prehearing Continued to Specific Date

Asterisk denotes a required field.

Setting Date and Time

Date/To Date and Time:	* Tue 08/11/2009	10:00 AM
From Date and Time:	* Wed 07/29/2009	10:00 AM
Duration:	* 1 day	

Disposition of Case/File

Date Order Signed:	Thu 07/09/2009 3:28 PM
Disposition of case file:	* Assign to ALJ
Assigned to ALJ:	

Special Instructions:

Measures Reporting

Notice of Hearing:	None	Amended PFD Issued:	None
Hearing on Merits:	None	Remand Dismissed:	None
Record Closed:	None	Remand Hearing:	None
PFD/FO/DO Issued:	None	Remand Record Closed:	None
Was this an Admin. Penalty Case?		Remand PFD Issued:	None
Was a Fine Recommended?		Amended Remand PFD Issued:	None
Amount of fine (\$):	\$0.00	PFD Changed by Referring Agency:	None
		PFD Overturned/ Remanded by a Court:	None
		PFD Due Date	None

Mediation (MSC) / ADR Information

Date Mediation Requested:	None
Date Mediation Initiated:	
Date Mediation Granted\Ordered:	None
Date of Mediator:	
Date Mediation Denied:	None
Date Mediation Referral Withdrawn:	None
Date Mediation Successful:	None
Date Mediation Unsuccessful:	None
Date For Telephonic Mediation:	None

SOURCE


ENVIRONMENTAL SCIENCES, INC.

4100 WESTHEIMER, SUITE 106
HOUSTON, TEXAS 77027-4427
source@source-environmental.com
Phone: (713) 621-4474
Fax: (713) 621-4588

AIR ★ WATER ★ WASTE CONSULTANTS

April 22, 2010

Ms. Stacy Foster
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2010 APR 22 PM 1:20
CHIEF CLERKS OFFICE

Re: SOAH Docket No. 582-09-4318, TCEQ Docket No. 2009-0444-UCR
Application of Inline Utilities, A1386 to obtain a Water Certificate of Convenience and Necessity in Harris County

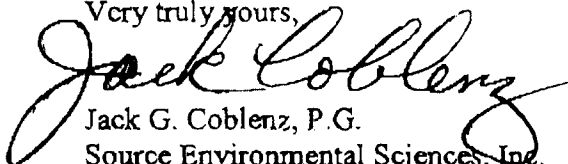
Dear Stacy,

Please see attached bank statement showing the amount of money that the Inline Utilities LLC Owner/General Partner (Mr. Michael Martz and his wife) have in their bank accounts. The total amount shown is \$2,941,113.12. Please be reminded that in previous correspondence we have provided information showing that the combined costs for the proposed wastewater and water plants was \$2,532,000. And also that this amount was for the two plants to be constructed so as to handle 1000 connections.

This information is provided as follow-up to the data we provided in our April 2, 2010 letter to Mr. Douglas Brown, TCEQ Staff Attorney. That letter contained a historical balance sheet showing Mr. Martz's assets and liabilities for the years 2007 to 2010. For the year 2010 the amounts were \$1,672,000 in cash, \$34,817,200 in fixed assets and \$8,100,000 in long term liabilities for a net Total Owners Equity of \$26,717,200. Certainly the information now being presented shows that the owners of Inline Utilities LLC can finance the construction and operation of the two plants that are the subject of the CCN applications now under consideration.

If you have any questions about this or our previous submissions relative to the CCN applications, please feel free to contact me at 713-621-4474 or jack@source-environmental.com.

Very truly yours,



Jack G. Coblenz, P.G.
Source Environmental Sciences, Inc.
Consultant to Inline Utilities LLC
jack@source-environmental.com



www.source-environmental.com



Cc:

Mr. Michael Martz, Owner/General Partner, Inline Utilities LLC
Fax 281-651-1134

Mr. Brian Dickey, Utilities and Districts Section, TCEQ
bdickey@tceq.state.tx.us

Mr. Blas Coy, Office of Public Interest Counsel, TCEQ
bcoy@tceq.state.tx.us

Mr. Douglas Brown, Staff Attorney, TCEQ
dobrown@tceq.state.tx.us

Docket Clerk
Fax 512-239-3311

CHIEF CLERKS OFFICE

2010 APR 22 PM 1:21

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PREVIOUS < SUBMIT > EXIT [X]

ADDRESS AND CIF SUMMARY INFORMATION

KE MARTZ
755 1-46 01
E WOODLANDS TX 77000

Short name MARTZ NIK
Tax ID number 220-56-0296

SPECIAL MESSAGES >

1 OF 1

	Num Deposits	Avg Rate	Num Loan Bal.	Avg Rate	Other
Direct	1	1,870,608.01	1.00002	0	.00
Indirect	0	.00	.00002	0	.00

SELECT v FILE MAINTENANCE [X]

8032702 PREF MM

1,070,008.01 RONDA MARTZ

0

Previous <

PREVIOUS < SUBMIT > EXIT [X]

CUSTOMER LETTER

< Go to Letter

[X]

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2010 APR 22 PM 1:21
CHIEF CLERKS OFFICE

44297

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INTEROFFICE MEMORANDUM

TO: LaDonna Castanuela, Chief Clerk

THRU: *4/1/09 TB* Doug Holcomb, P.E., Section Manager
 Utilities & Districts Section
 Water Supply Division

9/13 4/1/09 Tammy Benter, Team Leader
 Utilities & Districts Section
 Water Supply Division

FROM: *SLF* Stacy Leigh Foster
 Utilities & Districts Section
 Water Supply Division

DATE: April 7, 2009

CHIEF CLERKS OFFICE

2009 APR - 8 PM 2: 52

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

SUBJECT: Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1386, to Obtain a Water Certificate of Convenience and Necessity (CCN) in Harris County; Application No. 36063-C

Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1387, to Obtain a Sewer CCN in Harris County; Application No. 36064-C

CN: 601479777; RN: 105537930 (water) and 105537948 (sewer)

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

This application is being staff protested for the following reasons

- ▶ The application and supplemental information continue to lack comprehensive financial information.
- ▶ The need for service in the proposed area remains speculative.
- ▶ No plans and specs, or engineering report have been submitted to the Water Supply Division for review.

Staff estimates 10 people to attend this hearing.

The staff assigned to this case is:

Technical - Stacy Leigh Foster / *Brian Dickey*

Legal -

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

Tammy Benter
 Tammy Benter, Team Leader

TB/SLF/ln

cc: TCEQ Public Interest Counsel; ATTN: Vic McWherter
 TCEQ Agency Communications; ATTN: Andy Saenz, Director
 TCEQ Chief Clerk's Office; ATTN: Deanna Avalos, SOAH Docket Clerk
 TCEQ Legal Office; ATTN: Todd Galiga, Senior Attorney

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 7, 2009

CERTIFIED MAIL

BY FAX TO 713/621-4588 AND BY CERTIFIED MAIL

Mr. Jack G. Coblenz, P.G.
Source Environmental Sciences, Inc.
4100 Westheimer, Suite 106
Houston, Texas 77027-4427

Re: Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1386, to Obtain a Water Certificate of Convenience and Necessity (CCN) in Harris County; Application No. 36063-C

Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1387, to Obtain a Sewer CCN in Harris County; Application No. 36064-C

CN: 601479777; RN: 105537930 (water) and 105537948 (sewer)

Dear Mr. Coblenz:

After careful review of the information submitted in response to our Notice of Deficiency (NOD) letters dated December 9, 2008 and January 20, 2009, respectively, staff is requesting a hearing for the following reasons:

- ▶ The application and supplemental information continue to lack comprehensive financial information.
- ▶ The need for service in the proposed area remains speculative.
- ▶ No plans and specs, or engineering report have been submitted to the Water Supply Division for review.

The Commission's Chief Clerk has assigned Docket No. 2009-0444-UCR to this matter. Any further communications should refer to this docket number. 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 amended. Please see the enclosed mailing list.

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.

Mr. Jack G. Coblenz, P.G.

Page 2

April 7, 2009

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

If you have questions about this process or what material you should bring with you to the hearing, please contact Ms. Stacy Leigh Foster at (512) 239-3105.

Sincerely,



for Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality

DH/TB/SLF/ln

cc: Attached Mailing List

**Inline Utilities, LLC
Application Nos. 36063-C and 36064-C
Mailing List**

Mr. Jack G. Coblenz, P.G.
Source Environmental Sciences, Inc.
4100 Westheimer, Suite 106
Houston, Texas 77027-4427

Representing Inline Utilities, LLC

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INTEROFFICE MEMORANDUM

TO: LaDonna Castanuela, Chief Clerk

THRU: 4/1/09 TB
Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division

DATE: April 7, 2009

CHIEF CLERKS OFFICE

APR - 8 PM 2:52

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

4/1/09 TB
Tammy Benter, Team Leader
Utilities & Districts Section
Water Supply Division

FROM: Stacy Leigh Foster
Utilities & Districts Section
Water Supply Division

SUBJECT: Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1386, to Obtain a Water Certificate of Convenience and Necessity (CCN) in Harris County; Application No. 36063-C

Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1387, to Obtain a Sewer CCN in Harris County; Application No. 36064-C

CN: 601479777; RN: 105537930 (water) and 105537948 (sewer)

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

This application is being staff protested for the following reasons

- ▶ The application and supplemental information continue to lack comprehensive financial information.
- ▶ The need for service in the proposed area remains speculative.
- ▶ No plans and specs, or engineering report have been submitted to the Water Supply Division for review.

Staff estimates 10 people to attend this hearing.

The staff assigned to this case is:

Technical - Stacy Leigh Foster / Brian Dickey

Legal -

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

Tammy Benter
Tammy Benter, Team Leader

TB/SLF/lm

cc: TCEQ Public Interest Counsel; ATTN: Vic McWherter
TCEQ Agency Communications; ATTN: Andy Saenz, Director
TCEQ Chief Clerk's Office; ATTN: Deanna Avalos, SOAH Docket Clerk
TCEQ Legal Office; ATTN: Todd Galiga, Senior Attorney

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 Castanuela JUN 24 2009

LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 7, 2009

CERTIFIED MAIL

BY FAX TO 713/621-4588 AND **BY CERTIFIED MAIL**

Mr. Jack G. Coblenz, P.G.
Source Environmental Sciences, Inc.
4100 Westheimer, Suite 106
Houston, Texas 77027-4427

Re: Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1386, to Obtain a Water Certificate of Convenience and Necessity (CCN) in Harris County; Application No. 36063-C

Docket No. 2009-0444-UCR; Application from Inline Utilities, LLC, A1387, to Obtain a Sewer CCN in Harris County; Application No. 36064-C

CN: 601479777; RN: 105537930 (water) and 105537948 (sewer)

Dear Mr. Coblenz:

After careful review of the information submitted in response to our Notice of Deficiency (NOD) letters dated December 9, 2008 and January 20, 2009, respectively, staff is requesting a hearing for the following reasons:

- ▶ The application and supplemental information continue to lack comprehensive financial information.
- ▶ The need for service in the proposed area remains speculative.
- ▶ No plans and specs, or engineering report have been submitted to the Water Supply Division for review.

The Commission's Chief Clerk has assigned Docket No. 2009-0444-UCR to this matter. Any further communications should refer to this docket number. 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 amended. Please see the enclosed mailing list.

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.

Mr. Jack G. Coblenz, P.G.

Page 2

April 7, 2009

In order to review the applications, 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.

If you have questions about this process or what material you should bring with you to the hearing, please contact Ms. Stacy Leigh Foster at (512) 239-3105.

Sincerely,



for Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality

DH/TB/SLF/ln

cc: Attached Mailing List

**Inline Utilities, LLC
Application Nos. 36063-C and 36064-C
Mailing List**

Mr. Jack G. Coblenz, P.G.
Source Environmental Sciences, Inc.
4100 Westheimer, Suite 106
Houston, Texas 77027-4427

Representing Inline Utilities, LLC