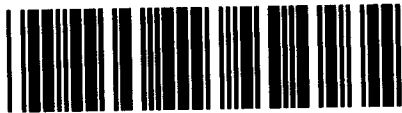


Control Number: 44287



Item Number: 9

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

GENERAL INFORMATION

★★★ THIS APPLICATION IS NOT A RATE CHANGE APPLICATION. THE APPROPRIATE FORMS NEEDED TO FILE A RATE CHANGE APPLICATION MAY BE OBTAINED BY CONTACTING THE UTILITIES AND DISTRICTS SECTION, Texas Commission on Environmental Quality (TCEQ). ★★★

☞ Pursuant to V.T.C.A., Water Code, Chapter 13, Subchapter G:

- ☐ CCNs *may be obtained* by any retail public water and sewer utility.
- ☐ CCNs *are required* for
 - a) Investor Owned Utilities (IOU);
 - b) Non-profit, member-owned, member-controlled water supply or sewer service corporations (WSC) incorporated under Water Code Chapter 67; and
 - c) affected counties.
- ☐ CCNs *may be required* for political subdivisions, except affected counties, before utility service can be provided to an area already lawfully being served.

☞ A CCN gives the holder:

- ☐ the legal right to provide water and/or sewer utility service;
- ☐ for compensation, either directly through a monthly rate or indirectly through maintenance fees, property owners fees, etc.;
- ☐ a delineated service area; **AND**
- ☐ obligates the certificate holder to provide service to every customer and qualified applicant who requests service within that area.

☞ A CCN is *not required* when service is either submetered pursuant to Water Code, Chapter 13, Subchapter M or included in the rental of the property.

☞ IOUs and WSCs with 15 or less potential connections may register as "exempt" and then are not required to possess a CCN for their service area if they meet the exemption criteria.

☞ If this application was downloaded from the TCEQ web site or sent via E-mail, it shall not be changed, altered or amended from its original form only available from the Commission.

PROCESSING YOUR CCN APPLICATION

☞ FLOW CHART

Enclosed in this packet is a flow chart of the review process. Your application will go through an Administrative Review and, when accepted for filing, through a Technical Review. For uncontested applications, processing time depends on the response time of the applicant. Contested applications generally take longer because of the need for scheduling a public hearing, and processing time depends on whether a settlement agreement between the applicant and the protestor(s) is reached. The dates provided in the flow chart are generally the time it takes to process an uncontested application.

☞ ADMINISTRATIVE REVIEW OF YOUR CCN APPLICATION

- ☐ Your application will be reviewed for completeness by the Commission staff within ten (10) working days after it is received in our offices.
- ☐ If necessary, you may be requested to provide additional information within **thirty** (30) days to complete the application.
- ☐ Proposed notice forms are included with the application.

- ☐ If the application is **administratively incomplete**, you will be sent a letter that outlines the application's deficiencies and describing what you need to do to correct the deficiencies
 - a) After receiving that letter, you will have ***thirty (30)*** days to make the necessary corrections
 - b) **If you fail to make the corrections in full**
 - (a) the application will be returned,
 - (b) the application fee will be forfeited, **and**
 - (c) if you are already operating a system, you will be referred for enforcement action which may include administrative penalties of up to \$500 per day.

NOTICE

The Commission cannot grant a CCN until proper notice of the application has been given. It is the applicant's responsibility to ensure that proper notice is given. Notice forms for publication, neighboring cities and systems, and customers are included with this application to use in preparing your proposed notices. These notice forms are also available in Spanish upon request. If the applicant is an operating IOU currently providing service without a CCN, then proposed notices must be provided for publication, to neighboring cities and systems and current customers in the proposed service area. **All three forms must be completed and submitted with the application.** However, if the applicant has no customers in the proposed area at the time of filing and is only proposing to provide service at some future date, or if the applicant is a WSC or political subdivision, then only the notices for publication and neighboring cities and systems must be submitted. **Do not publish the notice or send copies of the proposed notices or maps to anyone at the time you submit this application to the Commission.** **Your proposed notices and maps will be reviewed for completeness. When your application is accepted for filing, you will be directed to provide the appropriate notices for publication, to the neighboring cities and systems and, if necessary, to current customers.**

TECHNICAL REVIEW OF YOUR CCN APPLICATION

When the application is complete, you will be notified by mail and be required

- ☐ to publish notice once each week for two (2) consecutive weeks in a newspaper of general circulation in your local area and county. If the proposed area is in more than one county, publication in each county is required;
- ☐ to provide a copy of the individual notice with copy of location map (CCN map) to neighboring cities and systems within
 - a) two (2) miles of your proposed service area, if you are an existing retail public utility amending the existing service area **or**
 - b) five (5) miles if you are obtaining a new CCN to serve a new service area; and
 - c) to provide individual mailed notice with copy of location map (CCN map) to all affected current customers if you are required to have a CCN but are currently providing service without a CCN;

If the application is **technically incomplete**, you will be sent a letter that outlines the application's deficiencies and describing what you need to do to correct the deficiencies

- ☐ After receiving that letter, you will have ***thirty (30)*** days to make the necessary corrections
- ☐ **If you fail to make the corrections in full,**
 - a) the application will be returned
 - b) the application fee will be forfeited **and**
 - c) if you are already operating a system, you will be referred for enforcement action which may include administrative penalties of up to \$500 per day.

V.T.C.A. Water Code Section 13.246(c) requires the Commission to consider the following factors before it can issue a CCN:

- ☐ the adequacy of service currently provided to the requested area,
- ☐ the need for additional service in the requested area,
- ☐ the effect of the granting of a certificate on a recipient of the certificate and on any retail public utility of the same kind already serving the proximate area,

- ☐ the ability of the applicant to provide adequate service,
- ☐ the feasibility of obtaining service from an adjacent retail public utility,
- ☐ the financial stability of the applicant, including, the adequacy of the applicant's debt-equity ratio,
- ☐ environmental integrity, AND
- ☐ the probable improvement of service or lowering of cost to consumers in that area resulting from the granting of the certificate.

In addition to these factors,

- ☐ the Commission must ensure that the applicant possesses the financial, managerial, and technical capability to provide continuous and adequate service AND
- ☐ the applicant must also demonstrate that regionalization or consolidation with another retail public utility is not economically feasible.

If there are no protests, you will be provided a copy of the technical staff recommendation and proposed CCN. If you have any questions or concerns, you should contact the technical staff person assigned to your application immediately. If you disagree with the staff recommendation and/or proposed CCN, the application will be considered contested, and a hearing may be requested.

If the application is contested and a hearing is requested, the application may be referred to the State Office of Administrative Hearings (SOAH). During the preliminary hearing, the presiding Administrative Law Judge (ALJ) may give the parties time to negotiate a settlement. Alternative Dispute Resolution (ADR) is available upon request of all of the parties. If a settlement is reached, the application will be remanded to staff for administrative processing. If a settlement is not reached, a discovery schedule and a date for an evidentiary hearing will be set. The ALJ will take testimony from each party and present a report to the Commission to consider in making a final decision on the application.

The completed application and copies should be sent to:

Texas Commission on Environmental Quality
 Registration, Review & Reporting Division
 Permits Administrative Review Section
 Water Quality Applications Team
 MC-156
 P. O. Box 13087
 Austin, TX 78711-3087

☆☆☆THIS APPLICATION IS NOT A RATE CHANGE APPLICATION.
 THE APPROPRIATE FORMS NEEDED TO FILE A RATE CHANGE
 APPLICATION MAY BE OBTAINED BY CONTACTING THE UTILITIES
 AND DISTRICTS SECTION, Texas Commission on Environmental
 Quality.☆☆☆

SOURCE

ENVIRONMENTAL SCIENCES, INC.

AIR ★ WATER ★ WASTE CONSULTANTS

WESTHEIMER, SUITE 106
HOUSTON, TEXAS 77027-4427

source@source-environmental.com

Phone: (713) 621-4474

Fax: (713) 621-4588

A-061-8

Appl 36063-C (water) SF
36064-C (sewer) SF

May 20, 2008

Texas Commission on Environmental Quality
Registration, Review & Reporting Division
Permits Administrative Review Section
Water Quality Application Team, MC 156
P.O. Box 13087
Austin, TX 78711-3087

RECEIVED
No Check Rec'd
MAY 22 2008
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

Re: Resubmission of Application to Amend a Water and Sewer Certificate of Convenience and Necessity for Inline Utilities LLC

Enclosed please find one original and three copies of the Application to Amend a Water and Sewer Certificate of Convenience and Necessity for Inline Utilities LLC (RN103177432). Enclosed is a copy of the application fee check in the amount of \$100.00. This is the fee for an Application to amend a Certificate of Convenience and Necessity. We understand that if the application is resubmitted within a year from the original submission we are not required to pay an additional fee.

This application has been prepared by Source Environmental Sciences on behalf of Inline Utilities LLC. Should you have any questions regarding this application, please do not hesitate to contact Jack Coblenz or me at (713) 621-4474.

Sincerely,

Stephanie Landsman

Stephanie Landsman
Senior Wastewater Specialist
Source Environmental Sciences, Inc



www.source-environmental.com





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

*RN103177432

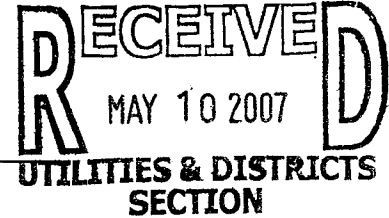
*CN #601479777

*If known (See instructions)

PURPOSE OF THIS APPLICATION

OBTAIN ☐ New Water CCN ☐ New Sewer CCN

AMEND X Water CCN # 12946 X Sewer CCN # 20879



1. APPLICANT INFORMATION

Utility Name: Inline Utilities LLC

Utility Address (city/state/zip) 23822 State Highway 249
Tomball, TX 77375

Utility Phone and Fax Number Phone (281) 655-1800 Fax (281) 655-7870

Contact Person: Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title related to the applicant.

Name: Anna Ludwig Title: Environmental Consultant
Address: 4100 Westheimer, Suite 106 Telephone (713) 621-4474
City Houston St TX Zip 77027 Fax (713) 621-4588
County(ies) in which service is proposed Harris

A. Provide the following information about the utility's certified operators

| Name | Classes | License Number |
|--------------------------|---------|----------------|
| N/A- not yet constructed | | |
| | | |

- Attach additional sheet(s) if necessary -

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

| | |
|-------------------------------------|--|
| <input type="checkbox"/> | Investor owned utility |
| <input type="checkbox"/> | Individual |
| <input type="checkbox"/> | Home or Property Owners Association |
| <input checked="" type="checkbox"/> | For-profit corporation |
| | |
| <input type="checkbox"/> | Non-profit, member-owned, member-controlled cooperative corporation (Water Code Chapter 67, Water Supply or Sewer Service Corporation) |
| <input type="checkbox"/> | Municipality |
| <input type="checkbox"/> | District |
| <input type="checkbox"/> | Other |
| | Please explain: |
| | |

- C. If the applicant is a For-Profit Corporation:
- Please provide a copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts. **See Certificate of Account Status (Attachment 2).**
 - Please provide the corporation's charter number as recorded with the Office of the Texas Secretary of State. 32004134022
- D. If the applicant is a Water Code Chapter 67 water supply or sewer service corporation or other non-profit corporation:
- Please provide a copy of the Articles of Incorporation and By-Laws.
 - Please provide the corporation's charter number as recorded with the Office of the Texas Secretary of State.

2. **LOCATION INFORMATION**

- A. Are there people already living in the proposed area?
YES _____ NO X
If YES, are any currently receiving utility service?
YES _____ NO X, if YES, from Whom _____.
- B. Have you received any requests for service in the requested service area?
YES _____ NO X
If yes, please indicate the number of verbal and number of written requests and provide a clear explanation of the need for service in the requested area.
WRITTEN _____ VERBAL _____
On a separate page, list the name, address, and phone number of persons requesting service. Include any letters of intent, service inquiries, and/or any other documentation demonstrating a need for service in the proposed area. Requests for service must be identified on the large scale map. See 2.E.i.a below.
If no, please justify the need for service in the proposed area.
- C. Is any portion of the proposed service area inside an incorporated city?
YES _____ NO X
If YES, within the city limits of: _____
Provide a copy of any franchise, permit, or consent granted by the city. If not available, please explain: N/A
- D. Is any portion of the proposed service area inside another utility's CCN area?
YES _____ NO X
If YES, has the current CCN holder agreed to decertify the proposed area.
YES _____ NO _____
If NO, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest.
- E. Attach the following maps with each copy of the application: *(All maps should include applicant's name, address, telephone number, and date of drawing or revision. All maps should be folded to 8½ x 11 inches). See Attachment 4 and Attachment 5.*
- Subdivision plat or engineering plans or other large scale map showing the following:
 - The exact proposed service area boundary showing locations of requests for service and locations of existing connections (if applicable).

★ NOTE: *Applicant may send their facility line map showing current connections (if available), OR estimate the number of connections along each side of the street on*

- the large scale map.
- B. The existing service area (if applicable).
- C. Metes and bounds (if available).
- D. Proposed and existing service area boundaries should be plotted on the map in relation to verifiable natural and man-made landmarks such as roads, creeks, rivers, railroads, etc.
- E. Service area boundaries should be shown with such exactness that they can be located on the ground.

★ NOTE: *Applicant may use a USGS 7.5"-minute series map if no other large scale map is available.*

- ii. Small scale location map delineating the proposed service area. The proposed service area boundary should be delineated on a copy of the TCEQ official CCN map. This map will assist TCEQ staff in locating the proposed service area in relation to neighboring utility service areas. *A copy of the TCEQ official CCN map may be obtained by contacting the Utilities & Districts Section at 512/239-4691 or by mailing a written request to the following address:*

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

★ NOTE: If the proposed service areas shown on the large scale map and small scale map do not delineate the same area, the more detailed large scale map will be used to delineate the official CCN service area.

iii. **Hard copy maps should include the following items:**

- A. Map scale should be prominently displayed.
- B. Color coding should be used to differentiate the applicants existing service areas from the proposed service area.
- C. Attach a written description of the proposed service area.
- D. Proposed service area should be the same on all maps.
- E. Include map information in digital format (if available), *see Section 3, GIS Information.*

- iv. Each utility shall make available to the public at each of its business offices and designated sales offices within Texas the map of the proposed service area currently on file with the Commission. The applicant employees shall lend assistance to persons requesting to see a map of the proposed area upon request.

3. GIS INFORMATION

We are currently developing a state wide Geographic Information Systems (GIS) coverage of all CCN service areas. The mylar maps are being retired. In order to assist us in this move, we are requesting that a digital file of the proposed CCN service area boundary be submitted with the 3 hard copy maps. **This is not a requirement.** It is understood that not all utilities employ the services of an engineering company or use mapping software to produce a map of the proposed CCN service area boundary. However, by submitting the information digitally, the evaluation of your CCN will be faster and more accurate. Also, by receiving the information in digital form it is easier for us to update and maintain the CCN GIS coverage.

- A. **Digital Map Requirements** In order that your digital data can be properly used, the following information is necessary:
 - i. Submit digital data of the proposed CCN service area on a 3.25" diskette or CD. Only one diskette or CD is necessary. Most files of CCNs (minus the base map) should be small

- enough to zip up and put on a diskette or CD.
- ii. The digital data should include all items represented in the hard copy maps (see Section 2, items E.i and E.ii).
 - iii. Please identify data file format, projection information, map units and base map used.

Acceptable Data File Formats:

ArcView shape file (preferred)

- 1. AutoCAD dwg file
- 2. Arc/Info E00 file
- 3. DXF file
- 4. Microstation dgn files

★ NOTE: If you use a format that is not listed, contact the Cartographer at the number listed below to see if we can use the data.

- A. **Projection, Datum, and Units Information** The data should be submitted in the Texas State Mapping System (TSMS) Projection. However, if it cannot be submitted in TSMS, list the Projection (e.g. State Plane Central Zone, NAD27) or coordinate system being used and Units (e.g. meters, feet, etc.).

- B. **Base Map Information**

List the base map used (e.g. TxDOT county digital road maps, USGS maps, etc.) Base map information should be included only if it has been produced in-house and is not easily available at most data repositories.

★ NOTE: TCEQ uses TxDOT county (urban) digital road maps as the official CCN base map. Copies of these files can be obtained from Texas Natural Resources Information Systems (TNRIS) at (512) 463-8337 or downloaded from the TNRIS website at <http://www.tnris.state.tx.us/DigitalData/TxDOT/txdot.htm>.

- C. **Read-me text file**

Data file format, base map used, projection and units information, and other necessary information can be specified in a read-me text file.

- B. **Important Information** For those applicants that submit digital data:

- i. Please make sure the proposed service area boundary shown on the hard copy map is identical to the digital data. If the proposed service area shown on the digital data does not delineate the same area shown on the hard copy map, the hard copy map will be used to delineate the official CCN service area.
- ii. Modifications may be made to submitted digital data in order to match the proposed service area boundary to features represented on the TxDOT base map, as opposed to the same features used in the applicants base map.
- iii. If an applicant proposes to amend a portion of their existing CCN service area, the existing service area shown on the digital data must match the official CCN service area that was previously certificated to the utility. If it does not, then only the proposed portion of the digital data will be used.

If you have any questions about sending the data or our GIS CCN coverage, please contact the Cartographer of the Utilities & Districts Section, Water Supply Division at (512) 239-4691.

4. **NEW SYSTEM INFORMATION OR UTILITIES REQUESTING A CCN FOR THE FIRST TIME**

- A. Please provide the following information:

- i. A list of all public drinking water supply systems or sewer systems within a 2 mile radius of the proposed system.
- ii. Copies of written requests seeking to obtain service from each of the public drinking water supply systems or sewer systems listed in #4.a.i above or documentation that it is not economically feasible to obtain service from them.
- iii. Copies of written responses from each system or evidence that they did not reply.

- B. Were your requests for service denied?

- i. If yes, continue.
- ii. If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separate analysis must be prepared and submitted for each system that granted your request for service.

C. Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any: See Process Flow Diagram (Attachment 6)

D. Date of plat approval, if required: N/A
Approved by: _____

E. Date Plans & Specifications submitted for approval Have not yet been submitted, but will be before construction begins. Log No. _____
Attach copy of approval letter if available.

F. Date construction is scheduled to commence July, 2008

G. Date service is scheduled to commence September, 2008

5. EXISTING SYSTEM INFORMATION

A. Please provide the following information for **each** water and/or sewer system:

i. Water system's TCEQ Public Water System identification number:

| | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|--|--|--|--|--|--|--|
| 1 | 0 | 1 | 3 | 2 | 7 | 1 | ; | 1 | 0 | 1 | 3 | 0 | 8 | 4 | ; | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|--|--|--|--|--|--|--|

| | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--|
| | | | | | | | ; | | | | | | | | ; | | | | | | | | |
|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--|

ii. Sewer system's TCEQ Discharge Permit number: (for each system)

| | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| W | Q | 1 | 3 | 9 | 4 | 2 | - | 0 | 0 | 1 | ; | W | Q | 1 | 3 | 9 | 4 | 2 | - | 0 | 0 | 2 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

iii. Date of last inspection 9/7/06 for PWS 1013084; 1/3/03 for WQ13942-002; 6/29/06 for PWS 1013271; 11/21/05 for WQ13942-001 (See Attachment 10).

iv. Attach a copy of the most recent inspection report letter.

v. For each system deficiency listed in the inspection report letter, attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates

B. Using the current number of customers, is any facility component in systems named in #5A above operating at 85% or greater of minimum standard capacity?

Yes _____ No X

Attach an explanation listing the actions to be taken to make system improvements including proposed completion dates (See 291.93(3)(A) of TCEQ Rules).

- C. List in the table below, the number of existing and/or proposed metered and non-metered connections (by size). The proposed number should reflect the information presented in the business plan and reflect the number of service requests identified in Question 2.b above.

| Water System | | | Sewer System | | |
|--------------------|----------|----------|--------------|----------|----------|
| Connection | Existing | Proposed | Connection | Existing | Proposed |
| 5/8" or 3/4" meter | 518 | 500 | Residential | 518 | 500 |
| 1" meter or larger | | | Commercial | | |
| Non-Metered | | | Industrial | | |
| Other: | | | Other: | | |
| Total Water | 518 | 500 | Total Sewer | 518 | 500 |

- D. If this application is for a water CCN only, please explain how sewer service is provided:
N/A

- E. If this application is for a sewer CCN only, please explain how water service is provided:
N/A

- F. What is the effect of the granting or amending a certificate on a recipient of the certificate and on any retail public utility of the same kind already serving the proximate area: Currently nobody is providing water and/or sewer service in the proposed area. By granting this CCN it would allow for future development to have sewer and water service in the proposed area

- G. Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?

i. No X (skip the rest of this question and go to #6)

ii. Water
 Yes _____

Purchased on a () regular - () seasonal - () emergency basis?

| Source | % of total supply |
|--------|-------------------|
| | |
| | |

iii. Sewer treatment capacity

Yes _____

Purchased on a () regular - () seasonal - () emergency basis

| Source | % of total treatment |
|--------|----------------------|
| | |

- | | |
|--|--|
| | |
|--|--|
- iv. Provide a **certified** copy of the most current water or sewer treatment capacity purchase agreement or contract.

6. FINANCIAL INFORMATION

- A. For new systems and for applicants with existing CCNs who are constructing a new stand alone system:
 - i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
 - ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates should correlate to the growth projections in #6.A above.
 - iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.
- B. For existing systems:
 - i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
 - ii. Attach a proposed rate schedule or tariff.

★ NOTE: An existing system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application.
- C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.
- D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.

7. NOTICE REQUIREMENTS

- A. All proposed notice forms must be completed and submitted with the application. However, do not mail or publish them until you receive written approval from the Commission to do so.
- B. The Commission cannot grant a CCN until proper notice of the application has been given. Commission rules do not allow a waiver of these notice requirements.
- C. It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.

- D. Recommended notice forms for publication, neighboring cities and systems, and customers are included with this application to use in preparing your proposed notices. (These notice forms are also available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the Commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully and note any additional neighboring utilities which may be included in the acceptance letter.
- F. Notice For Publication:
The applicant shall publish the notice in a newspaper having general circulation in the county or counties where a certificate of convenience and necessity is being requested, once each week for two consecutive weeks beginning with the week after the notice is received from the Commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the Commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. Notice To Neighboring Utilities:
- i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area; and
 - ii. any city whose extra-territorial jurisdiction (ETJ) overlaps the proposed service area.
 - iii. For applications for the issuance of a **NEW** certificate of public convenience and necessity, the applicant must mail the notice with a copy of the location map (CCN map) to all cities and neighboring retail public utilities providing the same utility service within **five (5) miles** of the requested service area, and any city with an ETJ which overlaps the proposed service area.
 - iv. For applications for the **AMENDMENT** of certificate of public convenience and necessity, the applicant must mail the notice with a copy of the location map (CCN map) to all cities and neighboring retail public utilities providing the same utility service within **two (2) miles** of the requested service area, and any city with an extra-territorial jurisdiction which overlaps the proposed service area.
- H. Notice to Customers
Investor Owned Utilities (IOUs) that are currently providing service without a certificate must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted, and any other information required in the application.
- I. The Commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the Commission. Wait until you receive written authorization to do so. This will occur after the Commission has reviewed the

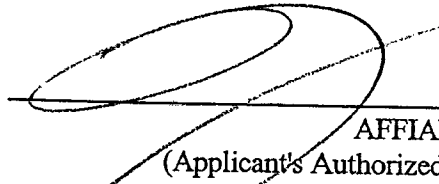
OATH

State of Texas

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

I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

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

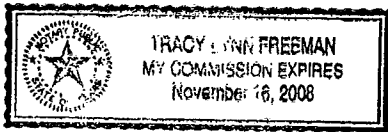


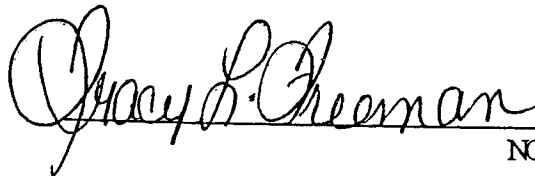
AFFIANT
(Applicant's Authorized Representative)

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

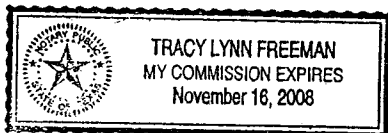
SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, this 2 day of May, 2007.

SEAL





NOTARY PUBLIC



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. If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

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

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

To: _____ Date Notice Mailed: _____, 200__
(Neighboring System, Landowner or City)

(Address)

(City State Zip)

Inline Utilities LLC has filed an application for a CCN / to
Name of Applicant
amend CCN No. 20879 & 12946/ and to decertify a portion(s) of (Name of Decertificated Utility)
with the Texas Commission on Environmental Quality to provide water & sewer utility
service in Harris County(ies).

The proposed utility service area is located approximately 5 miles south
[direction] of downtown Tomball, [City or Town] Texas, and is generally
bounded on the north by Timber Tech Road; on the east by FM 2978
; on the south by Spring Cypress Road; and on the west by State
Highway 249. See enclosed map of the proposed service area.

The total area being requested includes approximately 1,011 acres and 0 current
customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address,
and daytime telephone number; (2) the applicant's name, application number or another recognizable
reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief
description of how you or the persons you represent, would be adversely affected by the granting
of the application for a CCN; and (5) your proposed adjustment to the application or CCN which
would satisfy your concerns and cause you to withdraw your request for a hearing.

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.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

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

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

Dear Customer:

Date Notice Mailed _____, 200__

Inline Utilities LLC has filed an application for a CCN to/
Name of Applicant

amend CCN No. 20879 & 12946 and to decertify a portion(s) of _____ Name of Decertified Utility
with the Texas Commission on Environmental Quality to provide water utility service in Harris
County(ies).

The proposed utility service area is located approximately 5 miles south
[direction] of downtown Tomball, [City or Town] Texas

A copy of the proposed service area map is available at 10100 Boudreaux Road, Tomball, TX
77375; phone (281)655-1800

The current utility rates which were first effective on _____, 200__ are:

- Monthly Flat Rate of \$ 0 per connection
- OR-
- Monthly Base Rate including 0 gallons per connection for:

| | |
|-------------------------|-----------------|
| 5/8" meter | \$ _____ |
| 1" meter | \$ _____ |
| 1½" meter | \$ _____ |
| 2" meter | \$ _____ |
| Other <u>All meters</u> | \$ <u>25.00</u> |

Gallonge charge of \$ 3.50 per 1,000 gallons
above minimum (same for all meter sizes)

Miscellaneous Fees

| | |
|--|------------------|
| -Regulatory Assessment | 1% |
| -Tap Fee (Average Actual Cost) | \$ <u>500.00</u> |
| -Reconnection fee: | |
| -Non Payment (\$25.00 max) | \$ <u>25.00</u> |
| -Transfer | \$ <u>25.00</u> |
| -Customer's request | \$ <u>25.00</u> |
| -Late fee \$5.00 or 10% | \$ <u>10%</u> |
| -Returned Check charge | \$ <u>25.00</u> |
| -Customer Deposit (\$50.00 max) | \$ <u>50.00</u> |
| -Meter test fee (Actual Cost not exceed \$25.00) | \$ <u>25.00</u> |
| -Other Fees | \$ _____ |

Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.

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.

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

Dear Customer:

Date Notice Mailed _____, 20__

Inline Utilities LLC has filed an application for a CCN to/ amend CCN No. 20879 & 12946 and
Name of Applicant

to decertify a portion(s) of Name of Decertified Utility with the Texas Commission on Environmental
Quality to provide sewer utility service in Harris County(ies).

The proposed utility service area is located approximately 5 miles south [direction]
of downtown Tomball, [City or Town] Texas

A copy of the proposed service area map is available at 10100 Boudreaux Road, Tomball, TX 77375
phone # (281) 655-1800

The current utility rates which were first effective on _____, 20__ are:

• Monthly Flat Rate of \$ 0 per connection
-OR-

• Monthly Base Rate including 0 gallons per
connection for:

| | |
|-------------------------|-----------------|
| 5/8" meter | \$ _____ |
| 1" meter | \$ _____ |
| 1½" meter | \$ _____ |
| 2" meter | \$ _____ |
| Other <u>All meters</u> | \$ <u>35.00</u> |

Gallonge charge of \$ 3.50 per 1,000 gallons
above minimum (same for all meter sizes)

Miscellaneous Fees

| | |
|---|------------------|
| -Regulatory Assessment | 1% |
| -Tap Fee (Average Actual Cost) | \$ <u>500.00</u> |
| -Reconnection fee: | |
| -Non Payment (\$25.00 max) | \$ <u>25.00</u> |
| -Transfer | \$ <u>25.00</u> |
| -Customer's request | \$ <u>25.00</u> |
| -Late fee \$5.00 or 10% | \$ <u>10%</u> |
| -Returned Check charge | \$ <u>25.00</u> |
| -Customer Deposit (\$50.00 max) | \$ <u>50.00</u> |
| -Meter test fee (Actual Cost not exceed \$25.00) | \$ <u>25.00</u> |
| -Other Fees | \$ _____ |

**Your utility service rates and fees cannot be changed by this application. If you are currently
paying rates, those rates must remain in effect unchanged. Rates may only be increased if the
utility files and gives notice of a separate rate change application.**

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 to 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.

IF A HEARING IS HELD, it is important that you or your representative attend to present your concerns. Your request serves only to cause a hearing to be held and is not used during the hearing.

If you are a landowner with a tract of land at least 25 acres or more, and is partially or wholly located within the proposed area, you may request to exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

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

| Historical Profit & Loss Statement | | | | | |
|--|------------------|--------------|---------------|---------------|---------------|
| | Current Year (a) | (a) - 1 year | (a) - 2 years | (a) - 3 years | (a) - 4 years |
| Number of connections | | | | | |
| Income: | | | | | |
| Gross Revenue | | | | | |
| Fees | | | | | |
| Other | | | | | |
| Gross Income | | | | | |
| Expenses: General & Administrative: | | | | | |
| Salary Expense | | | | | |
| Office Expense | | | | | |
| Computer Expense | | | | | |
| Auto Expense | | | | | |
| Insurance Expense | | | | | |
| Telephone Expense | | | | | |
| Utilities Expense | | | | | |
| Property Tax Expense | | | | | |
| Professional Fees | | | | | |
| Other | | | | | |
| Total General & Administrative | | | | | |
| Expenses: Operational | | | | | |
| Salary Expense | | | | | |
| Auto Expense | | | | | |
| Utilities Expense | | | | | |
| Supply Expense | | | | | |
| Maintenance & Repair Expense | | | | | |
| Other Expense | | | | | |
| Total Operational | | | | | |
| Total Expenses | | | | | |
| Net Income | | | | | |

Please see Commitment Letter from Sterling Bank (Attachment 11) offering \$1,450,000.

Historical Balance Sheets - ASSETS

| | Current Year (a) | (a) - 1 year | (a) - 2 years | (a) - 3 years | (a) - 4 years |
|--------------------------------|------------------|--------------|---------------|---------------|---------------|
| CURRENT ASSETS | | | | | |
| Cash | | | | | |
| Cost Accounts Receivable | | | | | |
| Inventories | | | | | |
| Income Tax Receivables | | | | | |
| Other | | | | | |
| TOTAL CURRENT ASSETS | | | | | |
| FIXED ASSETS | | | | | |
| Land | | | | | |
| Collection/Distribution System | | | | | |
| Buildings | | | | | |
| Equipment | | | | | |
| Other | | | | | |
| TOTAL FIXED ASSETS | | | | | |
| Less: | | | | | |
| Accum Depreciation/Reserve | | | | | |
| NET FIXED ASSETS | | | | | |
| TOTAL ASSETS | | | | | |

| Historical Balance Sheets - LIABILITIES | | | | | |
|---|------------------|--------------|---------------|---------------|---------------|
| | Current Year (a) | (a) - 1 year | (a) - 2 years | (a) - 3 years | (a) - 4 years |
| CURRENT LIABILITIES | | | | | |
| Accounts Payable | | | | | |
| Notes Payable, Due < 1 Year | | | | | |
| Accrued Expenses | | | | | |
| Customer Deposits | | | | | |
| Other | | | | | |
| TOTAL CURRENT LIABILITIES | | | | | |
| LONG TERM LIABILITIES | | | | | |
| Notes Payable, Due > 1 Year | | | | | |
| Other | | | | | |
| TOTAL LONG TERM LIABILITIES | | | | | |
| OWNER'S EQUITY | | | | | |
| Paid-in Capital | | | | | |
| Retained Equity | | | | | |
| Other | | | | | |
| Current Period Profit or Loss | | | | | |
| TOTAL OWNER'S EQUITY | | | | | |
| TOTAL LIABILITIES & EQUITY | | | | | |

Please see Commitment Letter from Sterling Bank (Attachment 11) offering \$1,450,000 to develop a waste water and water facility plant at the proposed location.

Projected Profit & Loss Statement

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--|--------|--------|--------|--------|--------|
| Number of connections | | | | | |
| Income: | | | | | |
| Gross Revenue | | | | | |
| Fees | | | | | |
| Other | | | | | |
| Gross Income | | | | | |
| Expenses: General & Administrative: | | | | | |
| Salary Expense | | | | | |
| Office Expense | | | | | |
| Computer Expense | | | | | |
| Auto Expense | | | | | |
| Insurance Expense | | | | | |
| Telephone Expense | | | | | |
| Utilities Expense | | | | | |
| Property Tax Expense | | | | | |
| Professional Fees | | | | | |
| Other | | | | | |
| Total General & Administrative | | | | | |
| Expenses: Operational | | | | | |
| Salary Expense | | | | | |
| Auto Expense | | | | | |
| Utilities Expense | | | | | |
| Supply Expense | | | | | |
| Maintenance & Repair Expense | | | | | |
| Other Expense | | | | | |
| Total Operational | | | | | |
| Total Expenses | | | | | |
| Net Income | | | | | |

Please see Commitment Letter from Sterling Bank (Attachment 11) offering \$1,450,000 to develop a waste water and water facility plant at the proposed location.

| Projected Balance Sheets - ASSETS | | | | | |
|-----------------------------------|--------|--------|--------|--------|--------|
| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
| CURRENT ASSETS | | | | | |
| Cash | | | | | |
| Cost Accounts Receivable | | | | | |
| Inventories | | | | | |
| Income Tax Receivables | | | | | |
| Other | | | | | |
| TOTAL CURRENT ASSETS | | | | | |
| FIXED ASSETS | | | | | |
| Land | | | | | |
| Collection/Distribution System | | | | | |
| Buildings | | | | | |
| Equipment | | | | | |
| Other | | | | | |
| TOTAL FIXED ASSETS | | | | | |
| Less: | | | | | |
| Accum Depreciation/Reserve | | | | | |
| NET FIXED ASSETS | | | | | |
| TOTAL ASSETS | | | | | |

| Projected Balance Sheets - LIABILITIES | | | | | |
|---|--------|--------|--------|--------|--------|
| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
| CURRENT LIABILITIES | | | | | |
| Accounts Payable | | | | | |
| Notes Payable, Due < 1 Year | | | | | |
| Accrued Expenses | | | | | |
| Customer Deposits | | | | | |
| Other | | | | | |
| TOTAL CURRENT LIABILITIES | | | | | |
| LONG TERM LIABILITIES | | | | | |
| Notes Payable, Due > 1 Year | | | | | |
| Other | | | | | |
| TOTAL LONG TERM LIABILITIES | | | | | |
| OWNER'S EQUITY | | | | | |
| Paid-in Capital | | | | | |
| Retained Equity | | | | | |
| Other | | | | | |
| Current Period Profit or Loss | | | | | |
| TOTAL OWNER'S EQUITY | | | | | |
| TOTAL LIABILITIES & EQUITY | | | | | |

Please see Commitment Letter from Sterling Bank (Attachment 11) offering \$1,450,000 to develop a waste water and water facility plant at the proposed location.

| Projected Statements of Sources & Uses of Cash | | | | | |
|--|--------|--------|--------|--------|--------|
| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
| SOURCES OF CASH | | | | | |
| Net Profit | | | | | |
| Depreciation (if funded) | | | | | |
| Loan Proceeds | | | | | |
| Other | | | | | |
| TOTAL SOURCES | | | | | |
| USES OF CASH | | | | | |
| Net Loss | | | | | |
| Principal portion of payments | | | | | |
| Fixed Asset Purchases | | | | | |
| Reserve | | | | | |
| Other | | | | | |
| TOTAL USES | | | | | |
| NET CASH FLOW | | | | | |
| AVAILABLE DEBT SERVICE COVERAGE (ADSC) | | | | | |
| Cash Available for Debt Service | | | | | |
| Net Profit/Loss | | | | | |
| Depreciation or Reserve | | | | | |
| Interest | | | | | |
| TOTAL ADSC | | | | | |
| REQUIRED DEBT SERVICE COVERAGE (RDSC) | | | | | |
| Principal + Interest | | | | | |
| DEBT SERVICE COVERAGE RATIO (ADSC/RDSC) | | | | | |

Please see Commitment Letter from Sterling Bank (Attachment 11) offering \$1,450,000 to develop a waste water and water facility plant at the proposed location.

Attachment Index

| <i>Attachment</i> | <i>Title</i> |
|-------------------|---|
| 1 | Addendum |
| 2 | Tax Certification |
| 3 | Sewer Utilities and Water Utilities Request for Service |
| 4 | General Location Map |
| 5 | Original USGS Topographic Map |
| 6 | Process Flow Diagram |
| 7 | Permit No. 13942-002 Cover Page |
| 8 | <u>Sewer Tariff</u> |
| 9 | Water Tariff |
| 10 | Most Recent Inspection Reports |
| 11 | Commitment Letter from Sterling Bank |

ATTACHMENT 1

**ADDENDUM
FOR APPLICATION TO OBTAIN OR AMEND A
CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)**

**ADDENDUM
FOR APPLICATION TO OBTAIN OR AMEND A
CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)**

Applicant's response to the following items is in bold print.

I. Demonstrate the Need for Service by providing the following:

- A. Describe the service area and circumstances driving the need for service in the requested area. Indicate the name(s) and address(es) of landowner(s), prospective landowner(s), tenant(s) or resident(s) that have requested service; and/or

The proposed service area is currently an undeveloped area. In July 2008, Inline Utilities LLC plans to develop a multi-family housing unit on the proposed area. Inline Utilities LLC has applied and received a wastewater permit (TPDES Permit No. 13942-002) from the TCEQ for the proposed CCN area, which is located at 23822 State Highway 249, approximately 850 feet north of the intersection of state highway 249 and Coons Road in Harris County. Inline Utilities LLC plans to provide water and sewer services to their tenants. The cost for building and maintaining the wastewater treatment plant and providing drinking water to their tenants is costly, which is why they would like to receive payments for providing these services.

- B. Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, septic tank permits, hospitals, etc.); and/or

Inline Utilities LLC plans to develop on the proposed area; therefore, they would like to provide water and sewer service to their tenants. Providing these services is costly, which is why they would like to receive payments from the tenants to help pay for providing these services.

- C. Discuss in detail the environmental need(s) for service in the requested area (i.e. failing septic tanks in the requested area, failing wells, etc.); and/or

Inline Utilities LLC plans to develop a wastewater treatment plant in order to provide water and sewer services in the proposed area. Currently, nobody is providing these services in the proposed area because it is undeveloped.

- D. Provide copies of any written applications or requests for service in the requested area; and/or

There have been no written applications or requests for service in the proposed CCN area.

- E. Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area.

Inline Utilities LLC is planning on developing multi-family housing within the proposed CCN area.

II. Effect of Granting of a Certificate of Amendment:

- A. Explain in detail the effect of the granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following:
1. the applicant;
 2. any retail public utility of the same kind already serving the proximate area; and
 3. any landowner(s) in the requested area.

By amending Inline Utilities current CCN to add the proposed CCN area they would be able to charge their future tenants for providing water and sewer service. These services are costly to the applicant; therefore, they would like to receive some financial support to help maintain this service. Tenants will pay a monthly base rate of \$20.00 for water and \$2.00 for each 1,000 gallons of water used. For sewer service, tenants will pay a monthly base rate of \$25.00 and \$2.00 for each 1,000 gallons of water used. Asking customers to pay a monthly fee will encourage conservation to significantly reduce water wastage.

III. Ability to Provide Adequate Service:

- A. Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking the both of the following items into consideration:
1. the current and projected density; and
 2. the land use of the requested area.

The Inline Utilities LLC proposed area is approximately 1,010.819 acres and we are proposing that there will be 500 connections.

IV. Effect on the Land

- A. Explain the effect on the land to be included in the certificated area.

The proposed land area will have construction take place in order to develop the multi-family housing unit and wastewater treatment plant. While construction takes place Inline Utilities LLC will assure that certain measures are taken in order to prevent degradation of the land. The effect on the land would be minimal.

- V. Map Requirements - Please disregard the map information listed in the CCN application form and attach the following hard copy maps with each copy of the application:
- A. A small scale, general location map delineating the proposed service area(s) with enough detail to locate the area(s) within the county(ies); and
 - B. A map showing only the proposed area(s) by:
 - 1. metes and bounds survey; or
 - 2. projectable digital data with metadata; or
 - 3. following verifiable natural and man-made landmarks; or
 - 4. plat map with metes and bounds; and

Attachment 4 is a General Location Map of the proposed CCN area. Attachment 5 is an original USGS Topographic Map, which displays the proposed CCN area and natural and man-made landmarks on it. There is no projectable digital data with metadata available.

- C. A written description of the proposed service area(s); and

The proposed service area is located at 23822 State Highway 249, approximately 850 feet north of the intersection of state highway 249 and Coons Road in Harris County. It is located approximately 5 miles south of downtown Tomball, Texas, and is bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Rd.; on the south by Spring Cypress Road; and on the west by State Highway 249. It has 500 proposed connections and is approximately 1,010.819 acres.

- A. Provide separate and additional maps of the proposed area(s) to show the following:
- 1. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
 - 2. any facilities, customers or area currently being served outside the applicant's certificated area(s); and
 - 3. cities must also provide a separate map showing corporate and extraterritorial jurisdictional (ETJ) boundaries.

Attachment 4 is a General Location Map of the proposed CCN area. Attachment 5 is an USGS Topographic map, which displays the proposed CCN area.

VI. Additional Notice Requirement to Landowner(s) - In addition to the notice(s) required in the application form, please also submit the following:

- A. A copy of the county(ies) tax appraisal roles of the applicable appraisal district(s) to include all landowner(s) of a tract of land that is at least 25 acres and is wholly or partially included in the proposed area(s).
- B. A copy of the proposed notice to landowner(s) including the required attached map.

NOTE: Notice to landowner(s) must be mailed by first class mail and should not be mailed until the application is accepted for filing by the Commission.

ATTACHMENT 2
CERTIFICATION OF ACCOUNT STATUS



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
SUSAN COMBS • COMPTROLLER • AUSTIN, TEXAS 78774

April 3, 2007

CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, Susan Combs, Comptroller of Public Accounts of the State of Texas, DO HEREBY CERTIFY that according to the records of this office

INLINE UTILITIES LLC

is, as of this date, in good standing with this office having no franchise tax reports or payments due at this time. This certificate is valid through the date that the next franchise tax report will be due May 15, 2007.

This certificate does not make a representation as to the status of the corporation's Certificate of Authority, if any, with the Texas Secretary of State.

This certificate is valid for the purpose of conversion when the converted entity is subject to franchise tax as required by law. This certificate is not valid for the purpose of dissolution, merger, or withdrawal.

GIVEN UNDER MY HAND AND
SEAL OF OFFICE in the City of
Austin, this 3rd day of
April 2007 A.D.

A handwritten signature in cursive script that reads "Susan Combs".

Susan Combs
Texas Comptroller

Taxpayer number: 32004134022
File number: 0800043693

Corporation Search Results

Franchise Tax Certification of Account Status

This Certification Not Sufficient for Filings with Secretary of State

Do **not** include a certification from this Web site as part of a filing with the Secretary of State for dissolution, merger, withdrawal, or conversion. The Secretary of State will reject a filing that uses the certification from this site.

To obtain a certificate that is sufficient for dissolution, merger, or conversion, see Publication 98-336d, Requirements to Dissolve, Merge or Convert a Texas Entity.

Certification of Account Status**Officers And Directors Information**

Company Information:

INLINE UTILITIES LLC
10100 BOUDREAUX RD
TOMBALL, TX 77375-7475

Status:

**IN GOOD STANDING NOT FOR
DISSOLUTION OR WITHDRAWAL
through May 15, 2007**

Registered Agent:

MICHAEL P MARTZ
10100 BOUDREAUX RD.
TOMBALL, TX 77375

Registered Agent Resignation Date:

State of Incorporation:

TX

File Number:

0800043693

Charter/COA Date:

January 4, 2002

Charter/COA Type:

Charter

Taxpayer Number:

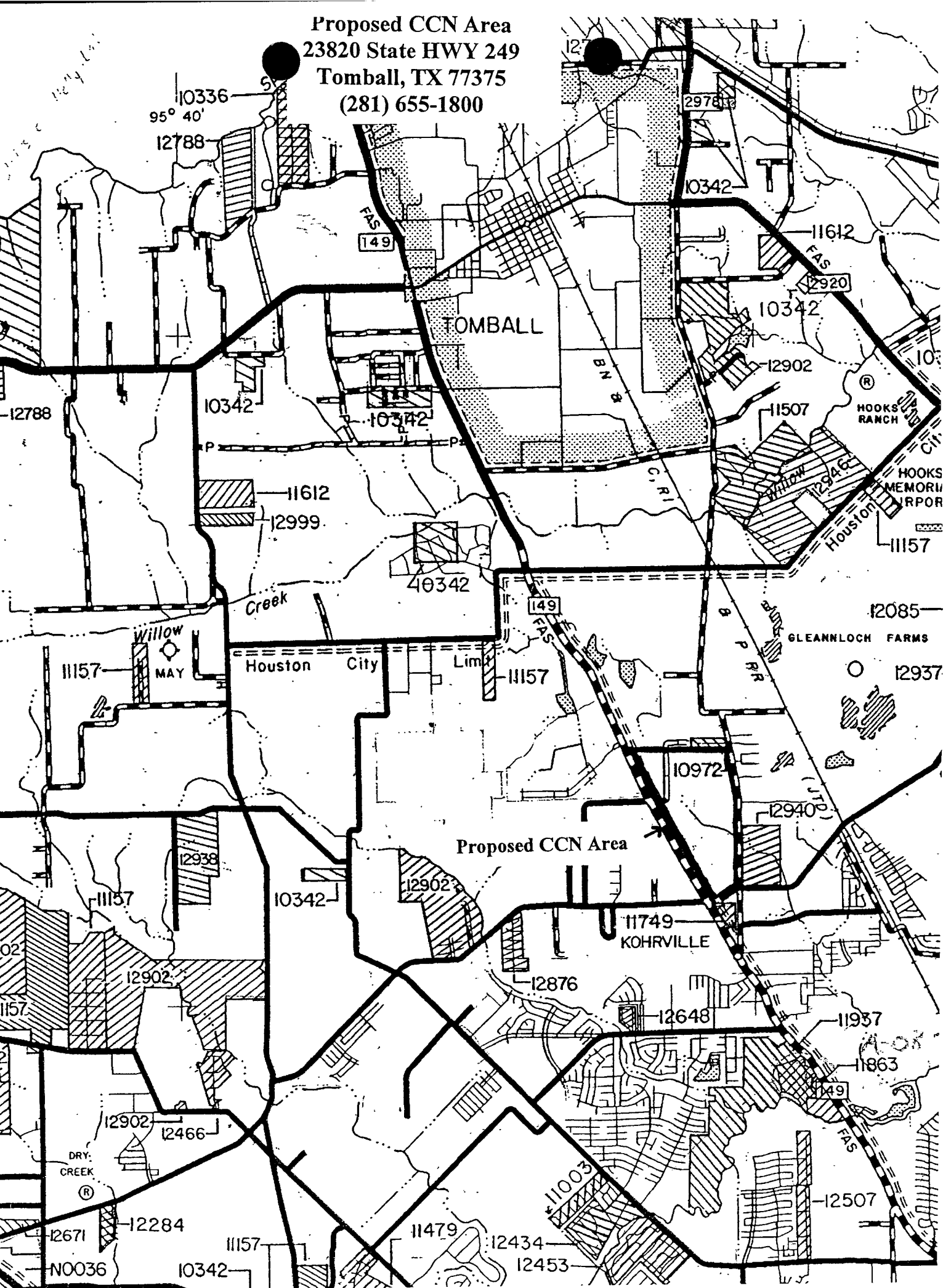
32004134022

ATTACHMENT 3

**PROPOSED CCN AREA MAP BEING SENT TO WATER AND SEWER
UTILITIES WITHIN A TWO MILE RADIUS**

**WATER AND SEWER UTILITY PROVIDERS WITHIN A TWO (2) MILE
RADIUS OF PROPOSED CCN AREA**

**COPIES OF WRITTEN REQUESTS SEEKING TO OBTAIN WATER
AND/OR SEWER UTILITY SERVICE**



**Water and Sewer Utility Providers Within a Two (2) Mile Radius of the Proposed
CCN Area**

AQUASOURCE DEVELOPMENT COMPANY
1421 WELLS BRANCH PKWY STE 105
PFLUGERVILLE, TX 78660-3230
(512) 670-7625

T J & N WATER CO
7902 ALEXANDRIA CT
SPRING, TX 77379-9004
(281) 320-9750

PITCAIRN WSC
PO BOX 579
SPRING, TX 77383-0579
(281) 376-8802

CHAMPS WATER COMPANY
13217A CHRISMAN RD
HOUSTON, TX 77039-4121
(281) 590-7317

WINTERHAVEN HOMEOWNERS ASSOCIATION INC
PO BOX 692346
HOUSTON, TX 77269-0000
(281) 370-8531

CHASEWOOD WSC
12750 MERIT DR STE 1175
DALLAS, TX 75251-1235
(972) 671-9120

UA HOLDINGS 1994-5 LP
8765 SPRING CYPRESS RD STE L# 173
SPRING, TX 77379-3195
(281) 583-6855

WOODMARK WATER LC
11703 BEXHILL
HOUSTON, TX 77065-0000
(281) 970-8777

HARRIS COUNTY MUD 286
1300 POST OAK BLVD STE 1400
HOUSTON, TX 77056-3078
(713) 623-4531

HARRIS COUNTY MUD 24
PO BOX 1209
SPRING, TX 77383-0000
(281) 353-9756

HARRIS COUNTY MUD 286
1300 POST OAK BLVD STE 1400
HOUSTON, TX 77056-3078
(713) 623-4531

UA HOLDINGS 1994-5 LP
8765 SPRING CYPRESS RD STE L# 173
SPRING, TX 77379-3195
(281) 583-6855

AQUASOURCE UTILITY INC
1421 WELLS BRANCH PKWY STE 105
PFLUGERVILLE, TX 78660-3230
(512) 670-7625

AIR ★ WATER ★ WASTE CONSULTANTS

HARRIS COUNTY MUD 24
PO BOX 1209
SPRING, TX 77383

Re: Sewer and Water Utility Service Request

Inline Utilities, LLC is applying to the Texas Commission on Environmental Quality (TCEQ) to amend their "Certificate of Convenience and Necessity" (CCN). In accordance with regulation 30 TAC §291.101, the utility is required to demonstrate that regionalization or consolidation with another retail public utility is not economically feasible. In order to demonstrate that regionalization or consolidation is not economically feasible, the TCEQ requires the applicant to send written requests regarding sewer and/or water service to each public sewer system within a two-mile radius of the applicants' system. The following information will be utilized to determine if regionalization or consolidation is/is not economically feasible.

Do you currently provide sewer and/or utility services (Please Check One)?

Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

Yes _____

No _____

If you are willing to provide sewer and/or water utility services, provide a brief description of the services you are willing to provide and the cost, if any, to update your current system to deliver this service to the proposed CCN area.

This letter has been sent to you on behalf of Inline Utilities, LLC by Source Environmental Sciences, Inc. Please respond to the above address within seven (7) days. Please call me at the number above if you have any questions. Thanks in advance for your prompt assistance with this matter.

Sincerely,



Anna Ludwig
Environmental Consultant

AIR ★ WATER ★ WASTE CONSULTANTS

HARRIS COUNTY MUD 286
1300 POST OAK BLVD STE 1400
HOUSTON, TX 77056-3078

Re: Sewer and Water Utility Service Request

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Do you currently provide sewer and/or utility services (Please Check One)?

Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

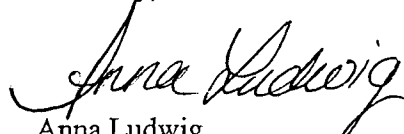
Yes _____

No _____

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Sincerely,


Anna Ludwig
Environmental Consultant

AIR ★ WATER ★ WASTE CONSULTANTS

UA HOLDINGS 1994-5 LP
8765 SPRING CYPRESS RD STE L# 173
SPRING, TX 77379-3195

Re: Sewer and Water Utility Service Request

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Do you currently provide sewer and/or utility services (Please Check One)?

Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

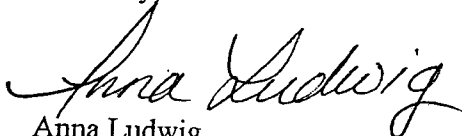
Yes _____

No _____

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Anna Ludwig
Environmental Consultant

AIR ★ WATER ★ WASTE CONSULTANTS

AQUA DEVELOPMENT COMPANY
1421 WELLS BRANCH PKWY STE 105
PFLUGERVILLE, TX 78660-3230

Re: Sewer and Water Utility Service Request

Inline Utilities, LLC is applying to the Texas Commission on Environmental Quality (TCEQ) to amend their "Certificate of Convenience and Necessity" (CCN). In accordance with regulation 30 TAC §291.101, the utility is required to demonstrate that regionalization or consolidation with another retail public utility is not economically feasible. In order to demonstrate that regionalization or consolidation is not economically feasible, the TCEQ requires the applicant to send written requests regarding sewer and/or water service to each public sewer system within a two-mile radius of the applicants' system. The following information will be utilized to determine if regionalization or consolidation is/is not economically feasible.

Do you currently provide sewer and/or utility services (Please Check One)?

Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

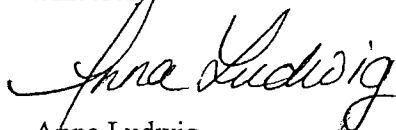
Yes _____

No _____

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Do you currently provide sewer and/or utility services (Please Check One)?

Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

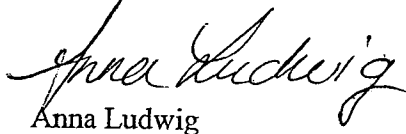
Yes _____

No _____

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Sincerely,



Anna Ludwig
Environmental Consultant



4100 WESTHEIMER, SUITE 106
HOUSTON, TEXAS 77027
E-mail: source@pdq.net
Phone (713) 621-4474
Fax (713) 621-4588

AIR ★ WATER ★ WASTE CONSULTANTS

T J & N WATER CO
7902 ALEXANDRIA CT
SPRING, TX 77379-9004

Re: Sewer and Water Utility Service Request

Inline Utilities, LLC is applying to the Texas Commission on Environmental Quality (TCEQ) to amend their "Certificate of Convenience and Necessity" (CCN). In accordance with regulation 30 TAC §291.101, the utility is required to demonstrate that regionalization or consolidation with another retail public utility is not economically feasible. In order to demonstrate that regionalization or consolidation is not economically feasible, the TCEQ requires the applicant to send written requests regarding sewer and/or water service to each public sewer system within a two-mile radius of the applicants' system. The following information will be utilized to determine if regionalization or consolidation is/is not economically feasible.

Do you currently provide sewer and/or utility services (Please Check One)?

Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

Yes _____

No _____

If you are willing to provide sewer and/or water utility services, provide a brief description of the services you are willing to provide and the cost, if any, to update your current system to deliver this service to the proposed CCN area.

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Environmental Consultant

AIR ★ WATER ★ WASTE CONSULTANTS

HARRIS COUNTY MUD 24
PO BOX 1209
SPRING, TX 77383

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Do you currently provide sewer and/or utility services (Please Check One)?

Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

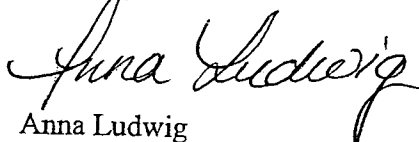
Yes _____

No _____

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Sincerely,



Anna Ludwig
Environmental Consultant



4100 WESTHEIMER, SUITE 106
HOUSTON, TEXAS 77027
E-mail: source@pdq.net
Phone (713) 621-4474
Fax (713) 621-4588

AIR ★ WATER ★ WASTE CONSULTANTS

CHAMPS WATER COMPANY
13217A CHRISMAN RD
HOUSTON, TX 77039-4121

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Yes _____

No _____

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Yes _____

No _____

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Anna Ludwig
Environmental Consultant

AIR ★ WATER ★ WASTE CONSULTANTS

PITCAIRN WSC
PO BOX 579
SPRING, TX 77383-0579

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Yes _____

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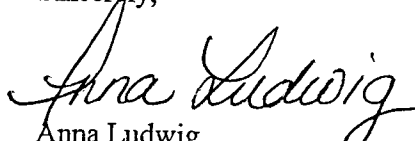
Yes _____

No _____

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Anna Ludwig
Environmental Consultant



4100 WESTHEIMER, SUITE 106
HOUSTON, TEXAS 77027
E-mail: source@pdq.net
Phone (713) 621-4474
Fax (713) 621-4588

AIR ★ WATER ★ WASTE CONSULTANTS

Winterhaven Homeowners Association
PO BOX 692346
HOUSTON, TX 77269

Re: Sewer and Water Utility Service Request

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Yes _____

No _____

Based on economics and other matters would you be willing to provide sewer and/or water utility services capable of handling 100,000 gallons of discharge per day for the proposed CCN area? The proposed area is approximately 5 miles south of downtown Tomball and is generally bounded on the north by Timber Tech Road; on the east by Huffsmith Kohrville Road; on the south by Spring Cypress Road; and on the west by State Highway 249.

Yes _____

No _____

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