



Control Number: 44387



Item Number: 7

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**B & D ENVIRONMENTAL, INC.**

P.O. BOX 500264

AUSTIN, TEXAS 78750

PHONE NO: (512) 264-9124

FAX NO: (512) 692-1967

EMAIL: brettfeffer@yahoo.com

March 24, 2015

Public Utility Commission  
Central Records  
1701 N. Congress P.O. Box 13326  
Austin, Texas 78711-3326  
Docket No. 44387

RECEIVED  
2015 APR -6 AM 10:41  
PUBLIC UTILITY COMMISSION  
FILING CLERK

Re: Application from Nerro Supply Investors, LLC (Nerro) for Sale, Transfer or Merger of Facilities and Certificate of Convenience and Necessity (CCN) No. 10336 of Northwest Water Systems, Inc. (Northwest) in Harris and Montgomery Counties

Dear Administrative Law Judge:

Enclosed please find four copies of our response to the Staff's request for information for this application:

1. The systems requested to be transferred in this application do not operate with a number of the cities and or district boundaries that were listed in the staff's application deficiencies. First, Hazy Hollow East Estates is not within the city limits of the city of Pinehurst. Secondly, Spring Creek Valley Estates is not within the city limits of the City of Tomball nor in the Port of Houston's boundaries. Thus, no franchise agreements nor consent letters will be required from this entities. In Fact, PUC Subst. R. 24.109 does not state that the acquiring entity receive a franchise agreement nor consent letter from neighboring entities in order for this application to be considered administrative complete for filing. It only requires that a notice be given to neighboring entities after approved for filing and that they can then object to the transaction. We request that this deficiency be declared not valid and that the requirement of a consent letter be waived for this application to be considered administrative complete for filing.
2. The notice has been revised to include the requested boundary changes. When allowed by the Commission to provided notice, all maps will have the proposed areas highlighted for clarity.
3. The list of entities to be provided with notice of this application was revised to include the additional affected entities requested to be included by the Commission's Staff.

Should you have any further questions concerning this application, please do not hesitate to contact us at (512) 264-9124.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bret W. Fenner', with a stylized flourish at the end.

Bret W. Fenner, P.E.  
B & D Environmental, Inc.

Enclosures

**Notice to Current Customers, Neighboring Systems, Landowner and Cities**

**Northwest Water Supply, Inc.** 'S  
(Seller's or Transferor's Name)

**NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO 10336** TO **Nerro Supply Investors, LLC.**  
(Purchaser's or Transferee's Name)

IN **Harris and Montgomery** COUNTIES, TEXAS

To: \_\_\_\_\_ Date Notice Mailed \_\_\_\_\_, 20 **15**  
(Name of Customer, Neighboring System, Landowner or City)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
City State Zip

<b>Northwest Water Supply, Inc.</b>	<b>P. O. Box 550</b>	<b>Tomball, Texas 77377</b>
Sellers or Transferors' Name	Address	City/State/Zip Code

has submitted an application with the Public Utility Commission of Texas to sell Facilities and transfer water CCN No. **10336** in **Harris and Montgomery** Counties to:

<b>Nerro Supply Investors, LLC.</b>	<b>718 Westcott Street</b>	<b>Houston, Texas 77007</b>
Purchasers or Transferee's Name	Address	City/State/Zip Code

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code §13.301). The transaction and the transfer of the CCN include the following subdivision(s):

<b>Hazy Hollow East Estates</b>	<b>Spring Creek Valley Estates</b>	<b>White Oak Valley Estates</b>	<b>Shady Brook Acres</b>
<b>PWS #1700013</b>	<b>PWS #1010213</b>	<b>PWS #1700036</b>	<b>PWS #1700031</b>

**Hazy Hollow East Estates**

The area subject to this transaction is located approximately 17 miles southwest [direction] of downtown Conroe, [City or Town] Texas, and is generally bounded on the north by Little Thorn Land & Green Tree Rd.; on the east by Hazy Meadow Drive

; on the south by FM 1774; and on the west by Meadow Edge Drive & Green Tree Road

The total area being requested includes approximately 611 acres and serves 721 current customers.

**Spring Creek Valley Estates**

The area subject to this transaction is located approximately 30 miles northwest [direction] of downtown Houston, [City or Town] Texas, and is generally bounded on the north by Spring Creek; on the east by State Highway 249

; on the south by Brown Road; and on the west by Coral Canyon

The total area being requested includes approximately 154 acres and serves 217 current customers.

**White Oak Valley Estates**

The area subject to this transaction is located approximately 10 miles southeast [direction] of downtown Conroe, [City or Town] Texas, and is generally bounded on the north by FM 2090; on the east by FM 1485

; on the south by FM 3083; and on the west by Gangerland Road

The total area being requested includes approximately 282 acres and serves 227 current customers.

**Shady Brook Acres**

The area subject to this transaction is located approximately 20 miles southwest [direction] of downtown Conroe, [City or Town] Texas, and is generally bounded on the north by Old Hockley Road; on the east by Nichols Sawmill Road

; on the south by Country Place Lane; and on the west by Mink Branch Creek

The total area being requested includes approximately 95 acres and serves 56 current customers.

This transaction will have the following effect on the current customer's rates and services:

**No change in the rates charged customers will results from this transaction.**

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Affected persons may file written protests and/or request a public hearing within 30 days of this notice.

To request a hearing, you must:

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

Only those persons who submit a written request to be notified of a hearing will receive notice if a hearing is scheduled. The Commission will issue the CCN requested in the referenced application unless a hearing is scheduled to consider the transaction. If no protests or requests for hearing are filed during the comment period, the Commission may issue the CCN 30 days after publication of this notice.

Persons who wish to protest or request a hearing on this application should write the:

Filing Clerk  
Public Utility Commission of Texas  
Utilities and Districts Section, MC-153  
P. O. Box 13326,  
Austin, TX 78711-3326

**Se desea informacion en Espanol, puede llamar al  
1-888-782-8477**

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**Charlie Gasper**  
Utility Representative

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**Nerro Supply Investors, LLC.**  
Utility Name

**15. List all neighboring water and /or sewer utilities, cities, and political subdivisions providing the same service within two (2) miles of area affected by this proposed transaction**

1. CCN No. 13203 - Aqua Texas Inc.
2. CCN No. 11612 & 20952 - Quadvest LP
3. CCN No. 10342 & 20734 - H-M-W SUD
4. CCN No. 11768 - Pinehurst Decker Prairie
5. CCN No. 12892 - T&W Water Service Co.
6. CCN No. 13061 & 20964 - South Central Water Co.
7. CCN No. 12529 - Woodland Lakes WSC
8. CCN No. 11466 - City of Magnolia
9. CCN No. 11373 & 20782 - Crystal Springs Water Co., Inc.
10. CCN No. 10347 - Consumers Water, Inc.
11. CCN No. 12788 - Johnston Water Utility, LLC.
12. Montgomery County, Texas
13. Harris County, Texas
14. City of Tomball
15. City of Houston
16. San Jacinto River Authority
17. Lone Star Groundwater Conservation District
18. North Harris County Regional Water Authority
19. CCN No. 10976 - Champ's Water Co.
20. City of Pinehurst
21. Montgomery County WCID 4
22. Montgomery County WCID 130
23. Montgomery County WCID 131
24. Grand Oaks MUD
25. Harris County FCD
26. Harris-Galveston Coastal Subsidence District
27. Harris County MUD 416
28. Port of Houston Authority
29. Coastal Water Authority
30. East Montgomery County MUD 8
31. East Montgomery County MUD 12
32. Montgomery County MUD 111
33. Montgomery County MUD 30
34. Clovercreek MUD