



Control Number: 45552



Item Number: 6

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Bryan W. Shaw, Ph.D., *Chairman*  
 Toby Baker, *Commissioner*  
 Zak Covar, *Executive Director*



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PUBLIC UTILITY COMMISSION  
FILING CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 24, 2013

**BY FAX TO 281/367-4480 AND  
 BY CERTIFIED MAIL**

Mr. James Leveston, President  
 Old Tamina WSC  
 19521 Simons Lane  
 Conroe, Texas 77385

**NOTICE OF DEFICIENCY**

Re: Application from Old Tamina Water Supply Corporation (WSC) to Amend Certificate of Convenience and Necessity (CCN) No. 12289 and to Obtain Dual Certification with a portion of CCN No. 13146 held by the City of Shenandoah in Montgomery County; Application No. 37615-C

Application from Old Tamina WSC to Obtain a Sewer CCN in Montgomery County; Application No. 37616-C

CN: 602895005; RN: 102677473 (water)  
 CN: pending; RN: pending (sewer)

Dear Mr. Leveston:

The above referenced application was accepted for filing on June 25, 2013, and is currently in the technical review phase.

In order for staff to continue processing the application, the following information is required:

1. Please provide four copies of the rate study used to determine the sewer rates. The rate study provided in attachment No. 6 was incomplete.
2. Please provide written documentation from the City of Shenandoah agreeing to the proposed dual certification. The agreement provided was for a previous application that was dismissed.
3. Please provide a copy of the signed wholesale wastewater contract with the City of Shenandoah.
4. Please provide the address for each septic system which has failed in the proposed wastewater CCN service area.

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Mr. James Leveston, President

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October 24, 2013

14. Please provide any reports or market studies demonstrating existing or anticipated growth in the proposed service area.
15. Please provide a copy of the preliminary engineering feasibility report prepared by Jones and Carter, Inc. referenced in the CCN application.
16. Please provide a complete copy of the USDA loan certification approval documents. Only the signature page was provided with the application.
17. Please provide the current status of the USDA loan.

Processing of the above referenced application cannot proceed until we receive the requested items. These items must be provided to our office by **November 25, 2013**. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

If you have any questions, please contact Mr. Brian Dickey at 512/239-0963, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Tammy Benter, Manager  
Utilities & Districts Section  
Water Supply Division  
Texas Commission on Environmental Quality

TB/BDD/sd

cc: Richard Howard  
TCEQ Region 12 Office

To: Administrative Reviewer

Date Complete: April 5, 2013

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-016-13/37524&5-C  
Old Tamina WSC (12289) to amend water CCN and obtain sewer CCN and obtain dual  
certification with a portion of the City of Shenandoah (13146) in Montgomery county.

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
  
7. Map submitted is digital request digital data.
  
9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:

All cities and etj's within 2 miles of proposed area

Any other Utility, District or entity that would be required to receive notice

- X 11. Notice: **DO NOT NOTICE**
- X 12. Other comments: **Maps do not meet requirements. Please submit the following. (no location maps delineating the proposed area, no digital data in state plane coordinate system)**
- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
  - B. A map showing only the proposed area by:
    - i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
    - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a

data disk labeled with the applicant's name must be provided; or

- iii. following verifiable natural and man-made landmarks; or
- iv. a copy of recorded plat map with metes and bounds.

C. A written description of the proposed service area.

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Kent Steelman

To: Administrative Reviewer

Date Complete: May 15, 2013

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-071-13/37615&6-C  
Old Tamina WSC (12289) to amend water CCN and obtain sewer CCN and obtain dual  
certification with a portion of the City of Shenandoah (13146 & 21025) in Montgomery  
county.

1. No new overlap of service areas exists.
- X 2. An overlap: **partial with City of Shenandoah (13146 & 21025)**
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
7. Map submitted is digital request digital data.
9. Utility notice was sufficient.
- X 10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

**TWO MILES: WATER**

Aqua Texas (13203)

Chateau Woods MUD (10351)

City of Oak ridge North (12230)

City of Shenandoah (13146)

Eastwood Hills Subdivisions (12817)

Lakeland Sec. Four Civic Club (12270)

Southern Montgomery Co. MUD (11426)

White Oak WSC (12839)

Montgomery County MUD 15

Montgomery County MUD 36

Montgomery County MUD 39

Montgomery County MUD 45

Montgomery County MUD 6

Montgomery County MUD 60

Montgomery County MUD 67

Montgomery County MUD 7

Harris Montgomery Counties MUD 386  
Harris county Improvement District 18  
Harris County MUD 387  
Lazy River Improvement District  
Montgomery County MUD 105  
Montgomery County MUD 112  
Montgomery County MUD 115  
Montgomery County MUD 119  
Montgomery County MUD 127  
Montgomery County MUD 15  
Montgomery County MUD 19  
Montgomery County MUD 36  
Montgomery County MUD 39  
Montgomery County MUD 40  
Montgomery County MUD 45  
Montgomery County MUD 46  
Montgomery County MUD 47  
Montgomery County MUD 6  
Montgomery County MUD 60  
Montgomery County MUD 66  
Montgomery County MUD 67  
Montgomery County MUD 68  
Montgomery County MUD 7  
Montgomery County MUD 87  
Montgomery County MUD 88  
Montgomery County MUD 89  
Montgomery County MUD 94  
Montgomery County MUD 95  
Montgomery County MUD 99  
Montgomery County WCID 1  
Northampton MUD  
Northgate Crossing MUD 1  
Northgate Crossing MUD 2  
Oakmont Public Utility District  
Rayford Road MUD  
River Plantation MUD  
Southern Montgomery County MUD  
Spring Creek Utility District  
The Woodlands Metro Center MUD

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*

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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*  
May 15, 2014

### **BY CERTIFIED MAIL**

Mr. James Leveston, President  
Old Tamina WSC  
19521 Simons Lane  
Conroe, Texas 77385

### **FINAL NOTICE OF DEFICIENCY**

Re: Application from Old Tamina Water Supply Corporation (WSC) to Amend Certificate of Convenience and Necessity (CCN) No. 12289 and to Obtain Dual Certification with a portion of CCN No. 13146 held by the City of Shenandoah in Montgomery County; Application No. 37615-C

Application from Old Tamina WSC to Obtain a Sewer CCN in Montgomery County; Application No. 37616-C

CN: 602895005; RN: 102677473 (water)  
CN: pending; RN: pending (sewer)

Dear Mr. Leveston:

The Texas Commission on Environmental Quality (TCEQ or Commission) sent you a letter on October 24, 2013 requesting the following items which were due by November 25, 2013. As of today, those items have not been received.

1. Please provide written documentation from the City of Shenandoah agreeing to the proposed dual certification. The agreement provided was for a previous application that was dismissed.
2. Please provide a copy of the signed wholesale wastewater contract with the City of Shenandoah.
3. Please provide four copies of requests seeking service from all sewer utilities within 2 miles and their written responses or documentation that they failed to respond as required in question 4A of the CCN application. If your request for service were not denied please provide a detailed analysis which justifies your reason for not accepting service. A separate analysis must be prepared and submitted for each utility that granted your request for service. The request for service provided were over six years old and were for an application that was dismissed.