



Control Number: 46198



Item Number: 1

Addendum StartPage: 0



Application for Sale, Transfer, or Merger of a Retail Public Utility

Pursuant to Chapter 13.251 of the Texas Water Code

Docket Number: 46198

(this number will be assigned by the Public Utility Commission after your application is filed)

7 copies of the application, including the original, along with one copy of the portable electronic storage medium (such as CD or DVD) containing the GIS data shall be filed with

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

RECEIVED
2016 JUL 21 PM 2:16
PUBLIC UTILITY COMMISSION

No later than seven days after filing the application for the boundary change, provide a copy of each paper map and a portable electronic storage medium (such as CD, flash drive or DVD) containing complete and identical data to the portable electronic storage medium submitted above to

Texas Natural Resources Information System
1700 N. Congress Ave, Room B40
Austin, Texas 78701

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Part A – General Information

*RN# 101275659, 101241669, *CN# 603264763 * (PRIOR TCEQ ID numbers)
101459246, 101221259, 101176931

1. Proposed action of application (check all the boxes that apply):

Sale of All Portion of the Water system(s) under CCN No.:
 Acquisition Sewer system(s) under CCN No.:
 Lease/Rental

Transfer of All Portion of the Certificated water service area – CCN No.: 12865
 Certificated sewer service area – CCN No.:

If only a portion of a system or certificated service area is affected by this transaction, please specify the areas or subdivision involved:

and to:

Obtain a CCN for the transferee (purchaser) – indicate if purchaser will take the seller's CCN
 Amend the transferee's CCN No.: CCN 11106 SWWC Utilities, Inc. dba Water Services, Inc.
 Merge or consolidate public utilities
 Cancel CCN of the transferor (seller) CCN 12865 SWWC Utilities, Inc. dba Diamond Water Company

2. Proposed effective date of this transaction: Jan. 1, 2017 or 120 days from notice (if later)
(Must be at least 120 days after proper notice is provided)

Part B – Current Service Provider or Seller Information

Questions 3 through 5 apply to the transferor (current service provider or seller)

3. For the current CCN holder or service provider please indicate:

A. Name: SWWC Utilities, Inc. dba Diamond Water Company
(Individual, Corporation or Other Legal Entity)

who is a(n) of: Individual Corporation WSC HOA or POA Other

B. Utility Name (if different than above):
Address: 12535 Reed Road, Sugar Land, TX 77478 Telephone: (AC) (281)207-5800

C. Contact person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney or accountant.

Name: Lambeth Townsend Title: Attorney
Address: 816 Congress Ave., Ste. 1900, Austin, TX 78701 Telephone: (AC) (512) 322-5830

Fax: (512) 472-0532

Email: ltownsend@lglawfirm.com

4. About the last rate increase for the system or facilities being transferred:

A. What was the effective date of the last rate increase? September 1, 2012

B. Was notice of this increase provided to the Public Utility Commission of Texas (commission or PUC) or a predecessor regulatory authority?

No [] Yes- [x] Application/Docket Number: 37381-R Date May 27, 2011

5. Please provide a list of all customers affected by this transaction who have deposits held by the transferor or seller utility, if any, and include the following information (attach additional sheets if necessary):

Name and Address of Utility Customer	Date of Deposit	Amount of Deposit	Amount of Unpaid Interest on Deposit
see attached list - Appendix A			

Part C – Purchaser or Transferee Information

Questions 6 through 16 refer to the transferee or purchaser.

6. For the person or entity acquiring the facilities and/or CCN: Applicant: SWWC Utilities, Inc. (Individual, Corporation, or Other Legal Entity)

Utility Name: SWWC Utilities, Inc. dba Water Services, Inc. (If different than above)

Utility Address: 12535 Reed Road, Sugar Land, TX 77478

Fax: (281) 207-5940 Email: swwc.com Telephone (AC): (281) 207-5800

CCN Numbers held prior to the filing of this application: 11106

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

- Individual
- Home or Property Owners Association
- Partnership; attach copy of partnership agreement
- Corporation; provide charter number as recorded with the Office of the Secretary of State for Texas: SWWC Utilities, Inc. 0800832416
- Non-profit, member-owned, member-controlled Cooperative Corporation (Article 1434(a) Water Supply or Sewer Service Corporation); provide charter number:

<input type="checkbox"/>	Municipally-owned utility
<input type="checkbox"/>	District (MUD, SUD, WCID, etc.)
<input type="checkbox"/>	County
<input type="checkbox"/>	Other (please explain): <input style="width: 500px;" type="text"/>

8. If the applicant is an *Individual* or sole proprietorship, provide the following information. If not, skip to the next question.

Name:	<input style="width: 400px;" type="text"/>	Email:	<input style="width: 150px;" type="text"/>
Address:	<input style="width: 750px;" type="text"/>		
Telephone (AC):	<input style="width: 150px;" type="text"/>	Fax (AC):	<input style="width: 150px;" type="text"/>

9. If the applicant is other than an *Individual*, provide the following information regarding the officers or partners of the legal entity applying for the transfer. You must complete either question 8 or question 9, whichever applies to the transferee applicant.

•Name:	Michael O. Quinn	Telephone (AC):	(281) 207-5800
Address:	12535 Reed Road, Sugar Land, TX 77478		
Position:	Chief Executive Officer, President	Ownership % (if applicable):	<input style="width: 100px;" type="text"/>

•Name:	Charles W. Profilet, Jr.	Telephone (AC):	(281) 207-5800
Address:	12535 Reed Road, Sugar Land, TX 77478		
Position:	Vice President, Managing Director	Ownership % (if applicable):	<input style="width: 100px;" type="text"/>

•Name:	Kirk Michael	Telephone (AC):	(281) 207-5800
Address:	12535 Reed Road, Sugar Land, TX 77478		
Position:	Chief Financial Officer, Treas.	Ownership % (if applicable):	<input style="width: 100px;" type="text"/>

•Name:	William K. Dix	Telephone (AC):	(281) 207-5800
Address:	12535 Reed Road, Sugar Land, TX 77478		
Position:	Vice President, Secretary	Ownership % (if applicable):	<input style="width: 100px;" type="text"/>

•Name:	<input style="width: 400px;" type="text"/>	Telephone (AC):	<input style="width: 150px;" type="text"/>
Address:	<input style="width: 750px;" type="text"/>		
Position:	<input style="width: 400px;" type="text"/>	Ownership % (if applicable):	<input style="width: 100px;" type="text"/>

•Name:	<input style="width: 400px;" type="text"/>	Telephone (AC):	<input style="width: 150px;" type="text"/>
Address:	<input style="width: 750px;" type="text"/>		
Position:	<input style="width: 400px;" type="text"/>	Ownership % (if applicable):	<input style="width: 100px;" type="text"/>

- Attach additional sheet(s) if necessary -

Important: • If the applicant is a for-profit corporation, please provide a copy of the corporation's "Certification of Account Status" from the State Comptroller Office. This "Certification of Account Status" can be obtained from: see Appendix B

Texas Comptroller of Public Accounts

P. O. Box 13528, Capitol Station

Austin, Texas 78711

1-800-252-5555

- If the applicant is an Article 1434a water supply or sewer service corporation or other non-profit corporation, please provide a copy of the Articles of Incorporation and By-Laws.

10. Contact person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney or accountant.

Name:	Lambeth Townsend	Title:	Attorney
Address:	816 Congress Ave., Ste. 1900, Austin, TX 78701	Telephone (AC):	(512) 322-5830
Fax #	(512) 472-0532	Email	ltownsend@lglawfirm.com
Relationship to the applicant:	Attorney		

IF THERE ARE MORE THAN TWO PARTIES INVOLVED IN THIS TRANSACTION, PLEASE ATTACH SHEETS PROVIDING THE INFORMATION REQUIRED IN QUESTION 6 THROUGH QUESTION 10 FOR EACH PARTY

11. Please respond to each of the following questions. Attach additional sheets if necessary.

A. Describe the experience and qualifications of the applicant to provide adequate utility service to the requested area

SWWC Utilities, Inc. (SWWC) has owned and operated Diamond Water Company since 2007. SWWC and Texas affiliates are the second largest IOU in Texas and have the resources and structure to continue to provide quality service to Diamond Water Company customers.

B. Has the applicant acquiring the CCN or facilities or an affiliated interest of the applicant been under enforcement action by the PUC, TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG) or the Environmental Protection Agency (EPA) in the past for noncompliance with rules, orders or State Statutes? Yes No

If yes, please attach copies of any correspondence with these regulatory agencies concerning these enforcement actions and describe any actions and efforts to comply with those requirements. Attach additional sheets if needed.

There are no enforcement actions for Water Services, Inc. or Diamond Water Company. See Appendix C for a summary of pending actions against Monarch Utilities, Inc., an affiliate of SWWC

C. Describe the source and availability of funds required to make the planned or required improvements, if any, to meet minimum requirements of the TCEQ and PUC and ensure continuous and adequate service.

SWWC has more than adequate capitalization and will use a variety of sources including investors' equity, line of credit, and internally generated funds.

D. Describe the anticipated impact of this transaction on the quality of utility service and explain any anticipated changes in the quality of service.

No change - daily customer service and operations will not be affected. Except for the name change, the transfer will be seamless to the customers.

E. How will the transaction serve the public interest?

This is an intracompany transfer of assets. Customer service and operations will not be changed. There will be fewer regulatory filings by transferring the CCN.

12. Please describe the nature of the proposed transaction:

The assets of the d/b/a Diamond Water Company will be combined with the assets of the d/b/a Water Services, Inc. on the books of SWWC Utilities, Inc.

13. If the transferee applicant is an Investor Owned Utility (IOU) and will be under the rate jurisdiction of the PUC, please provide the following information. Water supply or sewer service corporations and political subdivisions of the state should mark this section N/A:

- A. • Total Purchase Price:
- Total Original Cost (as recorded on books of seller or merging entity):
- Accumulated Depreciation as of the proposed effective date of the transaction:

• Contributions in Aid of Construction:

- Specific surcharges approved by TCEQ or PUC:

- Revenues from explicit customer agreements:

- Developer Contributions (please explain):

01/2015 capacity fee payment commercial customer

- Other Contributions (please explain):

Total Contributions in Aid of Construction

• Net Book Value: does not include CWIP

Assets being transferred are listed in Exhibit A to Appendix J.

- If the Original Cost or any of the above items has been established in a rate case proceeding by the PUC, the TWC or the TCEQ, please provide the Application/Docket Number and date:

Application/Docket Number: Date:

- If the applicant is not under the rate jurisdiction of the TCEQ, only the purchase price and information related to Contributions in Aid of Construction is required.

Please provide any other information concerning the nature of the transaction you believe should be given consideration if not explained elsewhere in the application.
[attach additional sheet(s) if necessary]:

No change to the CCN area is requested, the service area boundaries will remain exactly the same. This transaction is a transfer of assets within the corporate structure of SouthWest Water Company. All accounting records will be consolidated from one utility to another. Daily operations and customer service will not be affected.

- C. Complete the following proposed entries listed below as shown in books of purchasing (or surviving) company. Additional entries may be made; the following are suggested only, and not intended to pose descriptive limitations.

Utility Plant in Service:	\$7,904,917
Plant Acquisition Adjustment:	
Extraordinary Loss on Purchase:	
Accumulated Depreciation of Plant:	\$1,797,436
Cash:	
Notes Payable:	
Mortgage Payable:	
Others (please list):	<input type="text"/>

As the purchaser, I understand that it is **my responsibility** in any future rate proceeding to provide written evidence and support for the original cost and installation date of all facilities used and useful for providing utility service.

Purchaser's Initials: Date:

FOR SWWC UTILITIES, INC.

14. Please indicate the proposed effect of this transaction on the rates to be charged to the affected customers:

All the customers will be charged the same rates as they were charged before the transaction.
 Some All customers will be charged different rates than they were charged before the transaction.

If rates are changing, please explain:

Applicant is an IOU and intends to file with the commission or municipal regulatory authority an application to change rates of some/all of its customers as a result of this transaction. If so, please explain:

Other. Please explain:

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. This information should be available from the water utility database (WUD) or Applicant's licensed water operator.

see Appendix D

16. Financial, Managerial and Technical information for the acquiring entity.

SWWC Utilities, Inc. has owned all of the assets of and has been doing business as Water Services, Inc. (the transferee) and Diamond Water Company (the transferor) since 2007. In lieu of Historical Financial Worksheets below, Financial Statements for SWWC Utilities, Inc. are submitted as Appendix E under CONFIDENTIALITY.

Part D – Historical Financial Information

HISTORICAL BALANCE SHEETS	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
TOTAL						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO EQUITY TO TOTAL ASSETS						

HISTORICAL INCOME STATEMENT	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
METER NUMBER						
Existing Number of Taps						
New Taps Per Year				See Appendix E		
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

HISTORICAL EXPENSE DETAIL	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense				See Appendix E		
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

Part E – Projected Information

PROJECTED BALANCE SHEETS

	START UP	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO						
EQUITY TO TOTAL ASSETS						

PROJECTED INCOME STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
METER NUMBER						
Existing Number of Taps						
New Taps Per Year			See Appendix E			
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

PROJECTED EXPENSE DETAIL

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense			See Appendix E			
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

PROJECTED SOURCES AND USES OF CASH STATEMENTS

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
SOURCES OF CASH						
Net Income						
Depreciation (If Funded)						
Loan Proceeds			See Appendix E			
Other						
Total Sources						
USES OF CASH						
Net Loss						
Principle Portion of Pmts.						
Fixed Asset Purchase						
Reserve						
Other						
Total Uses						
NET CASH FLOW						
DEBT SERVICE COVERAGE						
Cash Available for Debt						
SERVICE (CADS)						
Net Income (Loss)						
Depreciation, or Reserve Interest						
Total						
REQUIRED DEBT SERVICE (RDS)						
Principle Plus Interest						
DEBT SERVICE COVERAGE RATIO						
CADS Divided by RDS						

Part F – TCEQ Public Water or Sewer System Information

Please answer questions 17 through 22 on a different sheet for each physically Distinct system being transferred or acquired.

17. A. For Water Systems. TCEQ Public Water System Identification Number:

0	1	0	0	0	3	9
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 Date of last inspection:

01/29/2014

 see Appendix F Enchanted River

B. For Wastewater Systems: no wastewater systems

-TCEQ Discharge Permit Number: W Q

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 -Name of Permittee:

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 -Date of application to transfer Discharge Permit submitted:

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 -Date of application to transfer Discharge Permit approved by TCEQ:

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18. A. Are any improvements required to meet TCEQ or PUC standards? Yes No. If yes, please explain:

--

B. Is there a moratorium on new connections? Yes No. If yes, please explain:

--

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost
N/A		

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries? Yes No

If yes, indicate the number of customers within the city limits or district boundaries:
 Water Sewer

Attach copy of franchise agreement or consent letter from the city or district.

20. Do you currently purchase water or sewer treatment capacity from another source? Yes No
 Water Sewer Purchased on a Regular Seasonal Emergency Basis

• Source: % of total supply:

Enchanted River PWS 0100039

21. List the number of existing connections to be effected by this transaction.

Water			Sewer		
	-Non Metered		-2"meter		-Residential Connection
113	-5/8" or 3/4" meter		-3" meter		-Commercial Connection
	-1" meter		-4" meter		-Industrial Connection
	-1 1/2" meter		-Other		-Other
Total Water Connections:			113	Total Sewer Connections	

20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? Yes No
 If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
see Appendix G		

24. Attach the following maps with each copy of the application: see Appendix H

- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
- b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
 1. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 2. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - iii. following verifiable natural and man-made landmarks, or
 - iv. a copy of recorded plat map with metes and bounds.
 3. A written description of the proposed service area.

Part F – TCEQ Public Water or Sewer System Information

Please answer questions 17 through 22 on a different sheet for each physically Distinct system being transferred or acquired.

17. A. For Water Systems. TCEQ Public Water System Identification Number:

0	8	6	0	1	0	7
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 Date of last inspection:

01/29/2014

 see Appendix F Oakview

B. For Wastewater Systems: no wastewater systems

-TCEQ Discharge Permit Number: W Q

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 -Name of Permittee:

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 -Date of application to transfer Discharge Permit submitted:

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 -Date of application to transfer Discharge Permit approved by TCEQ:

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18. A. Are any improvements required to meet TCEQ or PUC standards? Yes No. If yes, please explain:

--

B. Is there a moratorium on new connections? Yes No. If yes, please explain:

--

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost
N/A		

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries? Yes No

If yes, indicate the number of customers within the city limits or district boundaries:

--

 Water

--

 Sewer

☞ Attach copy of franchise agreement or consent letter from the city or district.

20. Do you currently purchase water or sewer treatment capacity from another source? Yes No
 Water Sewer Purchased on a Regular Seasonal Emergency Basis

• Source: % of total supply:

Oakview PWS 0860107

21. List the number of existing connections to be effected by this transaction.

Water		Sewer	
	-Non Metered		-2"meter
63	-5/8" or 3/4" meter		-3" meter
	-1" meter		-4" meter
	-1 1/2" meter		-Other
Total Water Connections:		63	Total Sewer Connections

20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? Yes No
 If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
see Appendix G		

24. Attach the following maps with each copy of the application: see Appendix H
- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
 - b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
 1. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 2. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - iii. following verifiable natural and man-made landmarks, or
 - iv. a copy of recorded plat map with metes and bounds.
 3. A written description of the proposed service area.

Part F – TCEQ Public Water or Sewer System Information

Please answer questions 17 through 22 on a different sheet for each physically Distinct system being transferred or acquired.

17. A. For Water Systems. TCEQ Public Water System Identification Number:

0	4	6	0	2	1	1
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 Rim Rock Ranch

Date of last inspection:

10/02/2015

 see Appendix F

B. For Wastewater Systems: no wastewater systems

-TCEQ Discharge Permit Number: W Q

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 -Name of Permittee:

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 -Date of application to transfer Discharge Permit submitted:

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 -Date of application to transfer Discharge Permit approved by TCEQ:

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18. A. Are any improvements required to meet TCEQ or PUC standards? Yes No. If yes, please explain:

--

B. Is there a moratorium on new connections? Yes No. If yes, please explain:

--

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost
N/A		

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries? Yes No

If yes, indicate the number of customers within the city limits or district boundaries:

--

 Water

--

 Sewer

Attach copy of franchise agreement or consent letter from the city or district.

20. Do you currently purchase water or sewer treatment capacity from another source? Yes No
 Water Sewer Purchased on a Regular Seasonal Emergency Basis

• Source: _____ % of total supply: _____

Rim Rock Ranch PWS 0460211

21. List the number of existing connections to be effected by this transaction.

Water			Sewer		
	-Non Metered		-2"meter	-Residential Connection	
323	-5/8" or 3/4" meter		-3" meter	-Commercial Connection	
5	-1" meter		-4" meter	-Industrial Connection	
	-1 1/2" meter		-Other	-Other	
Total Water Connections:			328	Total Sewer Connections	

20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? Yes No
 If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
see Appendix G		

24. Attach the following maps with each copy of the application: see Appendix H

- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
- b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
 1. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 2. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - iii. following verifiable natural and man-made landmarks, or
 - iv. a copy of recorded plat map with metes and bounds.
 3. A written description of the proposed service area.

Part F – TCEQ Public Water or Sewer System Information

Please answer questions 17 through 22 on a different sheet for each physically Distinct system being transferred or acquired.

17. A. For Water Systems. TCEQ Public Water System Identification Number:

0	1	0	0	0	4	2
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 Date of last inspection:

01/30/2014

 see Appendix F
 River Bend

B. For Wastewater Systems: no wastewater systems

-TCEQ Discharge Permit Number: W Q

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 -Name of Permittee:

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 -Date of application to transfer Discharge Permit submitted:

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 -Date of application to transfer Discharge Permit approved by TCEQ:

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18. A. Are any improvements required to meet TCEQ or PUC standards? Yes No. If yes, please explain:

--

B. Is there a moratorium on new connections? Yes No. If yes, please explain:

--

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost
N/A		

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries? Yes No

If yes, indicate the number of customers within the city limits or district boundaries:

Water Sewer

Attach copy of franchise agreement or consent letter from the city or district.

20. Do you currently purchase water or sewer treatment capacity from another source? Yes No
 Water Sewer Purchased on a Regular Seasonal Emergency Basis

• Source: % of total supply:

River Bend PWS 0100042

21. List the number of existing connections to be effected by this transaction.

Water		Sewer	
	-Non Metered		-2"meter
93	-5/8" or 3/4" meter		-3" meter
	-1" meter		-4" meter
	-1 1/2" meter		-Other
Total Water Connections:		93	Total Sewer Connections

20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? Yes No
 If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
see Appendix G		

24. Attach the following maps with each copy of the application: **see Appendix H**

- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
- b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
 1. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 2. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - iii. following verifiable natural and man-made landmarks, or
 - iv. a copy of recorded plat map with metes and bounds.
 3. A written description of the proposed service area.

Part F – TCEQ Public Water or Sewer System Information

Please answer questions 17 through 22 on a different sheet for each physically Distinct system being transferred or acquired.

17. A. For Water Systems. TCEQ Public Water System Identification Number:

0	4	6	0	2	2	1
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 Date of last inspection:

01/31/2014

 see Appendix F Windmill Ranch

B. For Wastewater Systems: no wastewater systems

-TCEQ Discharge Permit Number: W Q

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 -Name of Permittee:

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 -Date of application to transfer Discharge Permit submitted:

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 -Date of application to transfer Discharge Permit approved by TCEQ:

--

18. A. Are any improvements required to meet TCEQ or PUC standards? Yes No. If yes, please explain:

--

B. Is there a moratorium on new connections? Yes No. If yes, please explain:

--

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost
N/A		

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries? Yes No

If yes, indicate the number of customers within the city limits or district boundaries:

137

 Water Sewer

Attach copy of franchise agreement or consent letter from the city or district.
 there is no franchise agreement

20. Do you currently purchase water or sewer treatment capacity from another source? Yes No
 Water Sewer Purchased on a Regular Seasonal Emergency Basis

• Source: Canyon Lake Water Service Company PWS 0460019 % of total supply: 49.8

Windmill Ranch PWS 0460221

21. List the number of existing connections to be effected by this transaction.

Water		Sewer	
	-Non Metered		-2" meter
215	-5/8" or 3/4" meter		-3" meter
3	-1" meter		-4" meter
3	-1 1/2" meter		-Other
Total Water Connections:		221	Total Sewer Connections

20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? Yes No
 If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
see Appendix G		

24. Attach the following maps with each copy of the application: see Appendix H

- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
- b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
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 2. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - iii. following verifiable natural and man-made landmarks, or
 - iv. a copy of recorded plat map with metes and bounds.
 3. A written description of the proposed service area.

Part G – Oaths and Notices

OATH FOR SELLER OR FORMER SERVICE PROVIDER

STATE OF Texas

COUNTY OF Fort Bend

I, Charles W. Proffitt, Jr., being duly sworn, file this application for sale, lease, rental or merger or consolidation as Managing Director (*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 documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

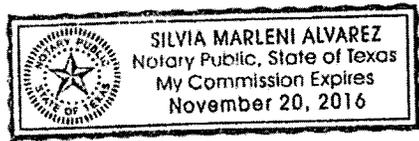
I further state that I have provided to the purchaser or transferee a written disclosure statement about any contributed property as required under Section 13.301(i) and copies of any outstanding Orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas, or Attorney General and have also complied with the notice requirements in Section 13.301(k) of the Texas Water Code.

Charles W. Proffitt, Jr.
AFFIANT
(Utility'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 day 20th of July, 20 16.

SEAL



Silvia Marleni Alvarez
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

Silvia Marleni Alvarez
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES November 20, 2016

One copy of this page must be submitted for each utility involved in this transaction.

OATH FOR PURCHASER OR ACQUIRING ENTITY

STATE OF Texas

COUNTY OF Fort Bend

I, Charles W. Profilet, Jr., being duly sworn, file this application for

sale, lease, rental or merger or consolidation as Managing Director
(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 documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I am also authorized and do agree to be bound by and comply with any outstanding orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.

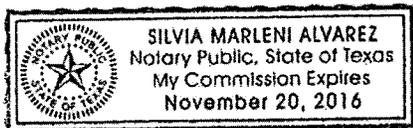
Charles W Profilet Jr
AFFIANT
(Utility's Authorized Representative)

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.

Applicant represents that all other parties to this transaction have been furnished copies of this completed application.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, this day 20th of July, 20 16.

SEAL



Silvia Alvarez
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

Silvia Marleni Alvarez
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES November 20, 2016

One copy of this page must be submitted for each utility involved in this transaction.

Notice to Current Customers, Neighboring Systems, and Cities

SWWC UTILITIES, INC. dba DIAMOND WATER COMPANY'S NOTICE OF INTENT TO TRANSFER FACILITIES AND CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 12865 TO SWWC UTILITIES, INC. dba WATER SERVICES, INC. AND FOR SWWC UTILITIES, INC. dba WATER SERVICES, INC. TO AMEND CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 11106 IN BANDERA, COMAL, AND GILLESPIE COUNTIES, TEXAS

To:

Date Notice Mailed:

<u>SWWC Utilites, Inc. dba Diamond Water Company</u>	<u>12535 Reed Road</u>	<u>Sugar Land, TX</u>	<u>77478</u>
(Seller's or Transferor's 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. 12865 in Bandera, Comal, and Gillespie Counties, Texas to:

<u>SWWC Utilities, Inc. dba Water Services Inc.</u>	<u>12535 Reed Road</u>	<u>Sugar Land, TX</u>	<u>77478</u>
(Purchaser's 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 includes the following subdivision(s): River Bend Estates, Enchanted River Estates, Oakview, Kestrel Airpark, Windmill Ranch, Rim Rock Ranch

The areas subject to this transaction are:

BANDERA COUNTY:

Enchanted River Estates is located approximately 2 miles west of downtown Bandera, Texas, and is generally bounded on the north by SR 16; on the east by Tobin Ranch Rd.; and on the south by Schmidtke Rd. The total area being requested includes approximately 164 acres and serves 113 current customers.

River Bend Estates is located approximately 2 miles west of downtown Bandera, Texas, and is generally bounded on the north by SR 16; on the southwest by Bottle Springs Road; and on the west by the Medina River. The total area being requested includes approximately 151 acres and serves 93 current customers.

COMAL COUNTY:

Windmill Estates/Kestrel is located partly in Bulverde, Texas, and north of Bulverde, and is generally bounded on the north by Stealth Rd.; on the east by U.S. Highway 281; on the south by State Highway 46; and on the west by Ahern Creek Road. The total area being requested includes approximately 571 acres and serves 221 current customers.

Rim Rock Ranch is located east of and adjacent to the town of Bulverde, Texas, and is generally bounded on the west by the city limits of Bulverde and on the southwest corner of FM 1863. The total area being requested includes approximately 1200 acres and serves 328 current customers.

GILLESPIE COUNTY:

Oakview Water System is located approximately 7 miles south southeast of downtown Fredericksburg, Texas, and is generally bounded on the north by S. 290; on the east by Cain City Rd.; on the south by Cain City — Luckenbach Rd.; and on the west by Old San Antonio Rd. The total area being requested includes approximately 170 acres and serves 63 current customers.

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

- (1) Current customer water rates will remain unchanged; (2) service quality will remain the same; and (3) SWWC Utilities, Inc. customer service policies and fees will remain the same.

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, application 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
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

Se desea informacion en Espanol, puede Hamar al 1-888-782-8477.

Charles W. Profilet, Jr. Managing Director
Utility Representative
SWWC Utilities, Inc. dba Water Services,

APPENDIX A

Deposits Held - Diamond Water Company as of June 2016

<u>Cont. Account</u>	<u>Descript.</u>	<u>Payment</u>	<u>Cont. Account</u>	<u>Descript.</u>	<u>Payment</u>	<u>Cont. Account</u>	<u>Descript.</u>	<u>Payment</u>
1000029727	Paid	50.00	1000044360	Paid	50.00	1000061148	Paid	50.00
1000029756	Paid	50.00	1000045747	Paid	50.00	1000061271	Paid	50.00
1000029757	Paid	50.00	1000046706	Paid	50.00	1000061336	Paid	50.00
1000029759	Paid	50.00	1000046732	Paid	50.00	1000061514	Paid	50.00
1000029770	Paid	50.00	1000046930	Paid	50.00	1000061541	Paid	50.00
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1000029785	Paid	50.00	1000047801	Paid	50.00	1000061652	Paid	50.00
1000030002	Paid	50.00	1000047924	Paid	50.00	1000062017	Paid	50.00
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1000030021	Paid	50.00	1000048730	Paid	50.00	1000062296	Paid	50.00
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1000030056	Paid	50.00	1000049377	Paid	50.00	1000062385	Paid	50.00
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<u>Cont. Account</u>	<u>Descript.</u>	<u>Payment</u>	<u>Cont. Account</u>	<u>Descript.</u>	<u>Payment</u>	<u>Cont. Account</u>	<u>Descript.</u>	<u>Payment</u>
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1000033096	Paid	50.00	1000056779	Paid	50.00	1000065868	Paid	50.00
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1000033207	Paid	50.00	1000057153	Paid	50.00	1000066049	Paid	50.00
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1000033226	Paid	50.00	1000057715	Paid	50.00	1000066109	Paid	50.00
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1000042796	Paid	50.00	1000060937	Paid	50.00	1000070258	Paid	50.00
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1000044200	Paid	50.00	1000061087	Paid	50.00			

APPENDIX B



Franchise Tax Account Status

As of: 06/24/2016 01:46:19 PM

This Page is Not Sufficient for Filings with the Secretary of State

SWWC UTILITIES, INC.	
Texas Taxpayer Number	12602872199
Mailing Address	12535 REED RD ATTN: TAX DEPT (FSC) SUGAR LAND, TX 77478-2837
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	06/19/2007
Texas SOS File Number	0800832416
Registered Agent Name	CORPORATION SERVICE COMPANY DBA CSC - LAWYERS INCO
Registered Office Street Address	211 E. 7TH STREET SUITE 620 AUSTIN, TX 78701

APPENDIX C

Monarch Utilities I, L.P.

ACTIVE COMPLIANCE ORDERS

Line No	AGREED ORDER (a)	DATE (b)	REGULATED ENTITY (TCEQ) (c)	ALLEGED VIOLATIONS (d)	COMPLIANCE ACTIONS (e)	ADMINISTRATIVE PENALTY (f)	STATUS (g)
1	Docket 2015-0491-PWS-E	9/25/2015	RN101376424 Holiday Villages of Livingston	Failure to comply with MCL for Radium 226-Radium 228	Submit feasibility study within 185 days and achieve compliance within 1095 days	\$501 deferred pending compliance by 1095 day deadline	Feasibility study completed 12/16/2015. Water plant improvements planned to be completed by Q3 2016. Radium concentration is compliant with MCL.
2	Docket 2014-0068-PWS-E	7/2/2014	RN102987856 Pinwah Pines	Failure to comply with MCL for Radium 226-Radium 228, Failure to comply with Gross Alpha Particle activity	Submit feasibility study within 185 days and achieve compliance within 1095 days	\$1404 deferred pending compliance by 1095 day deadline	Feasibility study completed 10/30/2014. Interconnect plans with neighboring PWS approved by TCEQ on 11/24/2015. Interconnect scheduled to be operational by July 2016.

APPENDIX D

NEIGHBORING UTILITIES, CITIES, AND ENTITIES TO BE NOTIFIED OF THE TRANSFER

Bandera River Ranch WSC CCN 12262

Bandera East Utility L.P. CCN 13118

Aqua Texas, Inc. CCN 11157

Elm Ridge Water Company, Inc. CCN 12885

Canyon Lake Water Service Company, Inc. 10692

Dillon Water Resources, L.P. CCN 12844

Water Services, Inc. CCN 11106

3009 Water Company, L.L.C. CCN 13069

San Antonio Water System CCN 10540

Guadalupe Blanco River Authority CCN 12977

Flying L PUD

Comal County WCID No. 6

Johnson Ranch MUD

City of Bandera

City of Bulverde

San Antonio River Authority

Lower Colorado River Authority

Bandera County River Authority and Groundwater District

Comal Trinity Groundwater Conservation District

Hill Country Underground Water Conservation District

Bandera County

Comal County

Gillespie County

APPENDIX E

**Confidential Documents
to be submitted separately**

APPENDIX F



**SouthWest
Water Company**

SWWC Utilities, Inc.
1620 Grand Avenue Parkway #140
Pflugerville, TX 78660
Phone 866.654.7992
Fax 512.252.8782
www.swwc.com

January 13, 2015

Ms. Joy Thurston-Cook
Water Section Team Leader
TCEQ – San Antonio Region Office
14250 Judson Rd.
San Antonio, TX 78233-4480

Re: SWWC Utilities, Inc. (the Utility)
Enchanted River Estates Water System
PWS ID No. 0100039

Dear Ms. Thurston-Cook:

The Utility is in receipt of your letter dated March 27, 2014. In that letter one alleged violation is noted. The Utility responds as follows to the violation:

Track No. 531028 – Failure to acquire approval of as built engineering plans. The Utility has submitted as built engineering plans and subsequently received approval by the TCEQ. The Utility believes this alleged violation is resolved.

If there are any questions concerning this response please contact the Utility at 512.219.2294.

Sincerely,

Tim Williford
Environmental Health & Safety Manager
SouthWest Water Company

Enclosures

Cc: Charles W. Profilet, Jr.
Gary Rose
Albert Amezcuita

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



RECEIVED
MAR 31 2014
TXU - AP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2014

CERTIFIED MAIL NO.: 91 7199 9991 7031 3417 8170
RETURN RECEIPT REQUESTED

Mr. Timothy Williford, Environmental Health and Safety Manager
Southwest Water Company
1620 Grand Avenue Parkway, Ste. 140
Pflugerville, Texas 78660-2185

Re: Notice of Violation for a Comprehensive Compliance Investigation at:
Enchanted River Estates, 114 Chapparal Ct., Bandera, Bandera County, Texas
Regulated Entity No.: RN101275659, TCEQ ID No.: 0100039, Investigation No.: 1144187

Dear Mr. Williford:

On January 29, 2014, Ms. De'Shaune Blake of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by July, 2014 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled Obtaining TCEQ Rules (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Antonio Region Office at (210) 490-3096 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Water Section Manager, Ms. Lynn Bumgardner will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

Mr. Timothy Williford, Environmental Health and Safety Manager
Page 2
March 27, 2014

However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Blake in the San Antonio Region Office at (210) 403-4033.

Sincerely,



Joy Thurston-Cook
Water Section Team Leader
San Antonio Region Office
Texas Commission on Environmental Quality

JTC/DB/eg

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

ENCHANTED RIVER ESTATES

Investigation #

, BANDERA COUNTY,

1144187
Investigation Date: 01/29/2014

Additional ID(s): 0100039

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 531028 Compliance Due Date: 07/27/2014

30 TAC Chapter 290.39(e)

30 TAC Chapter 290.39(h)(1)

30 TAC Chapter 290.46(n)(1)

Alleged Violation:

Investigation: 1144187

Comment Date: 03/21/2014

Failure to submit and acquire approval of as built engineering plans prior to operating a public water supply.

At the time of the investigation, the water system could not produce any documentation indicating that the water system had submitted as built engineering plans and subsequently received approval or an exception to the requirement prior to operating the water system, nor were there any records in the Integrated Water Utilities Database which would indicate and approval or an exception was granted.

30 TAC 290.46(n)(1)-- Accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank shall be maintained at the public water system until the facility is decommissioned. As-built plans of individual projects may be used to fulfill this requirement if the plans are maintained in an organized manner.

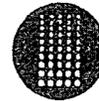
30 TAC 290.39(h)(1)-- No person may begin construction on a new public water system before receiving approval of plans and specifications and, if required, approval of a business plan from the executive director. No person may begin construction of modifications to a public water system without providing notification to the executive director and submitting and receiving approval of plans and specifications if requested in accordance with subsection (j) of this section.

30 TAC 290.39(e)-- Submission of planning material.

Recommended Corrective Action: Provide by the compliance due date, documentation demonstrating that as-built plans or an exceptions request has been submitted to the Texas Commission on Environmental Quality (TCEQ), Utilities Technical Review Team (UTRT), MC 159, P.O. Box 13087, Austin, TX 78711-3087 and that approval or an exception has been granted.

The entity must ensure that the as-built plans are submitted by a licensed professional engineer. For further assistance regarding submittal contact the TCEQ UTRT at (512) 239-4691.

FILE COPY



SouthWest
Water Company

SWWC Utilities, Inc.
1620 Grand Avenue Parkway #140
Pflugerville, TX 78660
Phone 866.654.7992
Fax 512.252.8782
www.swwc.com

May 7, 2015

Ms. Joy Thurston-Cook
Water Section Team Leader
TCEQ – San Antonio Region Office
14250 Judson Rd.
San Antonio, TX 78233-4480

Re: SWWC Utilities, Inc. (the Utility)
Oakview Water System
PWS ID No. 0860107

Dear Ms. Thurston-Cook:

The Utility is in receipt of your letter dated April 4, 2014. In that letter one alleged violation is noted.

Track No. 531090 – Failure to meet minimum service capacity requirements. The two 41 gallons per minute (gpm) and 2 horsepower (hp) existing pumps have been replaced by two 80 gpm and 5 hp service pumps. Please see attached photographs.

The modification exceeds the required 88 gpm service pump capacity by providing 160 gpm. The Utility believes this alleged violation is resolved.

If there are any questions concerning this response please contact the Utility at 512.219.2294.

Sincerely,

A handwritten signature in cursive script that reads "Tim Williford".

Tim Williford
Environmental Health & Safety Manager
SouthWest Water Company

Enclosure

Cc: Charles W. Profflet, Jr.
Gary Rose

Joe Torralva
Albert Amezcuita

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 4, 2014

CERTIFIED MAIL NO.: 91 7199 9991 7031 3417 8248
RETURN RECEIPT REQUESTED

Mr. Timothy Williford, Environmental Health and Safety Manager
Southwest Water Company
1620 Grand Avenue Pkwy., Ste. 140
Pflugerville, TX 78660-2185

Re: Notice of Violation for the Comprehensive Compliance Investigation at
Oakview Water System, 1568 Cain City Rd., Fredericksburg Gillespie County, Texas
Regulated Entity No.: RN101241669, TCEQ ID No.: 0860107
Investigation No.: 1144316

Dear Mr. Williford:

On January 29, 2014, Ms. De'Shaune Blake of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a concern was noted which was an alleged noncompliance that has been resolved based on subsequent corrective action. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by **July 27, 2014**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Antonio Region Office at (210) 403-4096 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Water Section Manager, Ms. Lynn Bumguardner, will schedule a violation review meeting to be conducted within 21 days

TCEQ Region 13 • 14250 Judson Rd. • San Antonio, Texas 78233-4480 • 210-490-3096 • Fax 210-545-4329

Austin Headquarters: 512-239-1000 • tceq.texas.gov • How is our customer service? tceq.texas.gov/customerurvey

State of Texas • 2014 • 4/11/14

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APR 11 2014
TXU - AP

Mr. Timothy Williford, Environmental Health and Safety Manager
April 4, 2014
Page 2

from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Blake in the San Antonio Region Office at (210) 403-4033.

Sincerely,



Joy Thurston-Cook
Water Section Team Leader
San Antonio Region Office

JTC/db

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

OAKVIEW WATER SYSTEM

Investigation #

1144316
Investigation Date: 01/30/2014

, GILLESPIE COUNTY,

Additional ID(s): 0860107

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 531090 Compliance Due Date: 08/04/2014

30 TAC Chapter 290.45(b)(1)(C)(iii)

Alleged Violation:

Investigation: 1144316

Comment Date: 03/24/2014

Failure to meet minimum service capacity requirements.

At the time of the investigation, the entity provided a service pump capacity of 1.42 gallons per minute (gpm) per connection. The entity is required to provide at least 2.0 gpm per connection of service pump capacity. Based upon the 62 connections that the entity is serving, it is required to provide 88 gpm of service pump capacity, but provided only 80 gpm.

30 TAC 290.45(b)(1)(C)(iii)-- two or more pumps having a total capacity of 2.0 gpm per connection at each pump station or pressure plane. For systems which provide an elevated storage capacity of 200 gallons per connection, two service pumps with a minimum combined capacity of 0.6 gpm per connection are required at each pump station or pressure plane. If only wells and elevated storage are provided, service pumps are not required.

Recommended Corrective Action: The water system must be modified to meet this requirement to assure adequate capacity at all times; however, the water system may request an exception to this requirement.

Please be advised that public water systems shall notify the executive director prior to making significant change resulting in an increase or decrease of the system's production, treatment, storage, pressure maintenance or distribution facilities. Public water systems shall submit plans and specifications for proposed changes and receive approval.

Exceptions and/or proposed capacity changes must be submitted to the Texas Commission on Environmental Quality, Utilities Technical Review Team, MC 159, P.O. Box 13087, Austin, TX 78711-3087.

Provide by the compliance due date, a compliance plan or verification that the system meets minimum capacity requirements or that an exception has been granted, to verify compliance.

AREA OF CONCERN

Track No: 531089

30 TAC Chapter 290.46(v)

Alleged Violation:

Investigation: 1144316

Comment Date: 03/24/2014

Failure to install electrical wiring in accordance with requirements.

At the time of the investigation, the electrical wiring located inside the pump house was not securely installed in compliance with a local or national electrical code.

30 TAC 290.46(v)-- Electrical wiring. All water system electrical wiring must be securely