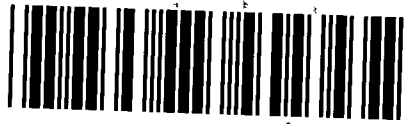
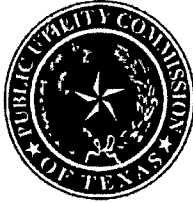


Control Number: 46996



Item Number: 1

Addendum StartPage: 0



RECEIVED

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

2017 MAR 27 PM 1:47

Pursuant to Chapter 13.251 of the Texas Water Code

PUBLIC UTILITY COMMISSION
FILING CLERK

Docket Number: 46996

(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

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# *CN# * (PRIOR TCEQ ID numbers)

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

<input checked="" type="checkbox"/> Sale of	<input checked="" type="checkbox"/> All	<input type="checkbox"/> Portion	of the	<input checked="" type="checkbox"/> Water system(s) under CCN No.:	<input type="text" value="12190"/>
<input type="checkbox"/> Acquisition				<input type="checkbox"/> Sewer system(s) under CCN No.:	<input type="text"/>
<input type="checkbox"/> Lease/Rental					

<input type="checkbox"/> Transfer of	<input type="checkbox"/> All	<input type="checkbox"/> Portion	of the	<input type="checkbox"/> Certificated water service area – CCN No.:	<input type="text"/>
				<input type="checkbox"/> Certificated sewer service area – CCN No.:	<input type="text"/>

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

This transaction will include the purchase of all CCN areas held by Chuck Bell DBA Chuck Bell Water Systems, LLC
Please see Attachment 'A'

and to:

<input checked="" type="checkbox"/> Obtain a CCN for the transferee (purchaser) – indicate if purchaser will take the seller's CCN	
<input type="checkbox"/> Amend the transferee's CCN No.:	<input type="text" value="Purchaser will assume sellers CCN Numbers"/>
<input type="checkbox"/> Merge or consolidate public utilities	<input type="text"/>
<input type="checkbox"/> Cancel CCN of the transferor (seller)	<input type="text"/>

2. Proposed effective date of this transaction:

(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:
(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: Telephone: (AC)

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: Title:
Address: Telephone: (AC)

Fax: _____

Email: mstrgolf@sbcbglobal.net

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

A. What was the effective date of the last rate increase?

4/6/2015

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

No

Yes

Application/Docket Number: 37241-R/43245

Date 4/6/2015

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
Please See Attachment 'B'			

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: Undine Texas, LLC

(Individual, Corporation, or Other Legal Entity)

Utility Name: Undine, Texas, LLC

(If different than above)

Utility Address: 10913 Metronome Dr, Houston, Texas 77043

Fax: (713) 647-0277

Email: cthomas@undinelc.com

Telephone (AC): (713) 574-5953

CCN Numbers held prior to the filing of this application: 21019, 20816, and 20832

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

Please See Attachment 'C'

Corporation; provide charter number as recorded with the Office of the Secretary of State for

Texas: 802339329

Non-profit, member owned, member-controlled Cooperative Corporation (Article 1434(a) Water 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 type="text"/>

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

Name:	NA	Email:	
Address:	NA		
Telephone (AC):		Fax (AC):	

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. **Please See Attachment 'C'**

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	0.00%

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	0.00%

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	0.00%

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	0.00%

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	0.00%

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	0.00%

- 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: **Please See Attachment 'D'**

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:	Peter T. Gregg	Title:	Partner-Dubois Bryant&Campbell
Address:	303 Colorado, Suite 2300 Austin, Texas 78701	Telephone (AC):	(512) 457-8000
Fax #	(512) 457-8008	Email	pgregg@dbclp.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

Please See Attachment 'E'

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.

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.

Undine Texas, LLC is funded through equity and bank financing. Additional funding information will be provided upon request.

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

Undine Texas, LLC intends to raise the standards for quality of customer service, customer and regulatory communications with respect to all regulatory compliance issues.

E. How will the transaction serve the public interest?

The public will be better served through Undine Texas, LLC ownership of water and/or wastewater utilities due to the improvements to utility customer service and the improvements to operations and maintenance. The EPA reports to Congress state that the best possible future for small to midsize privately owned utilities is to be acquired by a larger more responsible provider that possesses the financial, managerial and technical experience to insure the system meets regulatory requirements.

12. Please describe the nature of the proposed transaction:

Undine Texas, LLC will purchase all of utility assets listed in Attachment 'A'

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: See Attachment 'F'

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):

None

- Other Contributions (please explain):

None

Total Contributions in Aid of Construction []

• Net Book Value: []

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]:

The public will be better served through Undine Texas, LLC ownership of water and wastewater utilities due to the improvements to utility customer service and the improvements to operations and maintenance. The EPA reports to Congress state that the best possible future for small to midsize privately owned utilities is to be acquired by a larger more responsible provider that possesses the financial, managerial and technical experience to insure the system meets regulatory requirements.

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:	<input type="text"/>
Plant Acquisition Adjustment:	<input type="text"/>
Extraordinary Loss on Purchase:	<input type="text"/>
Accumulated Depreciation of Plant:	<input type="text"/>
Cash:	<input type="text"/>
Notes Payable:	<input type="text"/>
Mortgage Payable:	<input type="text"/>
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:

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:

Not Applicable

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:

Not Applicable

Other. Please explain:

Not Applicable

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.

Please see Attachment 'G'

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

Please See Attachment 'F'

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						

Please See Attachment 'F'

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						
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						

Please See Attachment 'F'

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						
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						

Please See Attachment 'F'

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						

Please See Attachment 'F'

PROJECTED INCOME STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
METER NUMBER						
Existing Number of Taps						
New Taps Per Year						
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						

Please See Attachment 'F'

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						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

Please See Attachment 'F'

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						
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.

See Attachment 'H'

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

Date of last inspection:

B. For Wastewater Systems:

-TCEQ Discharge Permit Number: W Q -

-Name of Permittee:

-Date of application to transfer Discharge Permit submitted:

-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

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:

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

Water				Sewer	
	-Non Metered		-2" meter	-Residential Connection	
	-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:				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 Attachment 'I'		

24. Attach the following maps with each copy of the application: **See Attachment 'J'**
- 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.
 - 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:
 - A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 - A map showing only the proposed area by:
 - metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - following verifiable natural and man-made landmarks, or
 - a copy of recorded plat map with metes and bounds.
 - A written description of the proposed service area.

Part G - Oaths and Notices

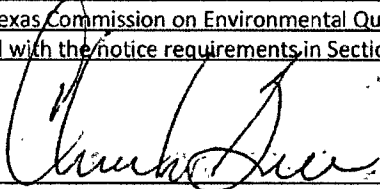
OATH FOR SELLER OR FORMER SERVICE PROVIDER

STATE OF TEXAS

COUNTY OF JOHNSON

I, Chuck Bell, being duly sworn, file this application for sale, lease, rental or merger or consolidation as PRESIDENT (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.



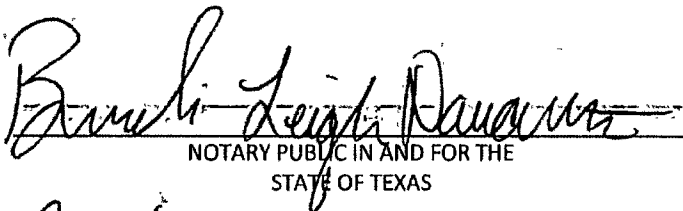
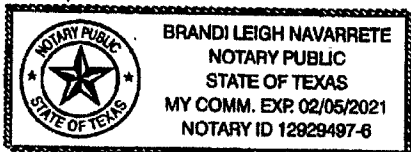
AFFIANT

(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 17 of March, 20 17.

SEAL



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Brandi Leigh Navarrete
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES

02/05/2021

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 Harris

I, Carey A. Thomas, being duly sworn, file this application for

sale, lease, rental or merger or consolidation as Sr. Vice President, Undine Texas, LLC
(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.

Carey A. Thomas
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 22nd of MARCH, 20 17.

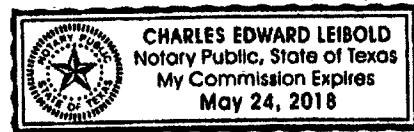
SEAL

Charles E. Leibold
NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

CHARLES E. LEIBOLD
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES 5/24/2018

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



FORM A

Docket No. _____

Notice to Current Customers, Neighboring Systems and Cities

Chuck Bell DBA Chuck Bell Water Systems, LLC 'S
(Seller's or Transferor's Name)

NOTICE OF INTENT TO SELL FACILITIES AND TRANSFER CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) NO 12190 TO Undine Texas, LLC
(Purchaser's or Transferee's Name)

IN Tarrant and Johnson COUNTY, TEXAS

To: _____ Date Notice Mailed _____, 20____
(Name of Customer, Neighboring System or City)

(Address)

City State Zip

Chuck Bell DBA Chuck Bell Water Systems, LLC PO Box 731 Crowley Texas 76036
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 or sewer (please select) CCN No. 12190 in Tarrant and Johnson [County Name]

County to:

Undine Texas, LLC 10913 Melronome Dr. Houston Texas 77043
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): **Please see Attachment 'J'**

The area subject to this transaction is located approximately _____ miles _____ [direction] of
downtown _____, [City or Town] Texas, and is **generally** bounded on the north by
P: _____; on the east by _____
; on the south by _____; and on the west by _____

The total area being requested includes approximately _____ acres and serves _____ current customers.
This transaction will have the following effect on the current customer's rates and services:
This application will not change the customers rates

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 llamar al
1-888-782-8477**

Utility Representative

Utility Name

Notice to Current Customers, Neighboring Systems, Landowner and Cities

Chuck Bell DBA Chuck Bell Water Systems, LLC 'S NOTICE OF INTENT TO SELL FACILITIES TO
(Seller's or Transferor's Name)

Undine Texas, LLC
(Purchaser's or Transferee's Name)

AND FOR Undine Texas, LLC
Purchaser's or Transferee's Name

TO OBTAIN OR AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN
Tarrant and Johnson. COUNTY, TEXAS

To: _____ Date Notice Mailed _____, 20 _____
(Name of Customer, Neighboring System, Landowner or City)

(Address)

City State Zip

Chuck Bell DBA Chuck Bell Water Systems, LLC PO, Box 731 Crowley / Texas / 76036
Sellers or Transferors' Name Address City/State/Zip Code

has submitted an application with the Public Utility Commission of Texas to sell water or sewer (please select) Facilities in Tarrant and Johnson. [County Name] County to:

Undine Texas, LLC 10913 Metronome Dr., Houston Texas 77043
Purchasers or Transferee's Name Address City/State/Zip Code

The transferee has also requested to obtain/amend a CCN in this application. The sale is scheduled to take place as approved by the Commission (Texas Water Code §13.301). The transaction and the proposed service area include the following subdivision(s):

Please see Attachment 'J'

The area subject to this transaction is located approximately _____ miles _____ [direction] of downtown _____, [City or Town] Texas, and is generally bounded on the north by _____; on the east by _____; on the south by _____; and on the west by _____

The total area being requested includes approximately _____ acres and serves _____ current customers. This transaction will have the following effect on the current customer's rates and services: _____ This application will not change the customers rates

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 llamar al
1-888-782-8477

Utility Representative

Utility Name

TABLE OF CONTENT

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

Attachment 'A'	CCN Number, Subdivision Name(s), RN Number(s), and Current Tariff
Attachment 'B' Confidential	Customer Name, Address, and Deposit Information
Attachment 'C' Confidential	Limited Liability Company – Undine Texas, LLC Organizational Chart
Attachment 'D'	Certificate of Account Status
Attachment 'E' Confidential	Evidence of Financial, Managerial and Technical, and Capabilities
Attachment 'F' Confidential	Financial Information
Attachment 'G'	Utilities within 2-Miles
Attachment 'H'	Individual Page 16 & 17 for Each System, and Inspection Reports
Attachment 'I'	Operators Information
Attachment 'J'	CCN Maps to be Transferred with this Application, and CCN Descriptions
Attachment 'K' Confidential	Letter of Intent

Attachment 'A'

CCN Number, Subdivision Name, RN Number, and Current Tariff

ATTACHMENT "A"

STM FILING UNDINE TEXAS, LLC AND CHUCK BELL DBA CHUCK BELL WATER SYSTEMS, LLC

Bear Creek Estates

CN	600627780
CCN	12190
RN	101438174
PWSID No	2200336
Subdivision	Bear Creek Estates
County	Tarrant
Connections (TCEQ)	19

Bell Manor Subdivision

CN	604008680
CCN	12190
RN	101231090
PWSID No	1260080
Subdivision	Bell Manor
County	Johnson
Connections (TCEQ)	21

Buffalo Creek

CN	604008680
CCN	12190
RN	101259596
PWSID No	1260084
Subdivision	Buffalo Creek
County	Johnson
Connections (TCEQ)	38

Crowley II Acres Subdivision

CN	604008680
CCN	12190
RN	102679842
PWSID No	1260012
Subdivision	Crowley II Acre
County	Johnson
Connections (TCEQ)	89

John Dame

CN	604008680
CCN	12190
RN	101280105
PWSID No	1260090
Subdivision	John Dame
County	Johnson
Connections (TCEQ)	40

Martin Creek Estates

CN	604008680
CCN	12190
RN	101205482
PWSID No	1260122
Subdivision	Martin Creek Estates
County	Johnson
Connections (TCEQ)	23

Rock Creek Estates

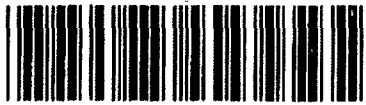
CN	604008680
CCN	12190
RN	101180107
PWSID No	1260082
Subdivision	Rock Creek Estates
County	Johnson
Connections (TCEQ)	38

Sandersview Subdivision PWS

CN	604008680
CCN	12190
RN	101206001
PWSID No	1260086
Subdivision	Sandersview
County	Johnson
Connections (TCEQ)	20



Control Number: 43245



Item Number: 17

Addendum StartPage: 0

DOCKET NO. 43245

RECEIVED

2015 APR -6 PM 4:33

APPLICATION OF CHUCK BELL §
D/B/A CHUCK BELL WATER §
SYSTEMS LLC FOR A RATE/TARIFF §
CHANGE AND SURCHARGE (37241-R) §

PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

NOTICE OF APPROVAL

This Notice addresses the application of Chuck Bell d/b/a Chuck Bell Water Systems LLC (Chuck Bell) for a water rate/tariff change and capital asset surcharge. Public Utility Commission of Texas (Commission) Staff recommended approval of the application. The application is approved.

The Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact

Procedural History

1. On December 30, 2011, Chuck Bell filed an application with the Texas Commission on Environmental Quality (TCEQ) for a rate/tariff change and capital asset surcharge for several subdivisions or water systems in Johnson and Tarrant Counties.
2. Chuck Bell holds Certificate of Convenience and Necessity (CCN) No. 12190.
3. TCEQ sent a notice of deficiency to Chuck Bell on January 13, 2012.
4. Chuck Bell's response to the notice of deficiency was received by TCEQ on March 5, 2012.
5. On March 27, 2012, TCEQ notified Chuck Bell that the application was accepted for filing and that the proposed rates could go into effect on March 5, 2012.
6. TCEQ did not receive protest requests from 10% of ratepayers. The applicable time period for 10% of the ratepayers to request a hearing expired on June 4, 2012.
7. TCEQ did not refer the proceeding to the State Office of Administrative Hearings (SOAH) for a hearing on the merits. Pursuant to TEX. WATER CODE § 13.187(f) the deadline for TCEQ to request a hearing was July 3, 2012.

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8. On September 1, 2014, functions relating to the economic regulation of water and sewer utilities were transferred from TCEQ to the Commission.
9. On December 4, 2014, the Commission's administrative law judge (ALJ) issued Order No. 1, addressing the water program transfer and other procedural matters.
10. On December 4, 2014, the Commission's ALJ issued Order No. 2, requesting that Commission Staff file, on or before January 14, 2014, a recommendation regarding the status of Chuck Bell's application or to propose a procedural schedule for processing.
11. On January 14, 2015, Commission Staff recommended approval of the application and associated tariff.
12. On January 15, 2015, the Commission's ALJ issued Order No. 3, requiring a joint proposed notice of approval and final tariff.
13. On February 25, 2015, the Commission's ALJ issued Order No. 4, extending the time for Commission Staff to file a joint proposed notice of approval and final tariff.
14. On March 27, 2015, Commission Staff filed a proposed notice of approval and request to admit evidence.
15. On March 31, 2015, the Commission's ALJ issued Order No. 5, admitting evidence into the record of this proceeding.

Proposed Rate Increase

16. Chuck Bell requested an annual revenue requirement of \$219,960 as shown in Section IX, Table B of the application.
17. The capital asset/improvement surcharge requested was \$85,000 plus interest.
18. The rates proposed by Chuck Bell were as follows:

5/8" x 3/4" or unmetered	\$ 40.00
3/4"	\$ 60.00
1"	\$100.00
1 1/2"	\$200.00
2"	\$320.00
3"	\$600.00

19. Chuck Bell's surcharge request and proposed rates, included in the tariff attached to this Notice as Attachment 1, are just and reasonable.
20. Chuck Bell's proposed changes in rates permit the utility a reasonable opportunity to earn a reasonable return on invested capital and to preserve the financial integrity of the utility.

II. Conclusions of Law

1. Chuck Bell is a retail public utility as defined in P.U.C. SUBST. R. 24.3(41) and TEX. WATER CODE § 13.002(19).
2. The Commission has jurisdiction over this matter pursuant to TEX. WATER CODE §§ 13.041 and 13.181.
3. Chuck Bell provided notice consistent with P.U.C. SUBST. R. 24.22.
4. This docket was processed in accordance with the requirements of the Texas Water Code and Commission rules.
5. This docket contains no remaining contested issues of fact or law.
6. The rates approved herein are consistent with the requirements of TEX. WATER CODE §§ 13.182 and 13.183.
7. The requirements for informal disposition pursuant to P.U.C. PROC. R. 22.35 have been met in this proceeding.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following Order:

1. The application of Chuck Bell is approved.
2. The tariff implementing the approved rates is provided with this Notice as Attachment 1.
3. Within 30 days of the date this Notice is signed, Chuck Bell shall file a compliance report in **Project No. 44610, Compliance Report Regarding the Surcharge Approved in Docket No. 43245**. The report shall include copies of invoices for the costs incurred for the capital asset surcharge related to this application and a monthly schedule of the

amounts billed and collected related to the surcharge. Chuck Bell shall file an updated compliance report every six months thereafter until the full amount of the surcharge has been recovered and an accounting for such recovery has been provided.

4. Chuck Bell shall cease collecting the capital asset surcharge from customers following recovery of \$117,158 and refund to customers all amounts collected in excess of this amount.
5. All other motions, requests for entry of specific findings of fact or conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are denied.

SIGNED AT AUSTIN, TEXAS the 6th day of April 2015.

PUBLIC UTILITY COMMISSION OF TEXAS


IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT



WATER UTILITY TARIFF

Docket Number: 43245

Chuck Bell dba Chuck Bell Water Systems, LLC
(Utility Name)

P.O. Box 731
(Business Address)

Crowley, Texas 76036
(City, State, Zip Code)

(817) 980-6394
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

12190

This tariff is effective in the following counties:

Johnson and Tarrant

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions and public water systems:

See attached list.

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION 1.0 -- RATE SCHEDULE.....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES	3
SECTION 3.0 -- EXTENSION POLICY	10
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN	16
APPENDIX A -- SAMPLE SERVICE AGREEMENT	
APPENDIX B -- APPLICATION FOR SERVICE	

Docket No. 43245

This tariff is effective in the following Subdivisions or Systems:

SUBDIVISION	PWS ID NUMBER	COUNTY
Bear Creek Estates	2200336	Tarrant
Bell Manor Subdivision	1260080	Johnson
Buffalo Creek	12600 84	Johnson
Crowley II Acre Subdivision	1260012	Johnson
John Dame	1260090	Johnson
Martin Creek Estates	1260122	Johnson
Rock Creek Estates	1260082	Johnson
Sanders View Subdivision	1260086	Johnson
Stonefield Water System	1260118	Johnson

Docket No. 43245

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u> (including 0 gallons)	<u>Gallonge Charge</u>
5/8" x 3/4"	<u>\$40.00</u>	\$3.49 per 1000 gallons, over the minimum
3/4"	<u>\$60.00</u>	
1"	<u>\$100.00</u>	
1 1/2"	<u>\$200.00</u>	
2"	<u>\$320.00</u>	
3"	<u>\$600.00</u>	

Additional Gallonge Charges:

Purchased Water Fees for Johnson County Special Utility District
 (Bell Manor Subdivision customers only) \$2.51/1000 gallons

Water Production Fee for Prairielands Groundwater Conservation District
 (For all subdivisions except Bear Creek Estates in Tarrant County) \$0.24/1,000 gallons

Capital Improvement Surcharge for 72 months Effective March 5, 2012
\$5.65 per connection

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card _____, Other (specify) _____
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT
 PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE
 GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL
 MONTHLY BILL AND TO REMIT TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE \$1,000
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD
 RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED
 IF LISTED ON THIS TARIFF.

TAP FEE (Unique costs) Actual Cost
 FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL
 AREAS.

TAP FEE (Large meter) Actual Cost
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE
 INSTALLED.

Docket No. 43245

SECTION 1.6 – RATE SCHEDULE (Continued)

METER RELOCATION FEE..... Actual Relocation Cost, Not to Exceed Tap Fee
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED

METER TEST FEE..... \$25.00
THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) \$5.00
PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$30.00
RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

RECONNECTION FEE
THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00) \$25.00
- b) Customer's request that service be disconnected \$60.00
- c) After Hours Reconnect Fee \$35.00

If after a customer has been notified that an after hours charge will be assessed and the customer still chooses to have service connected after 5:00 p.m. instead of waiting until the next business day, the utility can charge an after hours charge in addition to the normal fee; however, the total charge cannot exceed \$60.00. If service is required to be restored within 36 hours pursuant to P.U.C. SUBST. R. 24.88(b)(1) the utility cannot charge the additional fee after the expiration of the first 24 hours following the payment of a disconnected delinquent account. If the customer requests to have the service reconnected after normal business hours within the first 24 hours following payment, the additional fee may be charged.

RECONNECT FEE. The Utility shall charge a reconnect fee of \$25.00 for reconnecting service during normal weekday business hours. A surcharge of \$35.00 may be charged when the customer requests service to be reconnected after 5:00pm on business days, weekends and holidays, subject to Title 16 Texas Administrative Code Chapter 24.88(h). The customer must be advised that this additional fee will be charged and given an opportunity to decline the service at the time the "after hours" reconnect request is originally made.

TRANSFER FEE..... \$65.00
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) \$50.00

Docket No. 43245

SECTION 1.0 -- RATE SCHEDULE (Continued)

COMMERCIAL & NON-RESIDENTIAL DEPOSIT..... 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE:

WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [P.U.C. SUBST. R. 24.21(K)(2)]

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0—EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE

Changes in fees imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through as an adjustment to the water gallonage charge according to the following formula:

$AG = G + B / (1 - L)$, where

AG= adjusted gallonage charge, rounded to the nearest one cent:

G= approved gallonage charge (per 1,000 gallons);

B=change in purchased water/district gallonage charge (per 1,000 gallons);

L=system average line loss for preceding 12 months not to exceed 0.15

FRANCHISE FEE ASSESSMENT. Franchise fees levied by a municipality may be passed through to those customers inside the city generating the revenues upon which the franchise fee is calculated. Implementation of this pass through clause shall be subject to the notice and approval process of the city having original jurisdiction over these fees. Franchise fees may not be passed through or allocated to utility customers outside the municipality.

EASEMENTS. Pursuant to P.U.C. SUBST. R. 24.85(d), easements from customers may be required as a precondition of service when:

- (1) Where recorded public utility easements on the service applicant's property do not exist or public road right-of-way easements are not available to access the property of a service applicant, the public utility may require the service applicant or land owner to grant a permanent recorded public easement dedicated to the public utility to construct, install, maintain, inspect and test water and/or sewer facilities necessary to serve the applicant.
- (2) As a condition of service to a new subdivision, public utilities may require developers to provide permanent recorded public utility easements to and throughout the subdivision sufficient to construct, install, maintain, inspect, and test water and/or sewer facilities necessary to serve the subdivision's anticipated service demands upon full occupancy.

SECTION 2.0 -- SERVICE RULES AND POLICIES

Section 2.01 -- Public Utility Commission of Texas Rules

The utility will have the most current Public Utility Commission of Texas (PUC or Commission) Rules, Chapter 24, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or commission approved changes to the Rules supersede any rules or requirements in this tariff.

Section 2.02 - Application for and Provision of Water Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff), will be signed by the applicant before water service is provided by the utility. A separate application or contract will be made for each service location.

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Where service has previously been provided, service will be reconnected within one working day after the applicant has met the requirements for reconnection.

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers may be required to install a customer owned cut-off valve on the customer's side of the meter or connection.

Section 2.03 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the PUC Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant that a complaint may be filed with the Commission.

Section 2.04 -- Customer Deposits

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit as provided for in Section 1.02 - Miscellaneous Fees of this tariff. The utility will keep records of the deposit and credit interest in accordance with PUC Rules.

Docket Number: 43245

SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

Section 2.04 – Customer Deposits (cont.)

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

Refund of deposit. - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any residential customer who has paid 18 consecutive billings without being delinquent.

Section 2.05 - Meter Requirements, Readings, and Testing

All water sold by the utility will be billed based on meter measurements. The utility will provide, install, own and maintain meters to measure amounts of water consumed by its customers. One meter is required for each residential, commercial, or industrial connection.

Service meters will be read at monthly intervals and as nearly as possible on the corresponding day of each monthly meter reading period unless otherwise authorized by the Commission.

Meter tests. The utility will, upon the request of a customer, and, if the customer so desires, in his or her presence or in that of his or her authorized representative, make without charge a test of the accuracy of the customer's meter. If the customer asks to observe the test, the test will be made during the utility's normal working hours at a time convenient to the customer. Whenever possible, the test will be made on the customer's premises, but may, at the utility's discretion, be made at the utility's testing facility. If within a period of two years the customer requests a new test, the utility will make the test, but if the meter is found to be within the accuracy standards established by the American Water Works Association, the utility will charge the customer a fee which reflects the cost to test the meter up to a maximum \$25 for a residential customer. Following the completion of any requested test, the utility will promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

Docket Number: 43245

SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

Section 2.06 - Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. Payment for utility service is delinquent if full payment, including late fees and the regulatory assessment, is not received at the utility or the utility's authorized payment agency by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next workday after the due date.

A late penalty of either \$5.00 or 10.0% will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

Each bill will provide all information required by the PUC Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a local or toll-free telephone number (or numbers) to which customers can direct questions about their utility service.

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. If the dispute is not resolved, the utility will inform the customer that a complaint may be filed with the commission.

Section 2.07 - Service Disconnection

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand delivered.

The utility is encouraged to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 26 days from the date of issuance of a bill and if proper notice of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the PUC Rules.

Utility service may also be disconnected without notice for reasons as described in the PUC Rules.

Docket Number: 43245

SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

Section 2.07 - Service Disconnection (cont.)

Utility personnel must be available to collect payments and to reconnect service on the day of and the day after any disconnection of service unless service was disconnected at the customer's request or due to a hazardous condition.

Section 2.08 - Reconnection of Service

Service will be reconnected within 24 hours after the past due bill and any other outstanding charges are paid or correction of the conditions which caused service to be disconnected:

Section 2.09 - Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

Prorated Bills - If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

Section 2.10 - Quality of Service

The utility will plan, furnish, and maintain production, treatment, storage, transmission, and distribution facilities of sufficient size and capacity to provide a continuous and adequate supply of water for all reasonable consumer uses. Unless otherwise authorized by the TCEQ, the utility will maintain facilities as described in the TCEQ Rules and Regulations for Public Water Systems.

Section 2.11 - Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through the PUC complaint process. Pending resolution of a complaint, the Commission may require continuation or restoration of service.

Docket Number: 43245

SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

Section 2.11 - Customer Complaints and Disputes (cont.)

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND POLICIES

This section contains specific utility service rules in addition to the rules previously listed under Section 2.0. It must be reviewed and approved by the Commission and in compliance with PUC rules to be effective.

Docket Number: 43245

SECTION 3.0--EXTENSION POLICY

Section 3.01 - Standard Extension Requirements

LINE EXTENSION AND CONSTRUCTION CHARGES: No contribution in aid of construction may be required of any customer except as provided for in this approved extension policy.

The customer will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

The utility will bear the full cost of any over-sizing of water mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage, or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

COSTS THE UTILITIES SHALL BEAR. Within its certified area, the utility will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision. However, if the residential customer requesting service purchased the property after the developer was notified in writing of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

Developers may be required to provide contributions in aid of construction in amounts to furnish the system with all facilities necessary to comply with TCEQ's Rules and Regulations for Public Water Systems.

SECTION 3.20—SPECIFIC UTILITY EXTENSION POLICY

This section contains the utility's specific extension policy which complies with the requirements already stated under Section 3.01. It must be reviewed and approved by the Commission and in compliance with PUC rules to be effective.

Residential customers not covered under Section 3.01 will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the additional cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with TCEQ minimum design criteria for facilities used in the production, transmission, pumping, or treatment of water or TCEQ minimum requirements. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

Chuck Bell dba Chuck Bell Water Systems, LLC
(Utility Name)

Water Tariff Page No. 12

SECTION 4.0 – DROUGHT CONTINGENCY PLAN
(Utility must attach a copy of TCEQ approved Drought Contingency Plan)

Docket Number: 43245

**APPENDIX A -- APPLICATION FOR SERVICE
(Utility Must Attach Blank Copy)**

THIS DOCUMENT CONTAINED A BARCODE

UNABLE TO SCAN

**TO VIEW DOCUMENT(S)
PLEASE GO TO
PUC'S
CENTRAL RECORDS**

(512) 936-7180

COMMISSION ADVISING & DOCKET MANAGEMENT
OUTGOING COMMISSION-SIGNED ORDER
MAIL LOG

RECEIVED

APR -6 PM 4:34
PUBLIC UTILITY COMMISSION
FILING CLERK

DATE: 4/6/15

DOCKET NO.	STAFF	NO. OF PAGES	DATE ORDER SIGNED
43245	I. Montelongo	18	4/6/15

TYPE OF ORDER: Notice of Approval

FILE STAMP DATE: 4/6/15 FILE STAMP TIME 4:33 A.M. P.M.

**NOTE: IF THE ORDER IS PLACED IN THE MAIL AFTER 2:00 PM, ENTER THE NEXT BUSINESS DAY AS THE DATE THE ORDER WAS MAILED
FIRST CLASS MAIL ONLY -- NO FED EX, AIRBORNE, UPS**

CADM OUTGOING MAILBOX

DATE: 4/7/15 TIME 8:00 A.M. P.M.

MAILROOM OUTGOING MAILBOX

DATE: _____ TIME _____ A.M. P.M.

Keaf Williams 4/6/15
SIGNATURE DATE

18

SERVICE LIST

DOCKET NO: 43245

**APPLICATION OF CHUCK BELL DBA CHUCK BELL WATER SYSTEMS FOR APPROVAL
OF RATE/TARIFF CHANGE AND SURCHARGE (37241-R)**

PARTIES	REPRESENTATIVE/ADDRESS
PUBLIC UTILITY COMMISSION	LEGAL DIVISION PUBLIC UTILITY COMMISSION 1701 N CONGRESS AVE STE 8-110 AUSTIN TX 78711 512-936-7260 512-936-7268 FAX
CHUCK BELL d/b/a CHUCK BELL WATER SYSTEMS	MARK H ZEPPA LAW OFFICES OF MARK H ZEPPA PC 4833 SPICEWOOD SPRINGS RD STE 202 AUSTIN TX 78759-8436 512-346-4011 512-346-6847 FAX Email: markzeppa@austin.rr.com

Verified: 12/4/14 rdh; 12/4/14 as; 1/15/15 as; 2/25/15; 3/31/15 rdh; 4/6/15 krw

THIS DOCUMENT CONTAINED A BARCODE

UNABLE TO SCAN

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(512) 936-7180

Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner

Brandy Marty Marquez
Commissioner

Brian H. Lloyd
Executive Director



Greg Abbott
Governor

2015 JUN -8 PM 1:40

Public Utility Commission of Texas

TO: Chuck Bell
Chuck Bell Water Systems L.L.C.
P.O. Box 731
Crowley, TX 76036

Legal Division
Water Utility Regulation Division

RE: Tariff Control No. 44720 – Application of Chuck Bell Water Systems L.L.C. for Approval of a Sampling Fee Surcharge.

NOTICE OF APPROVAL

On May 6, 2015, Chuck Bell Water Systems L.L.C. (CBWS) filed an application for a sampling fee surcharge. CBWS proposed to impose the surcharge with the July 2015 billing cycle for a period of one month on customers in the Sandersview subdivision.

On June 3, 2015, Public Utility Commission of Texas (Commission) Staff filed its recommendation for approval of the application with the adjustment period modified from one month to two months to reduce the financial burden of the surcharge on the customers. The adjustment results in a surcharge amount of \$6.51 per connection per month for two months. Staff's adjustment ensures compliance with 16 Tex. Admin. Code §24.21(k)(2)(A) that the surcharge only recover the actual increase in costs to the utility may be collected over a specifically authorized time period without being listed on the approved tariff for a sampling fees not already included in rates. In addition, Commission Staff recommended the first bills that the Applicant sends out that includes the surcharge include a short statement as follows: "A sampling surcharge has been approved by the Public Utility Commission of Texas (PUC) to cover sampling fees incurred by the utility and required by the Safe Drinking Water Act." Staff recommended the Commission approval note that the applicant is not authorized by the Commission to collect more than the expenses incurred for the water sampling.

Consistent with Staff's recommendation, the application is approved effective with the July 2015 billing cycle for a period of two months on customers in the Sandersview subdivision.

The first bill that the CBWS sends out that includes the surcharge shall include the following statement: "A sampling surcharge has been approved by the Public Utility Commission of Texas to cover fees incurred by the utility for sampling required by the Safe Drinking Water Act." CBWS is not authorized to collect more surcharge revenue than the expense amounts incurred for the water sampling.

SIGNED AT AUSTIN, TEXAS on the 8th day of June 2015.

PUBLIC UTILITY COMMISSION OF TEXAS


IRENE MONTELONGO
DIRECTOR, DOCKET MANAGEMENT

q:\cadm\doCKET management\water\rates\44xxx\44720-noa.docx

Attachment 'B'

Confidential

Customer Name and Address and Deposit Information

Attachment 'C'

Confidential

Limited Liability Company Agreement Undine Texas, LLC
Organizational Chart

Attachment 'D'

Certificate of Account Status

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



Carlos H. Cascos
Secretary of State

Office of the Secretary of State

Certificate of Fact

The undersigned, as Secretary of State of Texas, docs hereby certify that the document, Application for Registration for Undine Texas, LLC (file number 802339329), a DELAWARE, USA, Foreign Limited Liability Company (LLC), was filed in this office on November 25, 2015.

It is further certified that the entity status in Texas is in existence.

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on January 04, 2017.



A handwritten signature in black ink, appearing to read "Cascos", followed by a horizontal line.

Carlos H. Cascos
Secretary of State

Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "UNDINE TEXAS, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE NINETEENTH DAY OF SEPTEMBER, A.D. 2016.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "UNDINE TEXAS, LLC" WAS FORMED ON THE TWENTY-THIRD DAY OF OCTOBER, A.D. 2015.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



5860781 8300

SR# 20165845862

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

Authentication: 203018268

Date: 09-19-16

Attachment 'E'

Confidential

Evidence of Financial, Managerial and Technical Capabilities

Attachment 'F'

Confidential

Financial Information

Attachment 'G'

Utilities within 2-Miles

Chuck Bell Utilities PWSID System Name	Utility Name Within 2-miles	CCN#
Bear Creek Estates	TARRANT COUNTY	
	MONARCH UTILITIES I LP	12983
	SHELCON COMPANY	13055
	TRINITY RIVER AUTHORITY OF TEXAS	
Bell manor subdivision	JOHNSON COUNTY	
	JOHNSON COUNTY SUD	
	EMCAD WATER & WASTEWATER	20816
	MONARCH UTILITIES I LP	12983
	CITY OF FORT WORTH	12311
	TARRANT COUNTY	
Buffalo Creek	TRINITY RIVER AUTHORITY OF TEXAS	
	CITY OF CLEBURNE	10917
	CITY OF KEENE	10905
	JOHNSON COUNTY SUD	10081
	AQUA TEXAS INC	13201
	CREST WATER COMPANY	12037
	BETHESDA WSC	10089
	JOHNSON COUNTY	
	BRAZOS RIVER AUTHORITY	
Crowley II Acres Subdivision	JOHNSON COUNTY	
	JOHNSON COUNTY SUD	
	CREST WATER COMPANY	12037
	MONARCH UTILITIES I LP	12983
	CITY OF FORT WORTH	12311
	TARRANT COUNTY	
	NORTH WHISPERING MEADOWS WATER	12621
	SKYLINE DRIVE LANDOWNERS ASSN	12479
	EMCAD WATER & WASTEWATER	20816
TRINITY RIVER AUTHORITY OF TEXAS		
John Dame	JOHNSON COUNTY	
	JOHNSON COUNTY SUD	
	CREST WATER COMPANY	12037
	MONARCH UTILITIES I LP	12983
	CITY OF FORT WORTH	12311
	TARRANT COUNTY	
Martin Creek Estates	TRINITY RIVER AUTHORITY OF TEXAS	
	CITY OF CLEBURNE	10917
	JOHNSON COUNTY SUD	10081
	JOHNSON COUNTY	
Rock Creek Estates	BRAZOS RIVER AUTHORITY	
	JOHNSON COUNTY	
	JOHNSON COUNTY SUD	
	CREST WATER COMPANY	12037
	MONARCH UTILITIES I LP	12983
	CITY OF FORT WORTH	12311
	TARRANT COUNTY	
	NORTH WHISPERING MEADOWS WATER	12621
	EMCAD WATER & WASTEWATER	20816
TRINITY RIVER AUTHORITY OF TEXAS		
Sandersview Subdivision PWS	JOHNSON COUNTY	
	CITY OF CLEBURNE	10917
	CITY OF KEENE	10905
	JOHNSON COUNTY SUD	10081
	AQUA TEXAS INC	13201
	CREST WATER COMPANY	12037
	BETHESDA WSC	10089
	JOHNSON COUNTY	
BRAZOS RIVER AUTHORITY		

Attachment 'H'

Individual Page 16 & 17 for Each System, Inspection Reports

Bear Creek Estates - Attachment H-1

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:

2	2	0	0	3	3	6
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Date of last inspection:

12-13-11

B. For 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

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:

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

Water		Sewer	
-Non Metered	-2" meter	-Residential Connection	
-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: 20		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 Attachment 'J'		

24. Attach the following maps with each copy of the application: **See Attachment 'J'**
- 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.

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



Ad 2200336 / c.d.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 13, 2011

RECEIVED

JUL 03 2012

TCEQ
CENTRAL FILE ROOM

Chuck Bell
Chuck Bell Water Systems
P.O. Box 731
Crowley, Texas 76036

Re: Compliance Evaluation Investigation at:
Bear Creek Estates W.S., Bear Creek Drive, Tarrant County, Texas
RN101438174, TCEQ Additional ID 2200336, Investigation No. 970129

Dear Mr. Bell:

On November 29, 2011, Mr. Steven Mindt of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth Region Office conducted an Comprehensive Compliance Investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation; however please see the attached Summary of Investigation Findings.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Steven Mindt in the Dallas/Fort Worth Region Office at (817) 588-5843.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall", is written over a horizontal line.

Charles Marshall, Team Leader
Dallas/Fort Worth Region Office

CM/sm

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

BEAR CREEK ESTATES

Investigation # 970129

6259 BEAR CREEK DR E
FORT WORTH, TARRANT COUNTY, TX 76126

Investigation Date: 11/29/2011

Additional ID(s): 2200336

No Violations Associated to this Investigation

ADDITIONAL ISSUES

<u>Description</u>	<u>Additional Comments</u>
Item 1	Organize the water system paperwork for inspections. The paperwork should be readily accessible and organized in files or electronic format. At the time of the inspection, the paperwork was not organized or readily accessible.

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:

1	2	6	0	0	8	0
---	---	---	---	---	---	---

Date of last inspection:

04/12/11

B. For Wastewater Systems:

-TCEQ Discharge Permit Number: W Q

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 -Name of Permittee:

--

 -Date of application to transfer Discharge Permit submitted:

--

 -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

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: 0.00%

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

Water		Sewer	
	-Non Metered		-2" meter
23	-5/8" or 3/4" meter		-3" meter
	-1" meter		-4" meter
	-1 1/2" meter		-Other
Total Water Connections:		23	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 Attachment 'J'		

24. Attach the following maps with each copy of the application: **See Attachment 'J'**
- 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.

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



1260080/CO

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JUL 01 2012
TCEQ
CENTRAL FILE ROOM

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

June 15, 2011

E-SIGNATURE CONFIRMATION 91 3408 2133 3932 0200 1558

RECEIVED
JUN 23 2011
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

Mr. Chuck Bell, Owner
Bell Manor Subdivision
P.O. Box 713
Crowley, Texas 76036

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Bell Manor Subdivision, Sparks Lane, Johnson County, Texas
RN101231090; TCEQ ID No. 1260080 Investigation No.913554

Dear Mr. Bell:

On April 12, 2011, Ms. Brittany Pettitt of the Texas Commission on Environmental Quality (TCEQ), D/FW Metroplex Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by September 15, 2011 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 Dallas/Fort Worth Region Office at 817-588-5800 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

Mr. Chuck Bell

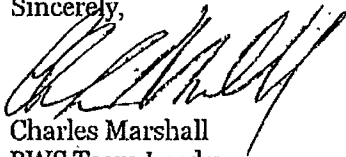
June 6, 2011

Page 2

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 Dallas/Fort Worth Region Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall will schedule a violation review meeting to be conducted *within 21 days 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 attached 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. Brittany Pettitt in the Dallas/Fort Worth Region Office at (817) 588-5820.

Sincerely,



Charles Marshall
PWS Team Leader
D/FW Region Office

CM/bfp

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

BELL MANOR SUBDIVISION

Investigation # 913554

Investigation Date: 04/12/2011

, JOHNSON COUNTY,

Additional ID(s): 1260080

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

Track No: 434274 Compliance Due Date: 09/15/2011

30 TAC Chapter 290.46

Alleged Violation:

Investigation: 913554

Comment Date: 5/24/2011

Failure to perform an annual tank inspections (both storage/pressure) to verify that all instrumentation and controls are working properly.

290.46(m)(1)

(m) Maintenance and housekeeping.. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

(1) Each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

OBSERVATION: On the day of the investigation, the water system did not have any tank inspections available for review.

COMMENTS: On April 21, 2011, potable water tank inspection forms were submitted to the TCEQ Regional D/FW Office, however, the documentation did not provide adequate information to resolve this violation.

Recommended Corrective Action: Annual tank inspections must be done annually and determine that all instrumentation and controls are working properly.

ALLEGED VIOLATION(S) NOTED AND RESOLVED ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 434270

30 TAC Chapter 290.41(a)

Alleged Violation:

Investigation: 913554

Comment Date: 5/24/2011

Failure to ensure that the concrete sealing block surrounding Well #1 (G1260080A) not have any cracks, crevices, breaks, or openings of any kind.

290.41(c)(3)

(1) The well site shall be fine graded so that the site is free from depressions, reverse grades, or areas too rough for proper ground maintenance so as to ensure that surface water will drain away from the well. In all cases, arrangements shall be made to convey well pump drainage, packing gland leakage, and floor drainage away from the wellhead. Suitable drain pipes located

at the outer edge of the concrete floor shall be provided to collect this water and prevent its ponding or collecting around the wellhead. This wastewater shall be disposed of in a manner that will not cause any nuisance from mosquito breeding or stagnation. Drains shall not be directly connected to storm or sanitary sewers.

(J) In all cases, a concrete sealing block extending at least three feet from the well casing in all directions, with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inches per foot shall be provided around the wellhead.

OBSERVATION: On the day of the investigation, the water system had not ensured the sealing block surrounding Well #1 be free of cracks, crevices, breaks, or openings of any kind.

Recommended Corrective Action: CORRECTIVE ACTION RECOMMENDATION: Provide documentation which indicates the sealing block surrounding Well #1 not have any cracks, crevices, breaks, or openings of any kind.

Resolution: RESOLUTION: On April 21, 2011 documentation was received in the regional office that the system had submitted, specifically photographs. This appears to resolve the violation.

Track No: 434276

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 913554

Comment Date: 5/24/2011

Failure to calibrate well meters, on Wells #1 as required by 30 TAC 290.41(c)(3)(N) at least once every three years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

290.46(s)(1)

(s) Testing equipment. Accurate testing equipment or some other means of monitoring the effectiveness of any chemical treatment or pathogen inactivation or removal processes must be used by the system.

(1) Flow measuring devices and rate-of-flow controllers that are required by §290.42(d) of this title (relating to Water Treatment) shall be calibrated at least once every 12 months. Well meters required by §290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years.

OBSERVATION: On the day of the investigation, the system had gone an unknown time without calibrating their well meters on Well #1.

Recommended Corrective Action: Three options for corrective action: Conduct an accuracy check on the well meter (must be +/- 5% error) and provide documentation of accuracy check to D/FW TCEQ; have a company calibrate the meter and provide the calibration certification to D/FW TCEQ; purchase new meters and provide receipt and calibration certification from the manufacturer to D/FW TCEQ.

Resolution: On April 21, 2011 documentation was received in the regional office that system has submitted documentation, specifically a well meter purchase receipt which indicate the meter on Well #1 was purchased in 2010. This appears to resolve the violation.

Buffalo Creek - Attachment H-3

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:

1	2	6	0	0	8	4
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Date of last inspection:

05/26/2016

B. For 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

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: 0.00%

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

Water		Sewer	
	-Non Metered		-2" meter
49	-5/8" or 3/4" meter		-3" meter
	-1" meter		-4" meter
	-1 1/2" meter		-Other
Total Water Connections:		49	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:

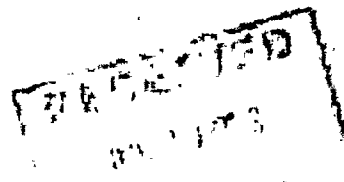
Name	Class	License#
See Attachment 'I'		

24. Attach the following maps with each copy of the application: **See Attachment 'J'**
- 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.

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



PWS 1260084-60-20160728-Comp1



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 28, 2016

E SIGNATURE CONFIRMATION # 91 3408 2133 3931 8417 8903

Mr. Chuck Bell, Owner
Chuck Bell Water Systems, LLC
PO Box 731
Crowley, TX 76036-0731

RECEIVED

OCT 12 2016

TCEQ
CENTRAL FILE ROOM

Re: Notice of Violation for Public Water Supply Complaint Investigation at:
Buffalo Creek, Johnson County, Texas
RN 101259596, PWS ID No. 1260084, Investigation No.1342290, Incident No.
233443

Dear Mr. Bell:

On May 26-31, 2016, Mr. Michael Caldwell of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional 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 certain outstanding alleged violation was identified for which compliance documentation is required. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation. Therefore, no further action is required.

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 D/FW Regional Office at (817) 588-5800 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 D/FW Regional Office within 10 days from the date of this letter. At that time, Mr. Jeff Tate, Water Section Manager, will schedule a violation review meeting to be conducted within 21 days 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 attached Summary of Investigation Findings

Mr. Chuck Bell, Owner
Page 2
July 28, 2016

until an official decision is made regarding the status of the contested violation.

If you or members of your staff have any questions, please feel free to contact Mr. Caldwell in the D/FW Regional Office at 817-588-5860.

Sincerely,



Charles Marshall
Team Leader, Public Water Supply Program
D/FW Regional Office
CM/mlc

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

BUFFALO CREEK

Investigation #

1342290
Investigation Date: 05/26/2016

, JOHNSON COUNTY,

Additional ID(s): 1260084

ALLEGED VIOLATION(S) NOTED AND RESOLVED ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 611585

30 TAC Chapter 290.110(b)(4)

30 TAC Chapter 290.46(d)(2)(A)

Alleged Violation:

Investigation: 1342290

Comment Date: 07/20/2016

Failure to maintain a free chlorine residual of at least 0.2 mg/L throughout the distribution system.

30 TAC 290.110(b)(4) states that the residual disinfectant concentration in the water within the distribution system shall be at least 0.2 mg/L free chlorine or 0.5 mg/L chloramine (measured as total chlorine).

30 TAC 290.46(d)(2) states the disinfection equipment shall be operated to maintain the following minimum disinfectant residuals in each finished water storage tank and throughout the distribution system at all times:

30 TAC 290.46(d)(2)(A) states a free chlorine residual of 0.2 mg/L.

During the Complaint Investigation, disinfectant residuals were measured at the following locations with the following results:

-909 Steinway Lane 0.05 mg/L free chlorine.

-910 Steinway Lane 0.02 mg/L free chlorine.

Recommended Corrective Action: Immediately increase the disinfectant residual within the distribution system to the minimum requirements. Provide documentation that the disinfectant residual was increase to 0.2 mg/L free chlorine within 24 hours.

Resolution: On May 31, 2016, the investigator noted the following disinfectant residuals at the following locations:

- Pump Station: 3.98 mg/l free chlorine
- 2317 Hopewell Rd. : 0.93 mg/L
- 2510 Chickering Ct : 1.55 mg/L
- 2307 Chickering Lane: 6.3 mg/L
- 2315 Bozoki Lane: 6.5 mg/L

It appears that the alleged violation has been resolved.

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:

1	2	6	0	0	1	2
---	---	---	---	---	---	---

Date of last inspection:

06/07/2016

B. For Wastewater Systems:

-TCEQ Discharge Permit Number: W-Q

--	--	--	--	--	--

 -

--	--	--

-Name of Permittee:

--

-Date of application to transfer Discharge Permit submitted:

--

-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

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:

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

Water			Sewer		
	-Non Metered		-2" meter		-Residential Connection
81	-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:			81	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 Attachment 'I'		

24. Attach the following maps with each copy of the application: **See Attachment 'J'**
- 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.

PWS = 1260012 - CO - 20160603 - Initial Contact Letter

Bryan W. Shaw, Ph.D., P.E., *Chair*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

~~June 3, 2016~~

RECEIVED

DEC 02 2016

TCEQ
CENTRAL FILE ROOM

Mr. Chuck Bell, President
Chuck Bell Water Systems, LLC.
P.O. Box 731
Crowley, Texas 76036

Re: Chuck Bell Water Systems, LLC. dba Crowley II Acre Subdivision; RN102679842
Docket No. 2015-1758-PWS-E; Case No. 51585

This letter is a courtesy notice to inform you that the above-referenced Agreed Order issued by the Texas Commission on Environmental Quality ("TCEQ") has been transferred to the Enforcement Division's Compliance Monitoring Section.

Please review the ordering provisions to ensure you comply with the requirements of the Order in a timely manner. The deadline for the first ordering provision was May 17, 2016. Please be aware that most orders require a notarized certification of compliance. The TCEQ may initiate additional enforcement action should compliance documentation be deficient or delinquent.

Compliance documentation should be submitted by mail to:

Compliance Monitoring Section, Enforcement Division
Attn: Emma Beck, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Please reference Docket No. 2015-1758-PWS-E in your correspondence. If you have any questions, please contact me by phone at (512)239-1813, by fax at (512)239-4562, or by email at emma.beck@tceq.texas.gov.

Sincerely,

A handwritten signature in cursive script that reads "Emma C. Beck".

Emma C. Beck, Enforcement Coordinator
Enforcement Division

Enclosure: Copy of Agreed Order Docket No. 2015-1758-PWS-E

bcc: Manager, Water Section, Dallas/Fort Worth Regional Office, TCEQ
Emma Beck, Coordinator, Enforcement Division, MC 149A
Central Records, MC 213, Building E, 1st Floor
PWS_1260012_CO_20160603_InitialContact
Enforcement Division Reader File

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN § BEFORE THE
ENFORCEMENT ACTION §
CONCERNING § TEXAS COMMISSION ON
CHUCK BELL WATER SYSTEMS, §
LLC DBA CROWLEY II ACRE §
SUBDIVISION § ENVIRONMENTAL QUALITY
RN102679842

AGREED ORDER
DOCKET NO. 2015-1758-PWS-E

I. JURISDICTION AND STIPULATIONS

On MAY 17 2016, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Chuck Bell Water Systems, LLC dba Crowley II Acre Subdivision (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a public water supply located at 920 West of Farm-to-Market Road 1902, South on County Road 1015 near Crowley, Johnson County, Texas (the "Facility") that has approximately 83 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
3. The Respondent received notice of the violations alleged in Section II ("Allegations") on December 10, 2015.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

5. An administrative penalty in the amount of Three Hundred Five Dollars (\$305) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Hundred Forty-Four Dollars (\$244) of the administrative penalty and Sixty-One Dollars (\$61) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
9. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
10. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have failed to maintain a disinfectant residual of at least 0.20 milligrams per liter ("mg/L") of free chlorine throughout the distribution system at all times, in violation of 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on September 22, 2015 and October 20, 2015. Specifically, on September 22, 2015, field samples collected and measured a free chlorine residual of 0.03 mg/L at 4610 Chisholm Trail; and 0.05 mg/L at 4405 and 4301 Chisholm Trail. In addition, on October 20, 2015, field samples collected and measured a free chlorine residual of 0.06 mg/L at 4509 Chisholm Trail; 0.08 mg/L at 4405 Chisholm Trail; 0.06 mg/L at 4301 Chisholm Trail; 0.53 mg/L at 4101 Chisholm Trail; and 0.09 mg/L at a complainant's property, respectively.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Chuck Bell Water Systems, LLC dba Crowley II Acre Subdivision, Docket No. 2015-1758-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, begin maintaining a minimum disinfection residual of 0.20 mg/L of free chlorine at all times, in accordance with 30 TEX. ADMIN. CODE §§ 290.46 and 290.110.
 - b. Within 15 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.d. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
 - c. Within 30 days after the effective date of this Agreed Order, update the Facility's operational guidance and conduct employee training to ensure that a disinfectant residual concentration of at least 0.20 mg/L free chlorine is maintained throughout the distribution system, in accordance with 30 TEX. ADMIN. CODE §§ 290.46 and 290.110. This provision will be satisfied upon six months of weekly compliant monitoring and reporting. Monitoring results shall be submitted to the addresses listed in Ordering Provision No. 2.d.
 - d. Within 225 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature

could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

Rayan Sinclair
For the Executive Director

5/17/2016
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Chuck Bell
Signature

2-3-16
Date

CHUCK BELL
Name (Printed or typed)
Authorized Representative of
Chuck Bell Water Systems, LLC dba Crowley II Acre Subdivision

OWNER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 20, 2016

Mr. Chuck Bell
President
Chuck Bell Water Systems, LLC
P.O. Box 731
Crowley, Texas 76036

Re: TCEQ Enforcement Action
Chuck Bell Water Systems, LLC dba Crowley II Acre Subdivision
Docket No. 2015-1758-PWS-E

Dear Mr. Bell:

Enclosed for your records is a fully-executed copy of the Agreed Order for the above-referenced matter.

Please review the enclosed Agreed Order, particularly the "Ordering Provisions" section, to determine if further action will be required of you, such as the completion of technical requirements to achieve compliance. When technical requirements are listed (usually Ordering Provision No. 2 or 3), a deadline will be provided based on a specific number of days after the effective date. The effective date is as stated in the enclosed Agreed Order.

Should you have any questions, please contact Epifanio Villarreal, the Enforcement Coordinator assigned to this matter, at (361) 825-3425.

Sincerely,

Melissa Cordell

Melissa Cordell
Enforcement Division

Enclosure

cc: Epifanio Villarreal, Enforcement Division
Water Section Manager, Region 4

PWS_1260012_20161014_Enforcement
Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Chuck Bell Water Systems, LLC
Customer Number: CN604008680

Regulated Entity Name: CROWLEY II ACRE SUBDIVISION

Regulated Entity Number: RN102679842

Investigation # 1337492	Incident Numbers
Investigator: EMMA BECK	Site Classification GW 51-250 CONNECTION
Conducted: 06/07/2016 -- 06/07/2016	SIC Code: 4941
Program(s): PUBLIC WATER SYSTEM/SUPPLY	
Investigation Type: Compliance Invest File Review	Location: 920 W OF 1902 S ON CR 1015
Additional ID(s): 1260012	

Address: ;	Local Unit:
	Activity Type(s):

RECEIVED
NOV 02 2016
TCEQ
CENTRAL FILE ROOM

Principal(s):

Role	Name
RESPONDENT	CHUCK BELL WATER SYSTEMS LLC

Contact(s):

Role	Title	Name	Phone
REGULATED ENTITY CONTACT	OWNER	CHUCK BELL	Fax (817) 297-9224 Work (817) 980-6394
REGULATED ENTITY MAIL CONTACT	OWNER	CHUCK BELL	Work (817) 980-6394 Fax (817) 297-9224

Other Staff Member(s):

Role	Name
Supervisor	LANAE FOARD

Associated Check List

Checklist Name	Unit Name
COMPLIANCE WITH RESOLUTION RECORD REVIEW	Docket No 2015-1758-PWS-E

Investigation Comments:

Investigation to resolve violations associated to Commission Order Docket No. 2015-1758-PWS-E. The penalty, has been paid. Documentation demonstrating compliance with the technical requirements and notarized certification have been submitted by the Respondent. The enforcement file will be closed and the Respondent will be sent a Notice of Compliance.

Resolution: Documentation was received on 6/7/2016 demonstrating compliance. Specifically, six months of compliant weekly disinfectant residual monitoring was received.

Signed Emma Beck
Environmental Investigator

Date 9/29/2016

Signed [Signature]
Supervisor

Date 9/29/16

Attachments: (in order of final report submittal)

- Enforcement Action Request (EAR)
- Letter to Facility (specify type): NOC
- Investigation Report
- Sample Analysis Results
- Manifests
- Notice of Registration

- Maps, Plans, Sketches
- Photographs
- Correspondence from the facility
- Other (specify):
- _____
- _____

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 14, 2016

Mr. Chuck Bell, President
Chuck Bell Water Systems, LLC.
P.O. Box 731
Crowley, Texas 76036

Re: Notice of Compliance with Agreed Order
Chuck Bell Water Systems, LLC. dba Crowley II Acre Subdivision; RN102679842
Docket No. 2015-1758-PWS-E; Enforcement Case No. 51585

Dear Mr. Bell:

This letter is to inform you that a review of Texas Commission on Environmental Quality (TCEQ) records concerning the above-referenced enforcement matter indicates that Chuck Bell Water Systems, LLC. dba Crowley II Acre Subdivision has fulfilled the requirements of the Agreed Order effective on May 17, 2016. Specifically, Chuck Bell Water Systems, LLC. dba Crowley II Acre Subdivision has fulfilled the technical requirements and has paid the administrative penalty assessed in the Agreed Order. Based upon this, we conclude that your response has been satisfactory and no further action is necessary at this time with respect to this enforcement matter. The Order will remain on the compliance history for this regulated entity for five years from the effective date of the Order.

We appreciate your cooperation, and if we can be of any further assistance, please contact Ms. Emma Beck at (512) 239-1813.

Sincerely,

A handwritten signature in black ink, appearing to read "Lanae Foard".

Lanae Foard, Work Leader
Enforcement Division



07-JUN-16 01:50 PM

TCEQ - A/R HISTORICAL TRANSACTIONS REPORT BY FEE CODE

<u>Fee</u>	<u>Account Numbs</u>	<u>Customer Nam</u>	<u>Inv/Rec #</u>	<u>Prim</u>	<u>Scnd T</u>	<u>Fec/Por/Re</u>	<u>Tran</u>	<u>Trans Date</u>	<u>Invoice</u>	<u>Tran Amount</u>	<u>Check No</u>	
HQV	23610679	CHUCK BELL WATER SYSTEMS LLC	M619009	C	REC	151758PWSE	W	19-FEB-16		-\$244.00	2611	
		CHUCK BELL WATER SYSTEMS LLC	HQV0027881	D	SIM	151758PWSE	01	30-JUN-16	56790	\$244.00		
		Total (Account):									\$.00	
Grand Total:										\$.00		

Chuck Bell Water Systems L.L.C.

P.O.Box 731
Crowley, Texas 76036

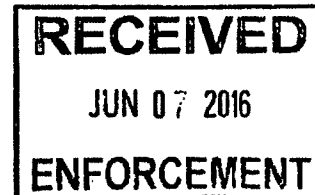
/ Fax (817) 426-4094
Mob. (817)980-6394

June 1, 2016

TO: Emma Beck
FROM: Chuck Bell Chuck Bell Water Systems L.L.C.
Re: Chlorine Operations

This letter is to inform you that CBWS takes multiple steps to insure adequate chlorine levels in the drinking water systems it operates.(1) The chlorine is purchased from a certified chemical dealer Dakota Distributing in Mansfield ,Texas to insure quality of product as to percentage of chlorine available.(2) the chlorine is then distributed to all systems weekly keeping it fresh to maintain quality. (3) the chlorine residual is checked at each location prior to the addition of more chlorine to holding tank ,at each system,for distribution to the systems storage tank. (4) the proper amount of chlorine is added each week and logged onto a weekly activity sheet along with the residual reading for that location/day.(5) Records are kept as required by TCEQ rules and are made available for inspection upon request. Chuck Bell strives to operate in good faith efforts to ensure all customers of CBWS receive safe drinking water on a constant basis. This is a daunting task and doomed to failure on occasion, this was one of those occasions.

CHUCK BELL
CHUCK BELL WATER SYSTEMS L.L.C.




I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Respondent:
Signature: *Chuck Bell* Date: 6.6.16

Printed Name: CHUCK BELL

Notary Public:
Signature: *[Signature]* Date: 6-6-2016

Seal:


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Weekly Activity Sheet

Well: CROWLEY II ACRES 2015

Date:	12.7	12.14	12.21	12.28	1.4
Chlorine Added/Gal.	3.5	3	3	3.5	3.5
Check Residual	Loc 4	Loc 5	Loc 1	Loc 2	Loc 3
Reading	2.1	2.0	2.11	2.1	1.37
Air up	Y	Y	Y	Y	Y
Check Pressure	Y	Y	Y	Y	Y
Pressure Reading	68	64	47	60	62
Check Storage Level	Y	Y	Y	Y	Y
Reading	15.0	16.5	16.5	16.0	16.5
Mowed	N	N	N	N	N
Weedeater	N	N	N	N	N
Check for Leaks	None	None	None	None	None
Found	.	.	.	.	.
Reported	.	.	.	.	.
Action Taken	.	.	.	.	.
Master Meter	7211	7238	7268	7302	7333
Previous Reading	7181	7211	7238	7268	7302
Pumpage	30	27	30	34	31
Date of Main Flush	12.7	12.14	12.21	12.28	

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Weekly Activity Sheet

Well: CROWLEY II ACRES 2016

Date:	1-4	1-11	1-18	1-25	2-1	2-8	2-15
Chlorine Added/Gal.	3.5	3	3	3	3	3	4
Check Residual	loc 3	loc 4	loc 5	loc 1	loc 2	loc 3	loc 4
Reading	1.3	1.1	1.8	1.9	1.9	1.3	1.9
Air up	Y	N	Y	Y	Y	Y	Y
Check Pressure	Y	Y	Y	Y	Y	Y	Y
Pressure Reading	62	58	65	48	53	65	53
Check Storage Level	Y	Y	Y	Y	Y	Y	Y
Reading	16.5	16.5	16.0	16.0	16.5	14.0	16.0
Mowed	N	N	N	N	N	N	N
Weedeater	N	N	N	N	N	N	N
Check for Leaks	None	None	None	None	None	None	None
Found							
Reported							
Action Taken							
Master Meter	7333	7363	7393	7425	7453	7469	7509
Previous Reading	7302	7333	7363	7393	7425	7453	7469
Pumpage	31	30	30	32	28	16	38
Date of Main Flush			1-18				

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Weekly Activity Sheet

Well: CROWLEY II ACRES 2016

Date:	2.22	2.29	3.7	3.13	3.21	3.28	4.4
Chlorine Added/Gal.	4.5	3.5	3	3.5	3.5	4	4
Check Residual	loc5	loc1	loc2	loc3	loc4	loc5	loc1
Reading	1.7	2.0	1.3	1.0	1.7	0.9	1.1
Air up	Y	Y	Y	Y	Y	Y	Y
Check Pressure	Y	Y	Y	Y	Y	Y	Y
Pressure Reading	60	47	51	64	48	50	63
Check Storage Level	Y	Y	Y	Y	Y	Y	Y
Reading	16.5	16.5	16.0	16.5	16.5	16.0	16.0
Mowed	N	N	N	N	Y	N	N
Weedeater	N	N	N	N	Y	N	N
Check for Leaks	None	None	None	None	None	None	None
Found							
Reported							
Action Taken							
Master Meter	7550	7582	7611	7641	7680	7711	7754
Previous Reading	7507	7550	7582	7611	7641	7680	7711
Pumpage	43	32	29	30	39	31	43
Date of Main Flush	2.22					3.28	

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Weekly Activity Sheet

Well: CROWLEY II ACRES 2016

Date:	4.4	4.11	4.17	4.25	5.2	5.9	5.16
Chlorine Added/Gal.	4	3.5	3	4	3.5	3.5	4
Check Residual	loc 1	loc 2	loc 3	loc 4	loc 5	loc 1	loc 2
Reading	1.1	1.6	1.7	1.5	0.9	1.0	1.3
Air up	Y	Y	Y	Y	Y	Y	Y
Check Pressure	Y	Y	Y	Y	Y	Y	Y
Pressure Reading	63	54	51	58	60	54	55
Check Storage Level	Y	Y	Y	Y	Y	Y	Y
Reading	16.0	16.5	16.0	16.5	15.5	16.5	15.0
Mowed	N	N	N	N	N	N	Y
Weedeater	N	N	N	N	N	N	Y
Check for Leaks	None	None	None	None	None	None	None
Found							
Reported							
Action Taken							
Master Meter	7754	7784	7811	7846	7877	7907	7942
Previous Reading	7711	7754	7784	7811	7846	7877	7907
Pumpage	43	30	27	35	31	30	35
Date of Main Flush				4-26			

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Weekly Activity Sheet

Well:

CROWLEY II ACRES 2016

Date:	5.23	5.30	6.6				
Chlorine Added/Gal.	4	4	4				
Check Residual	Loc 3	Loc 4	Loc 5				
Reading	1.7	1.8	1.7				
Air up	Y	N	N				
Check Pressure	Y	Y	Y				
Pressure Reading	54	55	50				
Check Storage Level	Y	Y	Y				
Reading	16.5	16.5	16.0				
Mowed	N	N	N				
Weedeater	N	N	N				
Check for Leaks	None	None	None				
Found	.	.	.				
Reported	.	.	.				
Action Taken	.	.	.				
Master Meter	7975	8006	8035				
Previous Reading	7942	7975	8006				
Pumpage	33	31	29				
Date of Main Flush		5.30					

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