



Control Number: 47054



Item Number: 1

Addendum StartPage: 0



# BLEYL ENGINEERING

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San Angelo, Texas 76903  
Tex. Reg. No. F-678  
www.bleylengineering.com

47054

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PUBLIC UTILITY COMMISSION  
FILING CLERK

April 5, 2017

Public Utility Commission of Texas  
Ms. Lisa Fuentes  
Work Leader  
Water Utilities Division  
1701 N. Congress Avenue  
Austin, Texas 78711-3326

Reference: Concho Rural Water Corporation – CCN No. 11361  
CCN Amendment/Expansion  
Bleyl Engineering Project No. 11298

Dear Ms. Fuentes:

On behalf of our client, Concho Rural Water Corporation (“CRWC”), we request approval of the proposed Certificate of Convenience and Necessity (“CCN”) to cover the Pulliam Ranch Road area. The proposed CCN Expansion will include 21,780 lf of 4-inch, 9,550 lf of 6-inch and 5,645 lf of 8-inch distribution waterlines. The proposed service area is served by an 8-inch waterline (from Grape Creek PWS 2260008) to a booster pump station. The station site contains an incoming water meter, a 10,500-gal GST, (2) 100-gpm booster pumps, 5-gal air tank and a 2,000-gal pressure tank. The control building houses the booster pumps, air compressor and the disinfecting room. The system was constructed in accordance with the TCEQ Chapter 290 guidelines and regulations. A separate application for CRWC’s proposed as-built plans will be submitted to the TCEQ for approval.

The proposed CCN Amendment will allow CRWC to bill existing and future water customers for the water delivered to this area. Approval of this CCN Amendment will not require a rate increase. Currently there are no other services within a two-mile radius of this proposed CCN extension.

We have enclosed the following as part of our request for review and approval:

1. Application to Obtain or Amend a Water or Sewer CCN;
2. Exhibit “A” (Corporation);
  - a. Articles of Incorporation;
  - b. By-Laws;
  - c. Minutes Approving By-Laws;
  - d. Board Members Contact Information and
  - e. Certificate of Account Status.
3. Exhibit “B” (Maps);
  - a. Metes and Bounds Map;
  - b. Written Metes and Bounds;
  - c. Landowners Address Map;
  - d. CCN Exhibit Map and

Conroe  
(936) 441-7833

Bryan  
(979) 268-1125

Austin  
(512) 328-7878

San Angelo  
(325) 262-4082

La Porte  
(281) 470-0955

Houston  
(936) 271-0600

1.1.1

- e. CCN Map Indicating a Two-mile Radius.
- 4. Exhibit "C" (TCEQ PWS Inspection Reports);
  - a. Grape Creek PWS, 2260008;
  - b. North Concho Lake Estates, PWS 2260020;
  - c. Pecan Creek, PWS 2260057;
  - d. Water Valley, PWS 2260060;
  - e. Deer Valley, PWS 2260067;
  - f. The Oaks, PWS 2260093 and
  - g. Water Hauling, PWS 2260102.
- 5. Exhibit "D" (Financials);
  - a. Financial Statements December 31, 2015;
  - b. Trial Balance Worksheet and
  - c. Tariff.
- 6. Exhibit "E" (Customers Notices);
  - a. Notice to Customers of IOUs In Proposed Area.
- 7. Exhibit "F" (Neighboring Notices);
  - a. Notice to Neighboring Systems, Landowners and Cities.
- 8. Digital Copy of detailed map including DWG. file and text file with coordinate system used.
- 9. Record set of as-built plans.

**Effect of granting the CCN Amendment:**

The existing and potential future residential customers may expand in this area. Future commercial properties (over 1.5 miles) along the north and south side of FM 853 (Arden Road) could be developed with this proposed CCN Amendment. This entire area consists of approximately 388 acres. CRWC will have the ability to bill existing and future water customers for water delivered by the extended CCN.

If you have any questions or need additional information please contact me at (325) 262-4082 or by e-mail at [dfentress@bleylengineering.com](mailto:dfentress@bleylengineering.com).

Sincerely,

  
Darrin Fentress, P.E.

Enclosures

cc: Concho Rural Water Corporation



Mr. Ben Wiese, Owner



PURSUANT TO PUC CHAPTER 24, SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER  
SERVICE PROVIDERS, SUBCHAPTER G: CERTIFICATES OF CONVENIENCE AND NECESSITY

## Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

Docket Number: **47054**

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

7 copies of the application, including the original, shall be filed with

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

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If submitting digital map data, two copies of the portable electronic storage medium (such as CD or DVD) are required.

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## Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

### Purpose of Application

☐ Obtain

☐ New Water CCN

☐ New Sewer CCN

☒ Amend

☒ Water CCN# (s) 11361

☐ Amend

☐ Sewer CCN#(s)

### 1. Applicant Information

#### Applicant

Utility name: Concho Rural Water Corporation

Certificate number: 11361

Street address (City/ST/ZIP/Code): 8174 US Highway 87 N, San Angelo, TX 76901

Mailing address(City/ST/ZIP/Code): 8174 US Highway 87 N, San Angelo, TX 76901

Utility Phone Number and Fax: (325) 658-2961

#### Contact information

Please provide information about the person(s) to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant manager, or other title related to the applicant.

Name: Darrin Fentress, P.E.

Title: Engineer

Mailing address: 318 W Highland Blvd, San Angelo, TX 76903

Email: dfentress@bleylengineering.com

Phone and Fax: (325) 262-4082

List all counties in which service is proposed:

Tom Green





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

- ☒ Investor Owned Utility      ☐ Individual      ☐ Partnership
- ☐ Home or Property Owners Association      ☐ For-profit Corporation
- ☐ Non-profit, member-owned, member-controlled cooperative corporation  
(Water Code Chapter 67, Water Supply or Sewer Service Corporation)
- ☐ Municipality      ☐ District      ☐ Other - Please explain:

N/A

B. If the applicant is a For-Profit business or corporation, please include the following information:

- i. A copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts.
- ii. The corporation's charter number as recorded with the Office of the Texas Secretary of State: N/A to this section - listed on printout for Section C below as 0065831000
- iii. A listing of all stockholders and their respective percentages of ownership.
- iv. A copy of the company's organizational chart, if available.
- v. A list of all directors and disclose the title of each individual.
- vi. A list of all affiliated organizations (if any) and explain the affiliate's business relationship with the applicant.

C. If the applicant is a Texas Water Code (TWC) Chapter 67 water supply or sewer service corporation please provide:

- i. A copy of the Articles of Incorporation and By-Laws.
- ii. The corporation's charter number as recorded with the Office of the Texas Secretary of State.
- iii. Identification of all board members including name, address, title, and telephone number.
- iv. A copy of the corporation's *Certificate of Account Status* from the Texas Comptroller of Public Accounts.

## 2. Location Information

- A. Are there people already living in the proposed area?      ☒ Yes      ☐ No
- If YES, are any currently receiving utility service?      ☐ Yes      ☐ No
- If YES, from WHOM? Concho Rural Water Corporation - applicant



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

Have you received any requests for service in the requested service area?

☐ Yes ☒ No

If YES, provide the following:

- i. Describe the service area and circumstances driving the need for service in the requested area. Indicate the name(s) and address(es) of landowner(s), prospective landowner(s), tenant(s), or resident(s) that have requested service; and/or
- ii. Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, septic tank permits, hospitals, etc.); and/or
- iii. Discuss in detail the environmental need(s) for service in the requested area (i.e. failing septic tanks in the requested area, fueling wells, etc.); and/or
- iv. Provide copies of any written application(s) or request(s) for service in the requested area; and/or
- v. Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area.
- vi. If none of these items exist or are available, please justify the need for service in the proposed area in writing.

Note: Failure to demonstrate a need for additional service in the proposed service area may result in the delay and /or possible denial of the application.

C. Is any portion of the proposed service area inside an incorporated city or district?

☐ Yes ☒ No

If YES, within the corporate limits of: N/A

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

N/A

D. Is any portion of the proposed service area inside another utility's CCN area?

☐ Yes ☒ No

If YES, has the current CCN holder agreed to decertify the proposed area?

If NO, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest:

Single Certification



### 3. Map Requirements

Attach the following hard copy maps with each copy of the application:

- A. A location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
- B. A map showing only the proposed area by:
  - i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
  - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
  - iii. following verifiable natural and man-made landmarks; or
  - iv. a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area.
- D. Provide separate and additional maps of the proposed area(s) to show the following:
  - i. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
  - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s).

**Note:** Failure to provide adequate mapping information may result in the delay or possible denial of your application.

Digital data submitted in a format other than ArcView shape file or Arc/Info E00 file may result in the delay or inability to review applicant's mapping information.

For information on obtaining a CCN base map or questions about sending digital map data, please visit the Water Utilities section of the PUC website for assistance.

### 4. New System Information or Utilities Requesting a CCN for the First Time

- A. Please provide the following information:
  - i. a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
  - ii. copies of written requests seeking to obtain service from each of the public drinking water systems or sewer systems listed in a. 1 above or documentation that it is not economically feasible to obtain service from each entity;
  - iii. copies of written responses from each system or evidence that they did not reply; and
  - iv. for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
- B. Were your requests for service denied? ☐ Yes ☒ No



- i. If yes, please provide documentation of the denial of service and go to c.
  - ii. If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separate analysis must be prepared and submitted for each utility that granted your request for service.
- C. Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any:

Existing water distribution system is already in place.

- D. Date of plat approval, if required: \_\_\_\_\_  
 Approved by: \_\_\_\_\_
- E. Date Plans & Specifications submitted to the TCEQ for approval: \_\_\_\_\_  
 Attach copy of approval letter, if available. If the letter is not available by the time your CCN application is submitted, please supplement your application with a copy of the letter once you receive it from the TCEQ.
- F. Date construction is scheduled to commence: \_\_\_\_\_
- G. Date service is scheduled to commence: \_\_\_\_\_

## 5. Existing System Information

A: Please provide the following information for each water and/or sewer system, attach additional sheets if necessary.

i. Water system(s): TCEQ Public Water System identification number(s):

2	2	6	0	0	0	8
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2	2	6	0	0	2	0
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2	2	6	0	0	5	7
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2	2	6	0	0	6	0
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2	2	6	0	0	6	7
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2	2	6	0	0	9	3
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2	2	6	0	1	0	2
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ii. Sewer system(s): TCEQ Discharge Permit number(s)





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- iii. Date of last TCEQ water and/or sewer system inspection(s): 11/1/2016
- iv. Attach a copy of the most recent TCEQ water and/or sewer inspection report letter(s).
- v. For each system deficiency listed in the TCEQ inspection report letter; attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates.

B. Provide the following information about the utility's certified water and/or sewer operators

Name	Classes	License Number
Ben Wiese	C	WG0009136
Danny Sears	C	WG0004870
Charles Kuhn	C	WG0003722

- Attach additional sheet(s) if necessary -

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

- ☐ Yes
- ☒ No

Attach a copy of the 85% rule compliance document filed with the TCEQ if the system is operating at 85% or greater of the TCEQ's minimum standard capacity requirements.

D. In the table below, the number of existing and/or proposed metered and non-metered connections (by size): The proposed number should reflect the information presented in the business plan or financial **documentation** and reflect the number of service requests identified in Question 2.b in the application.

TCEQ Water System			TCEQ Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
5/8" or 3/4" meter	13	0	Residential	0	0
1" meter or larger	0	0	Commercial	0	0
Non-Metered	0	0	Industrial	0	0



TCEQ Water System			TCEQ Sewer System		
Other:	0	0	Other:	0	0
Total Water	13	0	Total Sewer	0	0

E. If this application is for a water CCN only, please explain how sewer service is or will be provided:

Sewer service is composed of existing or proposed OSSF's.

F. If this application is for a sewer CCN only, please explain how water service is or will be provided:

N/A

G. Effect of Granting a Certificate Amendment.

Explain in detail the effect of granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following:

- i. the applicant,
- ii. any retail public utility of the same kind already serving the proximate area; and
- iii. any landowner(s) in the requested area.

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

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

ii. ☐ Yes, Water

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Water Source	% of Total Treatment
N/A	0.00%



Water Source	% of Total Treatment
	0.00%
	0.00%

- iii. ☐ Yes, Sewer treatment capacity  
Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Sewer Source	% of Total Treatment
N/A	0.00%
	0.00%
	0.00%

- iv. Provide a signed and dated copy of the most current water or sewer treatment capacity purchase agreement or contract.

I. Ability to Provide Adequate Service.

Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration:

- i. the current and projected density; and
- ii. the land use of the requested area.

J. Effect on the Land. Explain the effect on the land to be included in the certificated area.

## 6. Financial Information

- A. For new water and/or sewer systems and for applicants with existing CCNs who are constructing a new stand-alone water and/or sewer system:
- i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system, and the source of that capital (such as a financial statement for the developing entity) for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing retail water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
  - ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates



should correlate to the projected growth in connections, shown on the projected profit and loss statement.

- iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.

B. For existing water and/or sewer systems:

- i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
- ii. Attach a proposed rate schedule or tariff.

❖ **Note: An existing water and/or sewer system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application**

C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.

D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.

❖ **Note: Failure to provide adequate financial information may result in the delay or possible denial of your application.**

## 7. Notice Requirements

- A. All proposed notice forms must be completed and submitted with the application. Do not mail or publish the notices until you receive written approval from the commission to do so.
- B. The commission cannot grant a CCN until proper notice of the application has been given. Commission rules do not allow a waiver of notice requirements for CCN applicants.
- C. It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more, and customers are included with this application for use in preparing proposed notices. (Notice forms are available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully before providing the notice.
- F. Notice For Publication:  
The applicant shall publish the notice in a newspaper with general circulation in the county(ies) where a CCN is being requested. The notice must be published once each week for two consecutive weeks beginning with the week after the notice is received from the commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. Notice To Neighboring Utilities:
  - i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area.
  - ii. For applications for the issuance of a NEW CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within five (5) miles of the requested service area.





- iii. For applications for the AMENDMENT of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within two (2) miles of the requested service area.

H. Notice to Customers:

Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application.

- I. The commission may require the applicant to deliver notice to other affected persons or agencies.

**Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the commission. Wait until you receive written authorization to do so. Authorization occurs after the commission has reviewed the notices for completeness, and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public. It is the applicant's burden to ensure that correct and accurate notice is provided.**



## OATH

STATE OF  
COUNTY OF

Texas

Tom Green

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

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

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

\_\_\_\_\_  
AFFIANT

(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 \_\_\_\_\_ of \_\_\_\_\_ 20 \_\_\_\_\_

SEAL

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

\_\_\_\_\_  
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES \_\_\_\_\_



## Notice for Publication

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

Tom Green COUNTY(IES), TEXAS

Name of Applicant Concho Rural Water Corporation has filed an application for a CCN to obtain or amend CCN No. (s) 11361 and to decertify a portion(s) of None with the  
(Name of Decertified Utility)

Public Utility commission of Texas to provide

Water

(specify 1) water or 2) sewer or 3) water & sewer)

utility service in

Tom Green

County  
(ies).

The proposed utility service area is located approximately 9 miles west  
[direction] of downtown San Angelo, [City or Town] Texas, and is generally bounded on the north by FM 2288; on the east by FM 2288; on the south by FM 853; and on the west by Pulliam Ranch Road

The total area being requested includes approximately 388 acres and 13 current customers.

A copy of the proposed service area map is available at (Utility Address and Phone Number): 8174 US Highway 87 N, San Angelo, TX 76901 (325) 658-2961

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



**Persons who wish to intervene or comment should file with the PUC at the following address:**

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

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

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

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

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

***Si desea información en Español, puede llamar al 1-888-782-8477***





# Notice to Neighboring Systems, Landowners and Cities

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

Tom Green COUNTY(IES), TEXAS

To: \_\_\_\_\_ Date Notice Mailed \_\_\_\_\_ 20 \_\_\_\_\_  
(Neighboring System, Landowner or City)

\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
City State Zip

Name of Applicant Concho Rural Water Corporation has filed an application for a  
CCN to obtain or amend CCN No. (s) 11361 and to  
decertify a portion(s) of None with the  
(Name of Decertified Utility)

Public Utility Commission of Texas to provide Water  
(specify 1) water or 2) sewer or 3) water & sewer  
utility service in Tom Green County(ies).

The proposed utility service area is located approximately 9 miles west  
[direction] of downtown San Angelo, [City or Town] Texas, and is  
generally bounded on the north by FM 2288 ; on the east by  
FM 2288 ; on the south by FM 853 ; and on the west by Pulliam Ranch Road

**See enclosed map of the proposed service area.**

The total area being requested includes approximately 388 acres and 13  
current customers.

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



**Persons who wish to intervene or comment should write the:**

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

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

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

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

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

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



# Notice to Customers of IOUs in Proposed Area

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

Tom Green COUNTY(IES), TEXAS

Dear Customer: Date Notice Mailed 20

Name of Applicant Concho Rural Water Corporation has filed an application for a CCN to obtain or amend CCN No. (s) 11361 and to decertify a portion(s) of N/A with the (Name of Decertified Utility)

Public Utility commission of Texas to provide water utility service in Tom Green County(ies).

The proposed utility service area is located approximately 9 miles west of downtown San Angelo, Texas.

A copy of the proposed service area map is available at (Utility Address and Phone Number): 8174 US Highway 87 N, San Angelo, TX 76901 (325) 658-2961

The current utility rates which were first effective on October 1 20 11

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

5/8" meter	\$ 30.00
1" meter	\$ 42.41
1 1/2" meter	\$ 80.59
2" meter	\$ 126.59

Other\$

Gallage charge of \$ 1.75 Per 1,000 Gallons above minimum (same for all meters sizes)

### Miscellaneous Fees

#### Regulatory Assessment

Tap Fee (Average Actual Cost)

#### Reconnecting fee:

- Non Payment (\$25.00 max)
- Transfer
- Customer's request

#### Late fee

#### Returned Check charge

Customer Deposit (\$50.00 max)

#### Meter test fee

(Actual Cost not Exceed \$25.00)

#### Other Fees

1%
\$ 750.00
\$
\$ 25.00
\$ 25.00
\$ 35.00
\$5.00 or 10%
\$ 20.00
\$ 50.00
\$ 25.00
\$

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



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

**Persons who wish to intervene or comment should write the:**

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Commission will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

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

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

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

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

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





## HISTORICAL BALANCE SHEETS

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



## HISTORICAL INCOME STATEMENT

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



## HISTORICAL EXPENSES STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
<b>GENERAL/ADMINISTRATIVE EXPENSES</b>						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
<b>Total</b>						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>OPERATIONAL EXPENSES</b>						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
<b>Total</b>						
% Increase Per Year	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>ASSUMPTIONS</b>						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						



## PROJECTED BALANCE SHEETS

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





## 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						



## PROJECTED EXPENSES STATEMENT

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



## PROJECTED SOURCES AND USES OF CASH STATEMENTS

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



# Articles of Incorporation of

## ARTICLE ONE

The name of the corporation is Concho Rural Water Corp.

## ARTICLE TWO

The period of its duration is perpetual.

## ARTICLE THREE

The purpose or purposes for which the corporation is organized is to transact any and all lawful business for which corporations may be incorporated under the Texas Business Corporation Act.

## ARTICLE FOUR

The aggregate number of shares which the corporation shall have authority to issue is 5,000

## ARTICLE FIVE

The corporation will not commence business until it has received for the issuance of its shares consideration of the value of not less than \$1,000.

## ARTICLE SIX

The address of its registered office is 40 W Twohig Ave  
San Angelo, Texas 76901

and the name of its registered agent at such address is Ronald E. Williams

## ARTICLE SEVEN

The number of initial directors is 2 and the name and address of each director is

B. F. Wiese III P. O. Box 304 Carlsbad, Texas 76934  
President

Jo Ann Wiese P. O. Box 304 Carlsbad, Texas 76934  
Vice President  
Sec. Treas.

## ARTICLE EIGHT

The name and address of the incorporator is

Sworn to on August 20, 1990 by the above named incorporator.

*43. F. Williams*  
.....  
Incorporator

(Notary Seal)

*Diana J. Green*  
.....  
Notary Public

Tom Green,  
.....  
County, Texas





BY-LAWS

OF

CONCHO RURAL WATER CORPORATION

ARTICLE I

OFFICES

1.01 The registered office of the corporation shall be located in Carlsbad, Texas.

1.02 The corporation may also have offices at such other places both within and without the State of Texas as the board of directors may from time to time determine or the business of the corporation may require.

ARTICLE II

MEETINGS OF SHAREHOLDERS

2.01 Meetings of shareholders for any purpose may be held at such time and place within or without the State of Texas as shall be stated in the notice of the meeting or in a duly executed waiver of notice thereof.

Time of Annual Meeting

2.02 Annual meetings of the shareholders, commencing with the year 1984, shall be held on the 1st Wednesday of March, if not a legal holiday, and if a legal holiday, then on the next secular day following, at 10:00 o'clock A.M., at which they shall elect a board of directors, and transact such other business as may properly be brought before the meeting.

Special Meetings

2.03 Special meetings of the shareholders, for any purpose or purposes may be called by the President and shall be called by the President or Secretary at the request in writing of a majority of the board of directors, or at the request in writing of shareholders owning 10% of all the shares entitled to vote at the meetings. Such request shall state the purpose or purposes of the proposed meeting, shall be limited to the purposes stated in the notice, unless all shareholders entitled to vote shall consent in writing for the consideration of other items or unless all shareholders entitled to vote shall vote affirmatively for any other proposal.

Notice of Meeting

2.04 Notice of each meeting of shareholders stating the place, day and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten (10) and not more than fifty



(50) days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting.

#### Quorum

2.05 The holders of a majority of the shares issued and outstanding and entitled to vote thereat, present in person or represented by proxy, shall constitute a quorum at all meetings of the shareholders for the transaction of business except as otherwise provided by statute or by the Articles of Incorporation. If, however, a quorum shall not be present or represented at any meeting of the shareholders, the shareholders entitled to vote thereat, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting, provided a quorum shall be present or represented, any business may be transacted which might have been transacted if the meeting had been held in accordance with the original notice thereof.

2.06 If a quorum is present at any meeting, the vote of the holders of a majority of the shares entitled to vote, present in person or represented by proxy shall decide any questions properly brought before such meeting, unless the question is one upon which a different vote is required by statute or by the articles of incorporation.

#### Voting

2.07 Each outstanding share having voting power shall be entitled to one vote on each matter submitted to a vote at a meeting of shareholders. A shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney-in-fact.

2.08 Any action required or which may be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders entitled to vote with respect to the subject matter thereof.

### ARTICLE III

#### DIRECTORS

3.01 The number of directors which shall constitute the whole board shall be one, none of whom need be residents of the State of Texas or shareholders of the corporation. The director shall be elected at the annual meeting of the shareholders, and the director elected shall serve until his successor shall have been elected and qualified.



### Voting

3.02 At each election for directors every shareholder entitled to vote at such election shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected and for whose election he has a right to vote, but no shareholder shall have the right to cumulate his votes. Any director may be removed either for or without cause at any special meeting of shareholders duly called and held for such purpose.

### Vacancy

3.03 Any vacancy occurring in the board of directors may be filled by a majority of the remaining directors though less than a quorum of the board of directors. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

### Time and Place of Meetings

3.04 Meetings of the board of directors, regular or special, may be held either within or without the State of Texas.

3.05 The first meeting of each newly elected board of directors shall be held at such time and place as shall be fixed by the vote of the shareholders at the annual meeting and no notice of such meeting shall be necessary to the newly elected directors in order legally to constitute the meeting, provided a quorum shall be present, or it may convene at such place and time as shall be fixed by the consent in writing of all the directors.

3.06 Regular meetings of the board of directors may be held upon such notice, or without notice, and at such time and at such place as shall from time to time be determined by the board.

### Special Meetings

3.07 Special meetings of the board of directors may be called by the chairman of the board of directors or by the president, and shall be called by the president or by the secretary on the written request of one director. Notice of special meetings of the board of directors shall be given to each director at least five (5) days before the date of the meeting.

### Waiver of Notice

3.08 Attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice or waiver of notice of such meeting.

### Quorum

3.09 At all meetings of the board of directors, a majority of the directors shall constitute a quorum for the transaction of business, and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the board of directors, except as otherwise provided by statute



or by the articles of incorporation. If a quorum shall not be present at any meeting, the directors present thereat may adjourn the meeting without notice other than announcement at the meeting, until a quorum shall be present.

3.10 The board of directors by the affirmative vote of a majority of the directors then in office, and irrespective of any personal interest of any of its members, shall have authority to establish reasonable compensation of all directors for services to the corporation as directors, officers or otherwise.

#### ARTICLE IV

##### NOTICES

4.01 Whenever, under the provisions of the statutes or of the articles of incorporation or of these by-laws, notice is required to be given to any director or shareholder, it shall not be construed to mean personal notice, but such notice may be given in writing, by mail, addressed to such director or shareholder, at his address as it appears on the records of the corporation, with postage thereon prepaid, and such notice shall be deemed to be given at the same time when the same shall be deposited in the United States mail. Notice to directors may also be given by telegram.

4.02 Whenever any notice is required to be given under the provisions of the statutes or of the articles of incorporation or of these by-laws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein shall be deemed equivalent to the giving of such notice.

#### ARTICLE V.

##### OFFICERS

5.01 The officers of the corporation shall be a president, a secretary, and a treasurer. Two or more offices may be held by the same person, except that the offices of president and secretary may not be held by the same person.

5.02 The board of directors shall elect the president from among the directors, and shall also elect the other officers, none of whom need be a member of the board.

5.03 The board of directors may appoint such other officers and assistant officers and agents as it shall deem necessary, who shall hold their offices for such terms and shall have such authority and exercise such powers and perform such duties as shall be determined from time to time by the board of directors by resolution not inconsistent with these by-laws.





5.04 The compensation and terms of employment, which may be for periods exceeding one year (1), of all officers and agents of the corporation shall be fixed by the board of directors.

5.05 The officers of the corporation shall hold office until their successors are chosen and qualify, or until their death or until their resignation or removal from office. Any officer elected or appointed by the board of directors may be removed at any time by the affirmative vote of a majority of the board of directors, but such removal shall be without prejudice to the contract rights, if any, of the persons so removed. Election or appointment of an officer or agent shall not of itself create contract rights. Any vacancy occurring in any office of the corporation by death, resignation, removal or otherwise shall be filled by the board of directors.

5.06 The chairman of the board, if one be elected, shall preside at all meetings of the board of directors, and shall have such other powers and duties as may from time to time be prescribed by the board of directors, upon written directions given to him pursuant to resolutions duly adopted by the board.

5.07 The president shall be the chief executive officer of the corporation, shall have general and active management of the business of the corporation and shall see that all orders and resolutions of the board of directors are carried into effect. He shall preside at all meetings of the shareholders and in the absence of the chairman of the board, at all meetings of the board of directors.

5.08 The vice-president, if any, in the order of their seniority, unless otherwise determined by the board of directors, shall, in the absence or disability of the president, perform the duties and have the authority and exercise the powers of the president. They shall perform such other duties and have such other authority and powers as the board of directors may from time to time prescribe or as the president may from time to time delegate.

5.09 The secretary shall attend all meetings of the board of directors and all meetings of the shareholders and record all of the proceedings of such meetings in a minute book to be kept for that purpose and shall perform all duties for the standing committees when required. He shall give, or cause to be given, notice of all meetings of the shareholders and special meetings of the board of directors, and shall perform such other duties as may be prescribed by the board of directors or president, under whose supervision he shall be.

5.10 The assistant secretaries, if any, in the order of their seniority, unless otherwise determined by the board of directors, shall, in the absence or disability of the secretary, perform the duties and exercise the powers of the secretary. They



shall perform such other duties and have such other powers as the board of directors may from time to time prescribe or as the president may from time to time delegate.

5.11 The treasurer shall have custody of the corporate funds and securities and shall keep full and accurate accounts and records of receipts, disbursements and other transactions in books belonging to the corporation, and shall deposit all moneys and other valuable effects in the name and to the credit of the corporation in such depositories as may be designated by the board of directors.

5.12 The treasurer shall disburse the funds of the corporation as may be ordered by the board of directors, taking proper vouchers for such disbursements, and shall render to the president and the board of directors, at its regular meetings or when the president or board of directors so requires, an account of all his transactions as treasurer and of the financial condition of the corporation.

5.13 If required by the board of directors, the treasurer shall give the corporation a bond of such type, character and amounts as the board of directors may require.

5.14 The assistant treasurers, if any, in the order of their seniority, unless otherwise determined by the board of directors, shall, in the absence or disability of the treasurer, perform the duties and exercise the powers of the treasurer. They shall perform such other duties and have such other powers as the board of directors may from time to time prescribe or the president may from time to time delegate.

5.15 Any salary payments made to an officer of the corporation that shall be disallowed in whole or in part as a deductible expense for Federal Income Tax purposes shall be reimbursed by such officer to the corporation to the full extent of the disallowance. It shall be the duty of the board of directors to enforce payment of each such amount disallowed.

5.16 Any expense paid to an officer of the corporation that shall be disallowed in whole or in part as a deductible expense for Federal Income Tax purposes shall be treated as salary paid to such officer by the corporation to the full extent of the expense disallowed.

## ARTICLE VI

### CERTIFICATES REPRESENTING SHARES

6.01 The shares of the corporation shall be represented by certificates signed by the president or a vice-president and the secretary or an assistant secretary of the corporation.



6.02 The signatures of the president or vice-president and the secretary or assistant secretary upon a certificate may be facsimiles if the certificate is countersigned by a transfer agent, or registered by a registrar, other than the corporation itself or an employee of the corporation. In case any officer who has signed or whose facsimile signature has been placed upon such certificate shall have ceased to be such officer before such certificate is issued, it may be issued by the corporation with the same effect as if he were such officer at the date of its issue.

6.03 The board of directors may direct a new certificate to be issued in place of any certificate theretofore issued by the corporation alleged to have been lost or destroyed. When authorizing such issue of a new certificate, the board of directors, in its discretion and as a condition precedent to the issuance thereof, may prescribe such terms and conditions as it deems adequate to protect the corporation from any claim that may be made against it with respect to any such certificate alleged to have been lost or destroyed.

6.04 Upon surrender to the corporation or the transfer agent of the corporation of a certificate representing shares duly endorsed or accompanied by proper evidence of succession, assignment or authority to transfer, a new certificate shall be issued to the person entitled thereto and the old certificate cancelled and the transaction recorded upon the books of the corporation.

6.05 For the purpose of determining shareholders entitled to notice of or to vote at any meeting of shareholders or any adjournment thereof or entitled to receive payment of a dividend, or in order to make a determination of shareholders for any other proper purpose, the board of directors may provide that the stock transfer books shall be closed for a stated period but not to exceed, in any case, fifty (50) days. If the stock transfer books shall be closed for the purpose of determining shareholders entitled to notice of or to vote at a meeting of shareholders, such books shall be closed for at least ten (10) days immediately preceding such meeting. In lieu of closing the stock transfer books, the board of directors may fix in advance a date as the record date for any such determination of shareholders, such date in any case to be not more than fifty (50) days, and in case of a meeting of shareholders, not less than ten (10) days prior to the date on which the particular action, requiring such determination of shareholders, is to be taken. If the stock transfer books are not closed and no record date is fixed for the determination of shareholders entitled to notice of or to vote at a meeting of shareholders, or shareholders entitled to receive payment of a dividend, the date on which notice of the meeting is mailed or the date on which the resolution of the board of directors declaring such dividend is adopted, as the case may be, shall be record date for such determination of shareholders. When a



determination of shareholders has been made as provided in this section, such determination shall be applied to any adjournment thereof except where the determination has been made through the closing of the stock transfer books and the stated period of closing has expired.

6.06 The corporation shall be entitled to recognize the exclusive right of a person registered on its books as the owner of shares to receive dividends, and to vote as such owner, and shall not be bound to recognize any equitable or other claim to or interest in such share or shares on the part of any other person, whether or not it shall have express or other notice thereof, except as otherwise provided by the laws of Texas.

6.07 The officer of agent having charge of the transfer books for shares shall make, at least ten (10) days before each meeting of shareholders, a complete list of the shareholders entitled to vote at such meeting, arranged in alphabetical order, with the address of each and the number of shares held by each, which list, for a period of ten (10) days prior to such meeting, shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting. The original share ledger or transfer book, or a duplicate thereof shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote at any meeting of the shareholders.

## ARTICLE VII

### GENERAL PROVISIONS

#### DIVIDENDS

7.01 Subject to the provisions of the Articles of Incorporation relating thereto, if any, dividends may be declared by the board of directors, at their discretion, at any regular or special meeting, pursuant to law. Dividends may be paid in cash, in property or in the corporation's own shares, subject to any provisions of the articles of incorporation.

7.02 Before payment of any dividend, there may be set aside out of any funds of the corporation available for dividends such sum or sums as the directors may from time to time in their absolute discretion, think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing or maintaining any property of the corporation, or for such other purpose as the directors shall think conducive to the interest of the corporation, and the directors may modify or abolish any such reserve in the manner in which it was created.





## CHECKS

7.03 All checks or demands for money and notes of the corporation shall be signed by such officer or officers or such other person or persons as the board of directors may from time to time designate.

## FISCAL YEAR

7.04 The fiscal year of the corporation shall be fixed by resolution of the board of directors.

## ARTICLE VIII

### AMENDMENTS

These by-laws may be altered, amended, or repealed or new by-laws may be adopted by the affirmative vote of a majority of the board of directors or by the affirmative vote of a majority of the shareholders at any regular or special meeting of the board of directors or of the shareholders if notice of such proposed action is contained in the notice of such meeting, or if all shareholders entitled to vote shall affirmatively vote to alter, amend or repeal these by-laws or to adopt new by-laws.



**MINUTES OF ANNUAL MEETING OF THE SHAREHOLDERS  
AND DIRECTORS OF**

**CONCHO RURAL WATER CORPORATION**

The Annual Meeting of the Shareholders of **CONCHO RURAL WATER CORPORATION** was held at the offices of the Corporation at 10:00 o'clock a.m. on March 4, 2009 in the City of San Angelo, Tom Green County, Texas.

The following Shareholders were present: Jo Ann Wiese, Benjamin F. Wiese, IV, and Stephanie Ann Voss.

The above named Shareholders represent all of the holders of all of the issued and outstanding stock in the Corporation. Said Shareholders, as evidenced by their signatures below, did waive notice of the meeting and did further consent and approve of the transaction of the business conducted before said meeting.

Benjamin F. Wiese, IV, presided and acted as Chairman of the meeting, and Jo Ann Wiese acted as Secretary of the meeting.

The meeting, being held in accordance with the terms of the Bylaws of the Corporation, was called to order by the Chairman of the meeting. A quorum was present.

The Affidavit of Jo Ann Wiese pertaining to annual meetings of the Corporation for the period 1984 to September 28, 2008 was read and approved.

The Chairman then called for nominations for Directors to serve for the ensuing year and until their successors have been elected and qualified. Upon motion made and unanimously adopted, the following individuals were elected to the position of Director of the Corporation for the ensuing year and until the successor of said Director shall have been elected and qualified:



Benjamin F. Wiese, IV; and

Jo Ann Wise.

The Chairman then reported to the meeting the activities of the Corporation for the year 2008 to the present date. Upon motion duly made, seconded and unanimously carried it was:

**"RESOLVED**, that the prior acts of the Directors and Officers of this Corporation are ratified and approved in all respects."

There being no further business, the meeting of the Shareholders was adjourned.

\*\*\*\*\*

The Annual Meeting of the Board of Directors of the Corporation was held immediately following the adjournment of the Shareholders' meeting.

All Directors were present at such meeting, having waived notice of such meeting as evidenced by their signatures below.

The Directors present at such meeting were: Benjamin F. Wiese, IV and Jo Ann Wiese.

The above Directors constitute all of the authorized and duly qualified Directors of the Corporation.

Benjamin F. Wiese, IV presided as Chairman of the meeting, and Jo Ann Wiese acted as Secretary of this meeting.

The President of the Corporation reported on the business of the Corporation for the year 2008 to the present date.

Upon motion duly made, seconded and unanimously carried, it was:

**"RESOLVED**, that the actions and transactions of the officers to date, be and the same are hereby, and all things ratified, approved and confirmed."



On motion duly made, seconded and unanimously carried, the following slate of officers was approved and elected:

President: Benjamin F. Wiese, IV;

Secretary/Treasurer: Jo Ann Wiese

The President then reported that the registered agent and registered office of the Corporation should be changed to Benjamin F. Wiese, IV, 8174 Hwy. 87N, San Angelo, Texas, 76901, and that such change should be filed with the Secretary of State. Upon motion duly made, seconded, and unanimously carried, it was:

**RESOLVED**, that the registered agent and registered office of the Corporation be changed with the Secretary of State to Benjamin F. Wiese, IV, 8174 Hwy. 87N, San Angelo, Texas, 76901; and

**RESOLVED FURTHER**, that the President of the Corporation be, and is hereby authorized to do such acts and take such steps as may be necessary or convenient to carry these resolutions into effect.

There being no further business to bring before the meeting, the meeting of the Board of Directors of the Corporation was duly adjourned.

  
JO ANN WIESE, Secretary

APPROVED:

  
BENJAMIN F. WIESE, IV, President

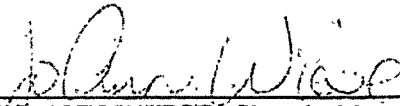


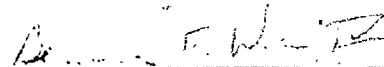


**WAIVER OF NOTICE**

We, the undersigned, being all of the Shareholders and Directors of **CONCHO RURAL WATER CORPORATION**, a Corporation organized under the laws of the State of Texas, do hereby waive all notice of the Annual Meeting of the Shareholders and Directors of the Corporation, whether provided by statute or otherwise, and consent and agree to the holding of such meeting as set out above, and we consent to the transaction of the business that came before said meeting.

DATED: March 4, 2009

  
\_\_\_\_\_  
**JO ANN WIESE**, Shareholder  
and Director

  
\_\_\_\_\_  
**BENJAMIN F. WIESE, IV**, Shareholder  
and Director

  
\_\_\_\_\_  
**STEPHANIE ANN VOSS**, Shareholder



## Concho Rural Water Corporation Board of Directors & Shareholders

Board Member	Title	Address	Telephone Number
Benjamin F. Weise, IV	President & Shareholder	PO Box 56, Carlsbad, TX 76934	325-658-2961
Jo Ann Weise	Secretary/Treasurer & Shareholder	PO Box 304, Carlsbad, TX 76934	325-658-2961
Stephanie Ann Voss	Shareholder	PO Box 264, Carlsbad, TX 76934	325-658-2961



## Franchise Tax Details

Franchise Search Results

Officers and Directors Info



As of : 02/06/2017 13:40:40

**This Page is Not Sufficient for Filings with the Secretary of State**  
Obtain a certification for filings with the Secretary of State.

### CONCHO RURAL WATER CORPORATION

**Texas Taxpayer Number** 17520171905

**Mailing Address** PO BOX 388 CARLSBAD, TX 76934-0388

**Right to Transact Business in Texas** ☒ **ACTIVE**

**State of Formation** TX

**Effective SOS Registration Date** 06/03/1983

**Texas SOS File Number** 0065831000

**Registered Agent Name** BENJAMIN F WIESE IV

**Registered Office Street Address** 8174 HWY 87N SAN ANGELO, TX 76901

Close





<sup>3</sup>  
**OVERSIZED MAP(s) or DOCUMENT(s)**

**TO VIEW  
OVERSIZED MAP(s) or DOCUMENT(s)**

**PLEASE CONTACT  
CENTRAL RECORDS  
512.936.7180**

**Thank you**



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 28, 2016

**CERTIFIED MAIL 7015 1730 0001 9581 9755**  
**RETURN RECEIPT REQUESTED**

Mr. Benjamin F. Wiese IV, President  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

Re: Notice of Violation for Complaint Investigation at:  
Concho Rural Water Grape Creek, Tom Green County, Texas  
Regulated Entity No.: RN101218840, TCEQ PWS ID No.: 2260008

Dear Mr. Wiese:

On September 20, 2016, Mr. John Teutsch of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a concern was noted which was an alleged noncompliance that has been resolved based on subsequent corrective action. 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 San Angelo Region Office at (325) 655-9479 or the Central Office Publications Ordering Team at (512) 239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the San Angelo Region Office within 10 days from the date of this letter. At that time, Mr. Christopher Mayben 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 enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

TCEQ Region 8 • 622 S. Oakes, Ste. K • San Angelo, Texas 76903-7035 • 325-655-9479 • Fax 325-658-5431

Austin Headquarters: 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov) • How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)



Mr. Benjamin F. Wiese IV, President

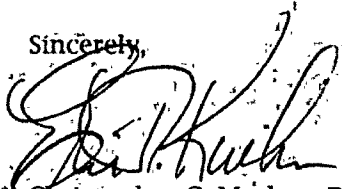
Page 2

October 28, 2016

Re: Notice of Violation for Complaint Investigation at:  
Concho Rural Water Grape Creek, Tom Green County  
Regulated Entity No.: RN101218840, TCEQ PWS ID No.: 2260008

If you or members of your staff have any questions, please feel free to contact Mr. John Teutsch in the San Angelo Region Office at (325) 655-9479.

Sincerely,



Christopher G. Mayben, P.G.

for Air, Water and Waste Section Manager

San Angelo Region Office

Texas Commission on Environmental Quality

CGM/jpt

Enclosure: Summary of Investigation Findings



## Summary of Investigation Findings

CONCHO RURAL WATER GRAPE CREEK  
8174 US HIGHWAY 87 N  
SAN ANGELO, TOM GREEN COUNTY, TX 76901

Investigation #  
1364736  
Investigation Date: 09/20/2016

Additional ID(s): 2260008

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

Track No: 619900

30 TAC Chapter 290.46(m)(4)

**Alleged Violation:**

Investigation: 1364736

Comment Date: 10/26/2016

Failure to maintain distribution system lines in a watertight condition.

On September 20, 2016, while conducting an investigation in response to a complaint of alleged leaking distribution lines, the TCEQ San Angelo Region Office determined that a water distribution system line on Raccoon Road in Grape Creek, Texas was leaking. After an investigator from the TCEQ San Angelo Region Office met with a representative of the Concho Rural Water Corporation (CRWC) on September 20, 2016, it was discovered that the CRWC first became aware of the leak at this location on August 23, 2016.

**Recommended Corrective Action:** Provide written and/or photographic documentation to the TCEQ San Angelo Region Office that the water distribution system line on Raccoon Road in Grape Creek, Texas has been repaired.

**Resolution:** On September 28, 2016, the TCEQ San Angelo Region Office received an e-mail and two (2) photographs from Mr. Ben Wiese, President, Concho Rural Water Corporation, indicating that the water distribution system line on Raccoon Road in Grape Creek, Texas had been repaired. No further action is required.



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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 3, 2014

**CERTIFIED MAIL 7011 3500 0000 0380 2022**  
**RETURN RECEIPT REQUESTED**

Mr. Benjamin F. Wiese IV  
Manager  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water North Concho Lake Estates, San Angelo, Tom Green County, Texas  
Regulated Entity RN101217321; TCEQ ID 2260020; Investigation 1134382

Dear Mr. Wiese:

On December 19, 2013, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a certain outstanding alleged violation was identified for which compliance documentation was 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 San Angelo Region Office at (325) 655-9479 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. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the San Angelo Region Office *within 10 days from the date of this letter*. At that time, Mr. Christopher G. Mayben 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





Mr. Benjamin F. Wiese IV

Page 2

February 3, 2014

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water North Concho Lake Estates, San Angelo, Tom Green County, Texas,  
Regulated Entity RN 101217321; TCEQ ID 2260020; Investigation 1134382

adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,



Christopher G. Mayben, P.G.  
Air/Water and Waste Section Manager  
San Angelo Region Office  
Texas Commission on Environmental Quality

CGM/lfw

cc: The Honorable Steve Floyd, Tom Green County Judge

Enclosure: Summary of Investigation Findings



## Summary of Investigation Findings

CONCHO RURAL WATER N CONCHO LAKE ESTATES

Investigation #

1134382

Investigation Date: 12/19/2013

, TOM GREEN COUNTY,

Additional ID(s): 2260020

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

Track No: 525245

30 TAC Chapter 290.43(e)

**Alleged Violation:**

Investigation: 1134382

Comment Date: 01/22/2014

Failure to maintain a locked gate on an intruder-resistant fence enclosing a water system facility when the facility is unmanned. The southeast gate to the fence enclosing North View water storage tank was unlocked when the manager and investigator arrived on 12/19/2013. There was an old padlock on the gate, but it had broken into pieces.

**Recommended Corrective Action:** Demonstrate that the North View water storage tank is locked when the facility is unattended.

**Resolution:** During the investigation, a new padlock was installed on the gate.

