



Control Number: 48793



Item Number: 1

Addendum StartPage: 0



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

Pursuant to Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.109

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Sale, Transfer, or Merger (STM) Application Instructions

- I. **COMPLETE:** In order for the Commission to find the application sufficient for filing, the Applicant should:
 - i. Provide an answer to every question and submit any required attachment applicable to the STM request (i.e., agreements or contracts).
 - ii. Use attachments or additional pages to answer questions as necessary. If you use attachments or additional pages, reference their inclusion in the form.
 - iii. Provide all mapping information as detailed in Part G: Mapping & Affidavits.
- II. **FILE:** Seven (7) copies of the completed application with numbered attachments. One copy should be filed with no permanent binding, staples, tabs, or separators; and 7 copies of the portable electronic storage medium containing the digital mapping data.
 - i. **SEND TO:** Public Utility Commission of Texas, Attention: Filing Clerk, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 (**NOTE: Electronic documents may be sent in advance of the paper copy, however they will not be processed and added to the Commission's on-line Interchange until the paper copy is received and file-stamped in Central Records.**)
- III. The application will be assigned a docket number, and an administrative law judge (ALJ) will issue an order requiring Commission Staff to file a recommendation on whether the application is sufficient. The ALJ will issue an order after Staff's recommendation has been filed:
 - i. **DEFICIENT (Administratively Incomplete):** Applicants will be ordered to provide information to cure the deficiencies by a certain date, usually 30 days from ALJ's order. **Application is not accepted for filing.**
 - ii. **SUFFICIENT (Administratively Complete):** Applicants will be ordered by the ALJ to give appropriate notice of the application using the notice prepared by Commission Staff. **Application is accepted for filing.**
- IV. Once the Applicants issue notice, a copy of the actual notice sent and an affidavit attesting to notice should be filed in the docket assigned to the application. Recipients of notice may request a hearing on the merits.

HEARING ON THE MERITS: An affected party may request a hearing within 30 days of notice. In this event, the application may be referred to the State Office of Administrative Hearings (SOAH) to complete this request.
- V. **TRANSACTION TO PROCEED:** at any time following the provision of notice, or prior to 120 days from the last date that proper notice was given, Commission Staff will file a recommendation for the transaction to proceed as proposed or recommend that the STM be referred to SOAH for further investigation. The Applicants will be required to file an **update in the docket to the ALJ every 30 days** following the approval of the transaction. The **transaction must be completed within six (6) months from the ALJ's order** (Note: The Applicants may request an extension to the 6 month provision for good cause).
- VI. **FILE:** Seven (7) copies of completed transaction documents and documentation addressing the transfer or disposition of any outstanding deposits. After receiving all required documents from the Applicants, the application will be granted a procedural schedule for final processing. The Applicants are requested to consent in writing to the proposed maps and certificates, or tariff if applicable.
- VII. **FINAL ORDER:** The ALJ will issue a final order issuing or amending the applicable CCNs.

FAQ:

Who can use this form?

Any retail public utility that provides water or wastewater service in Texas.

Who is required to use this form?

A retail public utility that is an investor owned utility (IOU) or a water supply corporation (WSC) prior to any STM of a water or sewer system, or utility, or prior to the transfer of a portion of a certificated service area.

Terms

Transferor: Seller

Transferee: Purchaser

CCN: Certificate of Convenience and Necessity

STM: Sale, Transfer, or Merger

IOU: Investor Owned Utility

Application Summary

Transferor: Texas Country Water, Inc.

(selling entity)

CCN No.s: 12921

☒ Sale ☐ Transfer ☐ Merger ☐ Consolidation ☐ Lease/Rental

Transferee: TCE Water LLC

(acquiring entity)

CCN No.s: Retain Seller's CCN 12921

☒ Water ☐ Sewer ☐ All CCN ☐ Portion CCN ☐ Facilities transfer

County(ies): Comal

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Please mark the items included in this filing

<input checked="" type="checkbox"/> Contract, Lease, Purchase, or Sale Agreement	Part A: Question 1
<input checked="" type="checkbox"/> Tariff including Rate Schedule	Part B: Question 4
<input checked="" type="checkbox"/> List of Customer Deposits	Part B: Question 5
<input type="checkbox"/> Partnership Agreement	Part C: Question 7
<input checked="" type="checkbox"/> Articles of Incorporation and By-Laws (WSC)	Part C: Question 7
<input checked="" type="checkbox"/> Certificate of Account Status	Part C: Question 7
<input type="checkbox"/> Financial Audit	Part C: Question 10
<input checked="" type="checkbox"/> Application Attachment A & B	Part C: Question 10
<input type="checkbox"/> Disclosure of Affiliated Interests	Part C: Question 10
<input type="checkbox"/> Capital Improvement Plan	Part C: Question 10
<input checked="" type="checkbox"/> List of Assets to be Transferred	Part D: 11.B
<input type="checkbox"/> Developer Contribution Contracts or Agreements	Part D: 11.D
<input type="checkbox"/> Enforcement Action Correspondence	Part E: Question 18 (Part D: Q12)
<input checked="" type="checkbox"/> TCEQ Compliance Correspondence	Part F: Question 22
<input type="checkbox"/> TCEQ Engineering Approvals	Part F: Question 24
<input type="checkbox"/> Purchased Water Supply or Treatment Agreement	Part F: Question 26
<input checked="" type="checkbox"/> Detailed (large scale) Map	Part G: Question 29
<input checked="" type="checkbox"/> General Location (small scale) Map	Part G: Question 29
<input type="checkbox"/> Digital Mapping Data	Part G: Question 29
<input checked="" type="checkbox"/> Signed & Notarized Oath	Page 13-14

Part A: General Information

1. Describe the proposed transaction, including the effect on all CCNs involved, and provide details on the existing or expected land use in the area affected by the proposed transaction. Attach all supporting documentation, such as a contract, a lease, or proposed purchase agreements:

TCE Water LLC, (Purchaser) is acquiring all public water system assets owned and operated by Texas Country Water, Inc. (Seller) with Water CCN 12921. The Seller currently provides retail water service to and within the Texas Country Estates Subdivision located on RR 306 between New Braunfels, Texas and Canyon Lake. The Subdivision is a large lot single-family residential development with 104 existing homes and has a total build out of approximately 105 single family homes. The Purchaser will adopt the Seller's tariff without any changes, except a change in ownership name. (SEE ATTACHED PURCHASE AGREEMENT)

2. The proposed transaction will require (check all applicable):

For **Transferee** (Purchaser) CCN:

For **Transferor** (Seller) CCN:

- ☐ Obtaining a NEW CCN for Purchaser
☐ Transfer all CCN into Purchaser's CCN (Merger)
☐ Transfer Portion of CCN into Purchaser's CCN
☒ Transfer all CCN to Purchaser and retain Seller CCN
☐ Uncertificated area added to Purchaser's CCN

- ☐ Cancellation of Seller's CCN
☐ Transfer of a Portion of Seller's CCN to Purchaser
☐ Only Transfer of Facilities, No CCN or Customers
☐ Only Transfer of Customers, No CCN or Facilities
☐ Only Transfer CCN Area, No Customers or Facilities

Part B: Transferor Information

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

3. A. Name: Texas Country Water, Inc.
(individual, corporation, or other legal entity)
☐ Individual ☒ Corporation ☐ WSC ☐ Other: _____

B. Mailing Address: 333 Big Sky Drive New Braunfels, Texas 78132-4432 (Address of TCW Pumping Plant)

Phone: (830) 708-5539 Email: billowman@ymail.com

- 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, accountant, or other title.

Name: William ("Bill") J. Lowman, II Title: President

Mailing Address: P. O. Box 310790 New Braunfels, Texas 78131

Phone: (830) 708-5530 Email: billowman@ymail.com

4. If the utility to be transferred is an Investor Owned Utility (IOU), for the most recent rate change, attach a copy of the current tariff and complete A through B:

A. Effective date for most recent rates: December 31, 1999

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

☐ No ☒ Yes Application or Docket Number: TNRCC: 32507C

If the transferor is a Water Supply or Sewer Service Corporation, provide a copy of the current tariff.

5. For the customers that will be transferred following the approval of the proposed transaction, check all that apply:

☐ There are no customers that will be transferred

☒ # of customers without deposits held by the transferor 104

☒ # of customers with deposits held by the transferor* 0

*Attach a list of all customers affected by the proposed transaction that have deposits held, and include a customer indicator (name or account number), date of each deposit, amount of each deposit, and any unpaid interest on each deposit.

Part C: Transferee Information

Questions 6 through 10 apply only to the *transferee* (purchaser or proposed service provider)

6. A. Name: TCE Water LLC

(individual, corporation, or other legal entity)

☐ Individual

☐ Corporation

☐ WSC

☒ Other: Limited Liability Company

B. Mailing Address: 900 River Hills Road Austin, Texas 78733

Phone: (512) 632-5853

Email: dburch.mail@gmail.com

C. Contact Person. Provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title.

Name: Donald G. Rauschbuer, P.E

Title: Engineer/Manager

Address: P. O. Box 342707 Austin, Texas 78734

Phone: (512) 413-9300

Email: dgrwater@dgrainc.com

D. If the transferee is someone other than a municipality, is the transferee current on the Regulatory Assessment Fees (RAF) with the Texas Commission on Environmental Quality (TCEQ)?

☐ No ☐ Yes ☒ N/A

E. If the transferee is an IOU, is the transferee current on the Annual Report filings with the Commission?

☐ No ☐ Yes ☒ N/A

7. The legal status of the transferee is:

☐ Individual or sole proprietorship

☐ Partnership or limited partnership (*attach* Partnership agreement)

☐ Corporation

Charter number (as recorded with the Texas Secretary of State): _____

☐ Non-profit, member-owned, member controlled Cooperative Corporation [Article 1434(a) Water Supply or Sewer Service Corporation, incorporated under TWC Chapter 67]

Charter number (as recorded with the Texas Secretary of State): _____

☐ Articles of Incorporation and By-Laws established (*attach*)

☐ Municipally-owned utility

☐ District (MUD, SUD, WCID, FWSD, etc.)

- ☐ County
- ☐ Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)
- ☒ Other (please explain): Limited Liability Company - TxSOS File No. 08026333783; Tx Tax No. 32062666501

8. If the transferee operates under any d/b/a, provide the name below:

Name: N.A.

9. If the transferee's legal status is anything other than an individual, provide the following information regarding the officers, members, or partners of the legal entity applying for the transfer:

Name: David Burch
Position: Managing Member Ownership % (if applicable): 100.00%
Address: 900 River Hills Road Austin, Texas 78733
Phone: _____ Email: _____

Name: _____
Position: _____ Ownership % (if applicable): 0.00%
Address: _____
Phone: _____ Email: _____

Name: _____
Position: _____ Ownership % (if applicable): 0.00%
Address: _____
Phone: _____ Email: _____

Name: _____
Position: _____ Ownership % (if applicable): 0.00%
Address: _____
Phone: _____ Email: _____

10. **Financial Information**

The transferee Applicant must provide accounting information typically included within a balance sheet, income statement, and statement of cash flows. If the Applicant is an existing retail public utility, this must include historical financial information and projected financial information. However, projected financial information is only required if the Applicant proposes new service connections and new investment in plant, or if requested by Staff. If the Applicant is a new market entrant and does not have its own historical balance sheet, income statement, and statement of cash flows information, then the Applicant should establish a five-year projection taking the historical information of the transferor Applicant into consideration when establishing the projections.

Historical Financial Information may be shown by providing any combination of the following that includes necessary information found in a balance sheet, income statement, and statement of cash flows:

1. Completed Appendix A;
2. Documentation that includes all of the information required in Appendix A in a concise format; or
3. Audited financial statements issued within 18 months of the application filing date. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

Part E: CCN Obtain or Amend Criteria Considerations

- 16.** Describe, in detail, the anticipated impact or changes in the quality of retail public utility service in the requested area as a result of the proposed transaction:

Water customers located within CCN 12291 will receive a higher level of service for the following reasons: 1) TCE Water LLC has significantly greater financial resources to work with than the transferor; 2) TCE Water LLC is committed to modernizing the plant and equipment resulting in an improved level of customer service, resulting in a higher level of water and energy conservation; and 3) TCE Water LLC has retained highly qualified water operators/customer service professionals with substantial experience and expertise in water management, operations, engineering, accounting, and legal services with a broader level of experience than the transferor. As such, water customers will receive a higher quality of retail public utility service.

- 17.** Describe the transferee's experience and qualifications in providing continuous and adequate service. This should include, but is not limited to: other CCN numbers, water and wastewater systems details, and any corresponding compliance history for all operations.

Although the Transferee does not currently own or operate other water utilities, TCE Water LLC has retained the professional services of David L. Wallace (d.b.a. DLR Water Company, LLC - see attached agreement) holding TCEQ License No. WO0024796 - Class A - see attached), a well established water operations company that will provide customer and system operations services. In addition, TCE Water LLC has retained the professional engineering and water system managerial services of Don Rauschuber, P.E. (TBPE Reg. No. 38068 d.b.a. Donald G. Rauschuber and Associates, Inc. - see attached agreement and resume) to provide water/utility engineering and operations oversight services for the Texas Country Estates Water System. Also, TCE Water LLC has retained the legal services of Randall B. Wilburn, Attorney at Law, a well established legal expert in water utility regulations and operations. These three established professional municipal water services firms will ensure that Texas Country Estates Subdivision water customers will receive continuous and adequate water service and will ensure that the water system will be maintained and operated to a high industry standard.

- 18.** Has the transferee been under an enforcement action by the Commission, TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG), or the Environmental Protection Agency (EPA) in the past five (5) years for non-compliance with rules, orders, or state statutes? Attach copies of any correspondence with the applicable regulatory agency(ies)

☒ No ☐ Yes

- 19.** Explain how the environmental integrity or the land will be impacted or disrupted as a result of the proposed transaction:

The environmental integrity will be maintained and improved upon by TCE Water LLC for the following reasons: 1) TCE Water LLC has significantly greater financial resources to work with than the transferor, 2) TCE Water LLC is committed to modernizing the plant and equipment resulting in an improved level of customer, and 3) TCE Water LLC has retained highly qualified water operators/customer service professionals with substantial experience and expertise in water management, operations, engineering, accounting, and legal services with a broader level of experience than the transferor.

- 20.** How will the proposed transaction serve the public interest?

This transaction serves the public interest for the following reasons: 1) More financial resources will be available to maintain and operate the water system, and 2) TCE Water LLC is committed to modernize the pumping plant to improve its efficiency, thereby, conserving water and energy.

- 21.** List all neighboring water or sewer utilities, cities, districts (including ground water conservation districts), counties, or other political subdivisions (including river authorities) providing the same service within two (2) miles from the outer boundary of the requested area affected by the proposed transaction:

CCN NO. 10677
UTILITY CITY OF NEW BRAUNFELS

CCN_NO 10297
UTILITY CRYSTAL CLEAR SUD

Part F: TCEQ Public Water System or Sewer (Wastewater) Information

Complete Part F for **EACH** Public Water or Sewer system to be transferred subject to approval of the transaction.
Attach a separate sheet with this information if you need more space for additional systems being transferred.

22. A. For Public Water System (PWS):TCEQ PWS Identification Number: 0460223 (7 digit ID)Name of PWS: Texas Country WaterDate of last TCEQ compliance inspection: December 29, 2015 (attach TCEQ letter)Subdivisions served: Country Estates Subdivision - Comal County**B. For Sewer service:**TCEQ Water Quality (WQ) Discharge Permit Number: WQ - (8 digit ID)

Name of Wastewater Facility: _____

Name of Permittee: _____

Date of last TCEQ compliance inspection: _____ (attach TCEQ letter)

Subdivisions served: _____

Date of application to transfer permit submitted to TCEQ: _____**23. List the number of existing connections, by meter/connection type, to be affected by the proposed transaction:**

Water				Sewer	
	Non-metered		2"	0	Residential
104	5/8" or 3/4"		3"		Commercial
	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:			104	Total Sewer Connections:	0

24. A. Are any improvements required to meet TCEQ or Commission standards?☒ No ☐ Yes**B. Provide details on each required major capital improvement necessary to correct deficiencies to meet the TCEQ or Commission standards (attach any engineering reports or TCEQ approval letters):**

Description of the Capital Improvement:	Estimated Completion Date:	Estimated Cost:
N.A.		

C. Is there a moratorium on new connections?☒ No ☐ Yes:**25. Does the system being transferred operate within the corporate boundaries of a municipality?**☒ No ☐ Yes: _____ (name of municipality)

If yes, indicate the number of customers within the municipal boundary.

Water: _____ Sewer: _____

26. A. Does the system being transferred purchase water or sewer treatment capacity from another source?

☒ No ☐ Yes: If yes, attach a copy of purchase agreement or contract.

Capacity is purchased from: _____

Water: _____

Sewer: _____

B. Is the PWS required to purchase water to meet capacity requirements or drinking water standards?

☒ No ☐ Yes

C. What is the amount of water supply or sewer treatment purchased, per the agreement or contract? What is the percent of overall demand supplied by purchased water or sewer treatment (if any)?

	Amount in Gallons	Percent of demand
Water:	0.00	0.00%
Sewer:		0.00%

D. Will the purchase agreement or contract be transferred to the Transferee?

☐ No ☐ Yes:

27. Does the PWS or sewer treatment plant have adequate capacity to meet the current and projected demands in the requested area?

☐ No ☒ Yes:

28. List the name, class, and TCEQ license number of the operator that will be responsible for the operations of the water or sewer utility service:

Name (as it appears on license)	Class	License No.	Water or Sewer
David Wallace W0-0024796 - A Classification		See Attachments to Questions 13 and 17	

Part G: Mapping & Affidavits

ALL applications require mapping information to be filed in conjunction with the STM application.

Read question 29 A and B to determine what information is required for your application.

29. A. For applications requesting to transfer an entire CCN, without a CCN boundary adjustment, provide the following mapping information with each of the seven (7) copies of the application:

1. A general location (small scale) map identifying the requested area in reference to the nearest county boundary, city, or town. The following guidance should be adhered to:
 - i. If the application requests to transfer certificated service areas for both water and sewer, separate maps must be provided for each.
 - ii. A hand drawn map, graphic, or diagram of the requested area is not considered an acceptable mapping document.

- iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.

- 2. A detailed (large scale) map identifying the requested area in reference to verifiable man-made and natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
 - i. The map must be clearly labeled and the outer boundary of the requested area should be marked in reference to the verifiable man-made or natural landmarks. These verifiable man-made or natural landmarks must be labeled and marked on the map as well.
 - ii. If the application requests an amendment for both water and sewer certificated service area, separate maps need to be provided for each.
 - iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
 - iv. The outer boundary of the requested area should not be covered by any labels, roads, city limits or extraterritorial jurisdiction (ETJ) boundaries.

B. For applications that are requesting to include area not currently within a CCN, or for applications that require a CCN amendment (any change in a CCN boundary), such as the transfer of only a portion of a certificated service area, provide the following mapping information with each of the seven (7) copies of the application:

- 1. A general location (small scale) map identifying the requested area with enough detail to locate the requested area in reference to the nearest county boundary, city, or town. Please refer to the mapping guidance in part A 1 (above).
- 2. A detailed (large scale) map identifying the requested area with enough detail to accurately locate the requested area in reference to verifiable man-made or natural landmarks such as roads, rivers, or railroads. Please refer to the mapping guidance in part A 2 (above).
- 3. One of the following identifying the requested area:
 - i. A metes and bounds survey sealed or embossed by either a licensed state land surveyor or a registered professional land surveyor. Please refer to the mapping guidance in part A 2 (above);
 - ii. A recorded plat. If the plat does not provide sufficient detail, Staff may request additional mapping information. Please refer to the mapping guidance in part A 2 (above); or
 - iii. Digital mapping data in a shapefile (SHP) format georeferenced in either NAD 83 Texas State Plane Coordinate System (US Feet) or in NAD 83 Texas Statewide Mapping System (Meters). The digital mapping data shall include a single, continuous polygon record. The following guidance should be adhered to:
 - a. The digital mapping data must correspond to the same requested area as shown on the general location and detailed maps. The requested area must be clearly labeled as either the water or sewer requested area.
 - b. A shapefile should include six files (.dbf, .shp, .shx, .sbx, .sbn, and the projection (.prj) file).
 - c. The digital mapping data shall be filed on a data disk (CD or USB drive), clearly labeled, and filed with Central Records. Seven (7) copies of the digital mapping data is also required.

Part H: Notice Information

The following information will be used to generate the proposed notice for the application.
DO NOT provide notice of the application until it is found sufficient and the Applicants are ordered to provide notice.

30. Complete the following using verifiable man-made or natural landmarks such as roads, rivers, or railroads to describe the requested area (to be stated in the notice documents). Measurements should be approximated from the outermost boundary of the requested area:

The total acreage of the requested area is approximately: 141.00

Number of customer connections in the requested area: 104

Affected subdivision : Texas Country Estates Subdivision

The closest city or town: New Braunfels, Texas

Approximate mileage to closest city or town center: 7

Direction to closest city or town: South by Southwest

The requested area is generally bounded on the North by: River Chase Drive

on the East by: RR 306

on the South by: River Oaks Drive

on the West by: River Chase Drive

31. A copy of the proposed map will be available at: _____

32. What effect will the proposed transaction have on an average bill to be charged to the affected customers? Take into consideration the average consumption of the requested area, as well as any other factors that would increase or decrease a customer's monthly bill.

- ☒ All of the customers will be charged the same rates they were charged before the transaction.
- ☐ All of the customers will be charged different rates than they were charged before the transaction.
- ☐ higher monthly bill ☐ lower monthly bill
- ☐ Some customers will be charged different rates than they were charged before
(i.e. inside city limit customers)
- ☐ higher monthly bill ☐ lower monthly bill

Oath for Transferor (Transferring Entity)

STATE OF Texas

COUNTY OF Comal

I, William J. Lowman, II being duly sworn, file this application for sale, transfer,

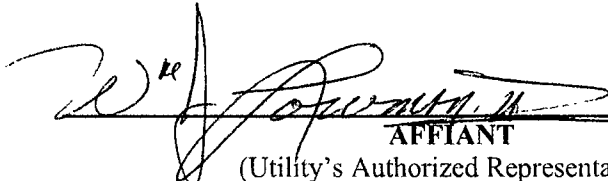
merger, consolidation, acquisition, lease, or rental, as

President/Owner, Texas Country Water

(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest 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.

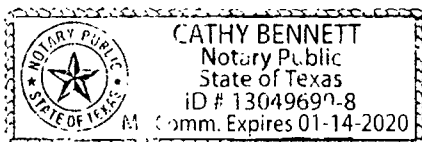
I further state that I have provided to the purchaser or transferee a written disclosure statement about any contributed property as required under Texas Water Code § 13.301(j) and copies of any outstanding enforcement Orders of the Texas Commission on Environmental Quality, the Public Utility Commission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



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 BEFORE ME, a Notary Public in and for the State of Texas
this day the 10th of October, 2018

SEAL




**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

Cathy Bennett
PRINT OR TYPE NAME OF NOTARY

My commission expires: 1-14-2020

Oath for Transferee (Acquiring Entity)

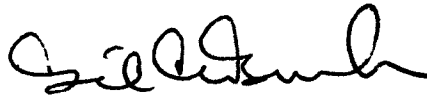
STATE OF Texas

COUNTY OF Travis

I, David Burch being duly sworn, file this application for sale, transfer, merger, consolidation, acquisition, lease, or rental, as President, ~~REWATER~~ REWATER LLC
(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest 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 been provided with a copy of the 16 TAC § 24.109 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement 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.

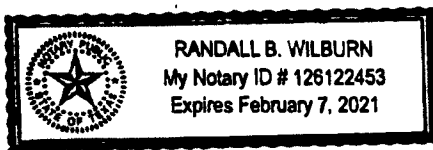


AFFIANT
(Utility's Authorized Representative)

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 BEFORE ME, a Notary Public in and for the State of Texas
this day the 15 of October, 20 18

SEAL





**NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS**

Randall B. Wilburn

PRINT OR TYPE NAME OF NOTARY

My commission expires: 2/7/2021

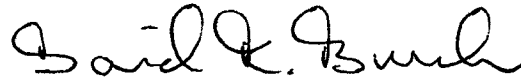
STM APPLICATION
TCE WATER LC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART A – QUESITON 1
PURCHASE AGREEMENT

ASSIGNMENT OF ASSET PURCHASE AGREEMENT

For value received, KR Holdings, LLC, ("Assignor"), hereby transfers and assigns to TCE Water LLC, ("Assignee"), its successors and assigns, all rights and interest in that Asset Purchase Agreement and all associated amendments thereto between Assignor KR Holdings, LLC, as purchaser, and Texas Country Water, Inc., as seller, dated June 1, 2018 for the sale of the potable water supply system in Comal County, Texas better known as the Texas Country Water System, identified with the Public Utility Commission of Texas under its Certificate of Convenience and Necessity ("CCN") No. 12921 and the Texas Commission on Environmental Quality Public Water System No. 0460223 (all together, the "Water System"), more particularly described in said contract, subject to the covenants, conditions, and payments contained in said contract ("Purchase Agreement"). Assignor authorizes and empowers Assignee, on its performance of all of the above-mentioned covenants, conditions, and payments to demand and receive of Seller the Closing Deliveries as identified in the Purchase Agreement hereby assigned in the same manner and with the same effect as Assignor could have done had this assignment not been made.

Dated: October 11, 2018

Assignor:



Managing Member, KR Holdings, LLC

Acceptance by Assignee

TCE Water LLC accepts the above assignment of that Purchase Agreement made June 1, 2018. TCE Water LLC agrees to perform all obligations to be performed by Assignor under the Purchase Agreement and to indemnify Assignor against any liability arising from the performance or nonperformance of such obligations.

Dated: October 11, 2018

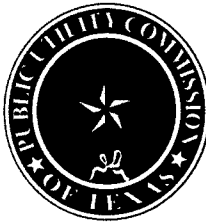
Assignee:



Managing Member, TCE Water LLC

STM APPLICATION
TCE WATER LLC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART A – QUESITON 4
TCE WATER LLC (BUYER) TARIFF
AND
TCW, LLC (SELLER) EXISTING TARIFF

**TCE WATER LLC – BUYER
TARIFF, DCP, AND SERVICE
AGREEMENT**



WATER UTILITY TARIFF

Docket Number: _____

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

TCE WATER LLC

(Utility Name)

Austin, Texas 78733

(City, State, Zip Code)

900 River Hills Road

(Business Address)

512 632-5853

(Area Code/Telephone)

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

This tariff is effective in the following counties: Comal County

—

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

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

Texas County Estates Subdivision Comal County, Texas

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):

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Note: Appendix A – Drought Contingency Plan (DCP) is approved by the Texas Commission on Environmental Quality; however, the DCP is included as part of your approved utility tariff pursuant to PUC rules. If you are establishing a tariff for the first time, please contact the TCEQ to complete and submit a DCP for approval.

(Utility Name)

SECTION 1.0 -- RATE SCHEDULE**Section 1.01 - Rates**

Meter Size	Monthly Minimum Charge	Gallonage Charge
5/8" or 3/4"	\$ <u>35.00</u> (Includes 0 gallons)	\$ <u>3.00</u> per 1000 gallons, 1 st _____ gallons
1"	\$ _____	\$ _____ per 1000 gallons, next _____ gallons
1½ "	\$ _____	\$ _____ per 1000 gallons thereafter
2"	\$ _____	
3"	\$ _____	
4"	\$ _____	

FORM OF PAYMENT: The utility will accept the following forms of payment:Cash ☒ Check ☒ Money Order ☒ 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 ASSESSMENT1.0%

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

Section 1.02 - Miscellaneous Fee**TAP FEE**\$ 450.00

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.

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.

(Utility Name)

SECTION 1.0 – RATE SCHEDULE (Continued)**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) Nonpayment of bill (Maximum \$25.00) | \$ <u>25.00</u> |
| b) Customer's request that service be disconnected | \$ <u>35.00</u> |
| c) _____ | \$ _____ |

TRANSFER FEE

\$ 15.00

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

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

\$ Actual

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)

\$ 0.00

COMMERCIAL & NON-RESIDENTIAL DEPOSIT

1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

\$ Actual

WHEN AUTHORIZED IN WRITING BY PUC 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.

(Utility Name)

SECTION 2.0 -- SERVICE RULES AND POLICIES

The utility will have the most current Public Utility Commission of Texas (PUC or commission rules relating to Water and Wastewater Utility regulations, 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 2.01 - Application for 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, any required fees (deposits, reconnect, tap, extension fees, etc. as applicable) will be paid and easements, if required, will be granted before service is provided by the utility. A separate application or contract will be made for each service location.

Section 2.02 - 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 2.03 - Fees and Charges & Easements Required Before Service Can Be Connected

(A) 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.

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.

(Utility Name)**SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)**

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.

(B) Tap or Reconnect Fees

A new customer requesting service at a location where service has not previously been provided must pay a tap fee as provided in Section 1. A customer requesting service where service has previously been provided must pay a reconnect fee as provided in Section 1. Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to request for payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall be informed of their right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Fees in addition to the regular tap fee may be charged if listed specifically in Section 1 to cover unique costs not normally incurred as permitted by P.U.C. SUBST. R. 24.86(a)(1)(C). For example, a road bore for customers outside a subdivision or residential area could be considered a unique cost.

(C) Easement Requirement

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 applicant's property, the utility may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant. Such easement(s) shall not be used for the construction of production, storage, transmission or pressure facilities unless they are needed for adequate service to that applicant.

(Utility Name)**SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)****Section 2.04 - Utility Response to Applications for Service**

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.

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

Section 2.05 - Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers will not be allowed to use the utility's cutoff valve on the utility's side of the meter. Existing customers may install cutoff valves on their side of the meter and are encouraged to do so. All new customers may be required to install and maintain a cutoff valve on their side of the meter.

No direct connection between a public water supply system and any potential source of contamination or between a public water supply system and a private water source (ex. private well) will be allowed. A customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

Section 2.06 - Customer Service Inspections

Applicants for new service connections or facilities which have undergone extensive plumbing modifications are required to furnish the utility a completed customer service inspection certificate. The inspection certificate shall certify that the establishment is in compliance with the Texas Commission on Environmental Quality (TCEQ) Rules and Regulations for Public Water Systems, Section 290.46(j). The utility is not required to perform these inspections for the applicant/customer, but will assist the applicant/customer in locating and obtaining the services of a certified inspector.

(Utility Name)**SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)****Section 2.07 - Back Flow Prevention Devices**

No water connection shall be allowed to any residence or establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination by either an approved air gap, backflow prevention assembly, or other approved device. The type of device or backflow prevention assembly required shall be determined by the specific potential hazard identified in Title 30 Texas Administrative Code (TAC) §290.47(i) Appendix I, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems.

The use of a backflow prevention assembly at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes. When a customer service inspection certificate indicates that an adequate internal cross-connection control program is in effect, backflow protection at the water service entrance or meter is not required.

At any residence or establishment where it has been determined by a customer service inspection, that there is no actual or potential contamination hazard, as referenced in 30 TAC §290.47(i) Appendix I, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems, then a backflow prevention assembly or device is not required. Outside hose bibs do require, at a minimum, the installation and maintenance of a working atmospheric vacuum breaker.

All backflow prevention assemblies or devices shall be tested upon installation by a TCEQ certified backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a certified backflow prevention assembly tester.

If the utility determines that a backflow prevention assembly or device is required, the utility will provide the customer or applicant with a list of TCEQ certified backflow prevention assembly testers. The customer will be responsible for the cost of installation and testing, if any, of backflow prevention assembly or device. The customer should contact several qualified installers to compare prices before installation. The customer must pay for any required maintenance and annual testing and must furnish a copy of the test results demonstrating that the assembly is functioning properly to the utility within 30 days after the anniversary date of the installation unless a different date is agreed upon.

(Utility Name)**SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)****Section 2.08 - Access to Customer's Premises**

The utility will have the right of access to the customer's premises at all reasonable times for the purpose of installing, testing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow the utility and its personnel access to the customer's property to conduct any water quality tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours and the utility personnel will attempt to notify the customer that they will be working on the customer's property. The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

All customers or service applicants shall provide access to meters and utility cutoff valves at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply.

Section 2.09 - Meter Requirements, Readings, and Testing

One meter is required for each residential, commercial, or industrial connection. 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.

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.

SECTION 2.0 -- SERVICE RULES AND POLICIES(Continued)

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.

Section 2.10 - Billing(A) Regular 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.

(B) Late Fees

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.

(C) Information on Bill

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.

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)**(D) 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 2.11- Payments

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve month period, the customer shall be required to pay a deposit if one has not already been paid.

Section 2.12 - Service Disconnection**(A) With Notice**

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.

B) Without Notice

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

(Utility Name)**SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)****Section 2.13 - Reconnection of Service**

Utility personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

Service will be reconnected within 36 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.

Section 2.14 - 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.

Section 2.15 - 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 2.16 - 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 either the TCEQ or PUC complaint process, depending on the nature of the complaint. Pending resolution of a complaint, the commission may require continuation or restoration of service.

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

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.

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 2.17 - Customer Liability

Customer shall be liable for any damage or injury to utility-owned property shown to be caused by the customer.

(Utility Name)

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 utility is not required to extend service to any applicant outside of its certified service area and will only do so under terms and conditions mutually agreeable to the utility and the applicant, in compliance with PUC rules and policies, and upon extension of the utility's certified service area boundaries by the PUC.

The applicant for service 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 is not required to extend service to any applicant outside of its certificated service area and will only do so under terms and conditions mutually agreeable to the utility and the applicant, in compliance with PUC rules and policies, and upon extension of the utility's certificated service area boundaries by the PUC.

Section 3.02 - Costs Utilities and Service Applicants 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.

SECTION 3.0 -- EXTENSION POLICY (Continued)

Residential customers 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.

Unless an exception is granted by the TCEQ, the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution and pressure wastewater collection lines and 6" in diameter for gravity wastewater lines.

Exceptions may be granted by the TCEQ if:

- adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;
- or larger minimum line sizes are required under subdivision platting requirements or building codes of municipalities within whose corporate limits or extraterritorial jurisdiction the point of use is located; or the residential service applicant is located outside the CCN service area.

If an exception is granted by the TCEQ, the utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certified area, industrial, and wholesale customers shall be treated as developers. A service applicant requesting a one inch meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection beyond 200 feet and throughout his property including the cost of all necessary transmission facilities.

(Utility Name)

SECTION 3.0 -- EXTENSION POLICY (Continued)

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.

Section 3.03 - Contributions in Aid of Construction

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.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the TCEQ minimum design criteria for water production, treatment, pumping, storage and transmission.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of P.U.C. SUBST. R. 24.86(d). When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with the TCEQ minimum design criteria. As provided by P.U.C. SUBST. R. 24.85(e)(3), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

A utility may only charge a developer standby fees for unrecovered costs of facilities committed to a developer's property under the following circumstances:

- Under a contract and only in accordance with the terms of the contract; or
- if service is not being provided to a lot or lots within two years after installation of facilities necessary to provide service to the lots has been completed and if the standby fees are included on the utilities approved tariff after a rate change application has been filed. The fees cannot be billed to the developer or collected until the standby fees have been approved by the commission or executive director.

for purposes of this section, a manufactured housing rental community can only be charged standby fees under a contract or if the utility installs the facilities necessary to provide individually metered service to each of the rental lots or spaces in the community.

(Utility Name)

SECTION 3.0 -- EXTENSION POLICY (Continued)

Section 3.04 - Appealing Connection Costs

The imposition of additional extension costs or charges as provided by Sections 3.0 - Extension Policy of this tariff shall be subject to appeal as provided in this tariff, PUC rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located.

Section 3.05 - Applying for Service

The utility will provide a written service application form to the applicant for each request for service received by the utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service application forms will be available at the utility's business office during normal weekday business hours. Service applications will be sent by prepaid first class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. A diagram, map, plat, or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line may also be required with the tap request. The actual point of connection and meter installation must be readily accessible to utility personnel for inspection, servicing, and meter reading while being reasonably secure from damage by vehicles and mowers. If the utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the utility's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the utility. If no agreement on location can be made, the applicant may refer the matter to the PUC for resolution.

(Utility Name)**SECTION 3.0 -- EXTENSION POLICY (Continued)****Section 3.06 - Qualified Service Applicant**

A "qualified service applicant" is an applicant who has: (1) met all of the utility's requirements for service contained in this tariff, PUC rules and/or PUC order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all easements and rights-of-way required to provide service to the requested location, (4) delivered an executed customer service inspection certificate to the utility, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

The utility shall serve each qualified service applicant within its certified service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by PUC rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The PUC service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a qualified service applicant as defined by PUC rules.

Section 3.07 - Developer Requirements

As a condition of service to a new subdivision, the utility shall require a developer (as defined by PUC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

APPENDIX A – DROUGHT CONTINGENCY PLAN (Utility Must Attach TCEQ-Approved Plan)

DROUGHT CONTINGENCY PLAN FOR

TCE Water LLC - An Investor Owned Utility

(Name of Utility)

900 River Hills Road

(Address, City, Zip Code)

Austin, Texas 78733

(CCN#)

12921

(PWS #s)

0460223


(Date)

Section 1 Declaration of Policy, Purpose, and Intent

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit non-essential water usage. The purpose of the Drought Contingency Plan is to encourage customer conservation in order to maintain supply, storage, or pressure or to comply with the requirements of a court, government agency or other authority.

Please note: Water restriction is not a legitimate alternative if a water system does not meet the Texas Commission on Environmental Quality's (TCEQ) capacity requirements under normal conditions **or** if the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

I, Don Rauschuber, P.E. (print name), being the responsible official for _____ (Name of utility), **request a minor tariff amendment to include the enclosed Drought Contingency Plan.**



(Signature)

October 10, 2018
(Date)

Section 2 Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by:
(Check at least one of the following)

Scheduling and providing public notice of a public meeting to accept input on the Plan.

The meeting took place at:

Date: _____ Time: _____ Location: _____

Mailed survey with summary of results (attach survey and results)

Bill insert inviting comment (attach bill insert)

Other method Provided to each TCE Water LLC customer by U.S. Postal Service

Section 3 Public Education

The TCE Water LLC (*name of utility*) will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage.

Drought plan information will be provided by:
(check at least one of the following)

public meeting

press releases

✓ *utility bill inserts*

✓ *other* DCP will be provided at the time of application for water service.

Section 4 Coordination with Regional Water Planning Groups

The service area of the TCE Water LLC (*name of your utility*) is located within Regional Water Planning Group (RWPG) Region L
TCE Water LLC (*name of your utility*) has mailed a copy of this Plan to the RWPG.

Section 5 Notice Requirements

Written notice will be provided to each customer **prior to implementation or termination of each stage of the water restriction program**. Mailed notice must be given to each customer 72 hours prior to the start of water restriction. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

1. the date restrictions will begin,
2. the circumstances that triggered the restrictions,
3. the stages of response and explanation of the restrictions to be implemented, and,
4. an explanation of the consequences for violations.

The utility must notify the TCEQ by telephone at (512) 239-4691, or electronic mail at watermon@tceq.state.tx.us prior to implementing Stage III and must notify in writing the Public Drinking Water Section at MC - 155, P.O. Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the utility's restriction notice. The utility must file a status report of its restriction program with the TCEQ at the initiation and termination of mandatory water use restrictions (i.e., Stages III and IV).

Section 6 Violations

1. First violation - The customer will be notified by written notice of their specific violation.
2. Subsequent violations:
 - a. After written notice, the utility may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed \$50.00.
 - b. After written notice, the utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the utility will apply for restoration of service.

Section 7 Exemptions or Variances

The utility may grant any customer an exemption or variance from the drought contingency plan for good cause **upon written request**. A customer who is refused an exemption or variance may appeal such action of the utility in writing to the Texas Commission on Environmental Quality. The utility will treat all customers equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances. No exemption or variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section 8 Response Stages

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the utility will initially declare Stage I restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage II may be implemented with Stage III to follow if necessary.

STAGE I - CUSTOMER AWARENESS

Stage I will begin:

Every April 1st, the utility will mail a public announcement to its customers. No notice to TCEQ required.

Stage I will end:

Every September 30th, the utility will mail a public announcement to it 's customers. No notice to TCEQ required.

Utility Measures:

This announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water. A copy of the current public announcement on water conservation awareness shall be kept on file available for inspection by the TCEQ.

Voluntary Water Use Restrictions:

Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

STAGE II - VOLUNTARY WATER CONSERVATION:

Target: Achieve a 10 percent reduction in Total Water Use (example: total water use, daily water demand, etc.)

The water utility will implement Stage 2 when any one of the selected triggers is reached:

Supply-Based Triggers: (check at least one and fill in the appropriate value)

Well level reaches _____ ft. mean sea level (m.s.l.)

Overnight recovery rate reaches _____ ft.

Reservoir elevation reaches _____ ft. (m.s.l.)

Stream flow reaches _____ cfs at USGS gage # _____

Wholesale supplier ' s drought Stage 2

Annual water use equals _____ % of well permit/Water Right/purchased water contract

amount **Static water level in TCE Water LLC Well No. 1 drops below**
Other **355-feet below land surface.**

Demand- or Capacity-Based Triggers: (check at least one and fill in the appropriate value)

Drinking water treatment as % of capacity _____ %
Total daily demand as % of pumping capacity 70 %
Total daily demand as % of storage capacity _____ %
Pump hours per day _____ hrs.
Production or distribution limitations.
Other _____

Upon initiation and termination of Stage II, the utility will mail a public announcement to its customers. No notice to TCEQ required.

Requirements for Termination:

Stage II of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage II, Stage I becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a daily basis. Monthly review of customer use records and follow-up on any that have unusually high usage.

Describe additional measures, if any, to be implemented directly by the utility to manage limited water supplies and/or reduce water demand. Examples include: reduced or discontinued flushing of water mains, activation and use of an alternative supply source(s); use of reclaimed water for non-potable purposes.

The second water source for TCE Water LLC (name of utility) is: (check one)

- ☒ Other well
☐ Interconnection with other system
☐ Purchased water
☐ Other (Haul-In Treated Water)

Voluntary Water Use Restrictions:

1. Restricted Hours: Outside watering is allowed daily, but only during periods specifically described in the customer notice; between 10:00 p.m. and 5:00 a.m. for example; or
2. Restricted Days/Hours: Water customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are requested to limit outdoor water use to **Monday and Friday for water customers with a street address ending with the numbers 1, 2, or 3, Tuesday and Saturday for water customers with a street address ending with the numbers 4, 5, or 6, and Wednesday and Sunday for water customers with a street address ending with the numbers 7, 8, 9, or 0.** Irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is

permitted at anytime if it is by means of a hand-held hose, a faucet-filled bucket or watering can of five (5) gallons or less, or drip irrigation system; or

3. Other uses that waste water such as water running down the gutter.

STAGE III - MANDATORY WATER USE RESTRICTIONS:

Target: Achieve a 20 percent reduction in Total Water Use (example: total water use, daily water demand, etc.)

The water utility will implement Stage III when any one of the selected triggers is reached:

Supply-Based Triggers (check at least one and fill in the appropriate value)

Well level reaches _____ ft. (m.s.l.)

Overnight recovery rate reaches _____ ft.

Reservoir elevation reaches _____ ft. (m.s.l.)

Stream flow reaches _____ cfs at USGS gage # _____

Wholesale supplier=s drought Stage III

Annual water use equals _____ % of well permit/Water Right/purchased water contract amount.

Other _Static water level in TCE Water LLC Well No. 1 drops below 370-feet below land surface.

Demand- or Capacity-Based Triggers (check at least one and fill in the appropriate value)

Drinking water treatment as % of capacity _____ %

Total daily demand as % of pumping capacity __80%

Total daily demand as % of storage capacity _____ %

Pump hours per day _____ hrs.

Production or distribution limitations.

Other _____

Upon initiation and termination of Stage III, the utility will mail a public announcement to its customers. Notice to TCEQ required.

Requirements for Termination:

Stage III of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage III, Stage II becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a regular basis. Flushing is prohibited except for dead end mains.

Describe additional measures, if any, to be implemented directly by the utility to manage limited water supplies and/or reduce water demand. Examples include: activation and use of an alternative

supply source(s); use of reclaimed water for non-potable purposes; offering low-flow fixtures and water restrictors.

Mandatory Water Use Restrictions:

The following water use restrictions shall apply to all customers.

1. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems **shall be limited to Mondays for water customers with a street address ending with the numbers 1, 2, or 3, Wednesdays for water customers with a street address ending with the numbers 4, 5, or 6, and Fridays for water customers with a street address ending with the numbers 7, 8, 9, or 0.** Irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet-filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public are contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or "jacuzzi" type pool are prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.
4. Use of water to fill, refill or add to any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 A. M. and between 8:00 P. M. and 12:00 midnight.
5. Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
6. Use of water for the irrigation of golf courses, parks, and green belt areas are prohibited except by hand-held hose and only on designated watering days between the hours 12:00 midnight and 10:00 A. M.. and between 8:00 P. M. and 12:00 midnight. Drip irrigation is accepted method of watering on designated days and hours.
7. The following uses of water are defined as non-essential and are prohibited:
 - a. wash down of any streets, sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - c. use of water for dust control;

- d. flushing gutters or permitting water to run or accumulate in any gutter or street;
- e. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- f. any waste of water.

STAGE IV - CRITICAL WATER USE RESTRICTIONS:

Target: Achieve a 40 percent reduction in Total Water Use (example: total water use, daily water demand, etc.)

The water utility will implement Stage IV when any one of the selected triggers is reached:

Supply-Based Triggers: (check at least one and fill in the appropriate value)

Well level reaches _____ ft. (m.s.l.)

Overnight recovery rate reaches _____ ft.

Reservoir elevation reaches _____ ft. (m.s.l.)

Stream flow reaches _____ cfs at USGS gage # _____

Wholesale supplier=s drought Stage IV

Annual water use equals _____ % of well permit/Water Right/purchased water contract amount

Supply contamination

Other Static water level in TCE Water LLC Well No. 1 reaches 385-feet below land surface.

Demand- or Capacity-Based Triggers: (check at least one and fill in the appropriate value)

Drinking water treatment as % of capacity _____ %

Total daily demand as % of pumping capacity _____ %

Total daily demand as % of storage capacity _____ %

Pump hours per day _____ hrs

Production or distribution limitations

System outage

Other _____

Upon initiation and termination of Stage IV, the utility will mail a public announcement to its customers. Notice to TCEQ required.

Requirements for Termination:

Stage IV of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage IV, Stage III becomes operative.

Operational Measures:

The utility shall visually inspect lines and repair leaks on a daily basis. Flushing is prohibited except for dead end mains and only between the hours of 9:00 p.m. and 3:00 a.m. Emergency interconnects or alternative supply arrangements shall be initiated. All meters shall be read as often as necessary to insure compliance with this program for the benefit of all the customers. *Describe additional measures, if any, to be implemented directly to manage limited water supplies and/or reduce water demand.*

Mandatory Water Use Restrictions: (all outdoor use of water is prohibited)

1. Irrigation of landscaped areas is absolutely prohibited.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

SYSTEM OUTAGE or SUPPLY CONTAMINATION

Notify TCEQ Regional Office immediately.

If you have any questions on how to fill out this form or about the Investor Owned Utility program, please contact us at 512/239-1000.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

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

**WATER SERVICE APPLICATION PROCEDURE
TCE WATER LLC**

ACCOUNT # _____
(Office will assign number)

TCE WATER LLC SERVICE AGREEMENT

TCE Water LLC (the "Water System") is responsible for protecting the drinking water supply from contamination or pollution which could result from improper plumbing practices. The purpose of this Service Agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this Service Agreement before we will begin service. In addition, when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this Service Agreement.

- I. **PLUMBING RESTRICTIONS:** The following undesirable plumbing practices are prohibited by State regulations:
- A. No direct-connection between the public drinking water supply and potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by installation of an air-gap or a reduced pressure-zone backflow prevention device.
 - C. No connection which allows water to be returned to the public drinking water supply is permitted.
 - D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
 - E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.
- II. **ENFORCEMENT:** If the Customer fails to comply with the terms of the Service Agreement, the Water System shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this Service Agreement will be billed to the Customer.
- The Water System will maintain a copy of this Service Agreement as long as the customer and/or premises are connected to the Water System.
 - The Customer shall allow the property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. The inspections shall be conducted during the District's business hours.
 - The Water System shall notify the customer in writing of any cross-connection or other undesirable plumbing practice which has been identified during the initial inspection or the periodic re-inspection.
 - The Customer shall immediately correct any undesirable plumbing practice on the premises.
 - The Customer shall, at their expense, properly install, test, and maintain any backflow prevention device required by the Water System. Copies of all testing and maintenance records shall be provided to the Water System.

(Customer Signature – Required)

APPLICATION FOR WATER UTILITY SERVICE

If you have any questions about this application, please contact our office at _____ or email at _____.

Required fields are marked with an **asterisk ***.

Applicant Information:

NOTE: At least one phone number (home, work or cell) is required.

Name:* _____

Mailing Address:* _____

City, State & Zip:* _____

Home Phone:* _____ Work Phone:* _____ Mobile:* _____

Email Address: _____

Name of additional person authorized to make changes to this account:

Service Address:* _____

City State & Zip*: _____

County:* _____

Subdivision:* _____ Block: _____ Lot: _____ Acreage: _____

Requested Services*

NOTE: At least one service must be checked

_____ transferring existing water service _____

METER SIZE _____

Additional information may be required on the following:

_____ water service for a new location (brand new meter)*

***Official Certified Plat must be submitted with application**

Applicant is: _____ Owner _____ Renter _____ Builder

Customer type: _____ Residential _____ Commercial

Approximate date service is needed:* _____

*NOTE: Service date must be at least 2 **business days in future**, must not fall on a weekend and must not be more than 180 days in the future.*

Under the Texas Utilities Code, Section 182.01 through 182.005 persons 60 or older with a utility account will not receive a 10% penalty until the bill is past due by 25 days.

Are you or any person authorized on this account 60 or older? _____ Yes _____ No
(age verification will be required if over 60)

Copy of Driver's License/Photo ID must be included with application.

The Texas Legislature has limited the availability of customer information through Texas Utilities Code § 182.052. This law states that customers of the Agency have the right to request confidentiality of their addresses, telephone numbers, amounts billed and usage amounts as part of the Agency's account records. If you wish your information to remain confidential, please complete the attached form and return.

I acknowledge by submitting this agreement that upon accepting service I will be subject to the terms and conditions of retail water and/or wastewater as contained in the Rate Tariff Schedule, as updated from time to time at the discretion of the TCE Water LLC with approval of the Public Utility Commission of Texas. I further acknowledge and agree that the terms and conditions of retail water service contained in the Rate Tariff Schedule shall constitute a contract between the TCE Water LLC and me and may be enforced as such.

Applicant

Applicant

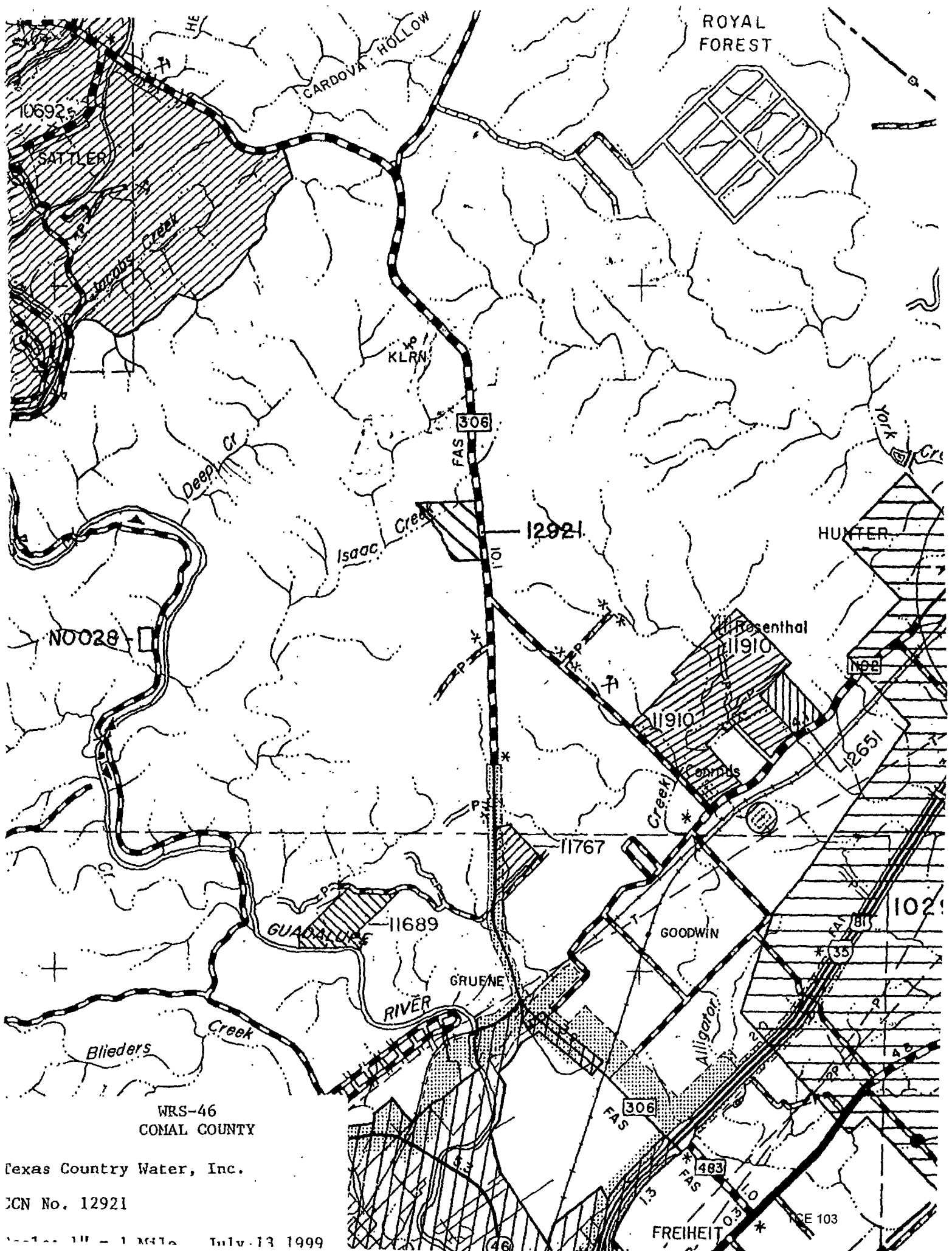
Date

Date

FOR OFFICE USE ONLY:

Account number: _____ Date Received: _____ Entered by: _____

TCW, LLC (SELLER) EXISTING TARIFF



**WATER UTILITY TARIFF
FOR**

Texas Country Water, Inc.
(Utility Name)

2007 South IH 35
(Business Address)

New Braunfels, Texas 78130
(City, State, Zip Code)

(830) 629-5050
(Area Code/Telephone)

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

12921

This tariff is effective in the following county:

Comal County

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

None

This tariff is effective in the following subdivisions or systems:

Texas Country Estates Units 1 & 2

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	PAGE
1.0 RATE SCHEDULE	<u>2</u>
2.0 SERVICE RULES AND POLICIES	<u>4</u>
3.0 EXTENSION POLICY	<u>11</u>
4.0 WATER RATIONING PLAN	<u>15</u>
APPENDIX A SAMPLE SERVICE AGREEMENT (Chapter 290.47 Appendix B)	
APPENDIX B PLUMBING CODE ADOPTED BY UTILITY (not approved by the TNRCC)	

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

32507 C CCN 12921 DEC 31 '99

TCE 104

APPROVED BY *Sm/THB*

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallage Charge</u>
5/8" or 3/4"	\$35.00 (Includes 0 gallons)	\$ 3.00 per 1000 gallons same for all meter sizes

FORM OF PAYMENT: THE UTILITY WILL ACCEPT THE FOLLOWING FORM(S) 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%
 (TNRCC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.)

Section 1.02 - Miscellaneous Fees

TAP FEE \$ 450.00
 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 (Large meter) Actual Cost
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE (ACTUAL COST TO RELOCATE METER 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.

RATES LISTED ARE EFFECTIVE ONLY
 IF THIS PAGE HAS TNRCC APPROVAL STAMP

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

32507 C CCN 12921 DEC 31 '99

TCE 105

APPROVED BY *Am/THB*

SECTION 1.0 - RATE SCHEDULE (CONT.)

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 \$ 35.00

TRANSFER FEE \$ 15.00

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

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) \$ 5.00

TNRCC 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 \$ 20.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

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

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

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

WHEN AUTHORIZED IN WRITING BY TNRCC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING 30 TAC 291.21(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.

RATES LISTED ARE EFFECTIVE ONLY

IF THIS PAGE HAS TNRCC APPROVAL STAMP

Texas Natural Resource Conservation Commission

32507 C CCN 12921 DEC 31 '99

TCE 106

APPROVED BY *Am/THB*

SECTION 2.0 - SERVICE RULES AND POLICIES

The utility will have the most current Texas Natural Resource Conservation Commission Rules, Chapter 291, Water Rates, 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 2.01 - Application for 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, any required fees (deposits, reconnect, tap, extension fees, etc. as applicable) will be paid and easements, if required, will be granted before service is provided by the utility. A separate application or contract will be made for each service location.

Section 2.02 - 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 TNRCC 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 2.03 - Fees and Charges & Easements Required Before Service Can Be Connected

(A) 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 TNRCC Rules.

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 customer who has paid 18 consecutive billings without being delinquent.

SECTION 2.0 - SERVICE RULES AND POLICIES (CONT.)

(B) Tap or Reconnect Fees

A new customer requesting service at a location where service has not previously been provided must pay a tap fee as provided in Section 1. A customer requesting service where service has previously been provided must pay a reconnect fee as provided in Section 1. Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to request for payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall be informed of their right to appeal such costs to the TNRCC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Fees in addition to the regular tap fee may be charged to cover unique costs not normally incurred as permitted by 30 T. A. C. 291.86(a)(1)(C) if they are listed on this approved tariff. For example, a road bore for customers outside a subdivision or residential area could be considered a unique cost.

(C) Easement Requirement

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 applicant's property, the Utility may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant. Such easement(s) shall not be used for the construction of production, storage, transmission or pressure facilities unless they are needed for adequate service to that applicant.

Section 2.04 - Utility Response to Applications for Service

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.

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

Section 2.05 - Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers will not be allowed to use the utility's cutoff valve on the utility's side of the meter. Existing customers may install cutoff valves on their side of the meter

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SECTION 2.0 - SERVICE RULES AND POLICIES (CONT.)

and are encouraged to do so. All new customers must install and maintain a cutoff valve on their side of the meter.

No direct connection between a public water supply system and any potential source of contamination or between a public water supply system and a private water source (ex. private well) will be allowed. A customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

Section 2.06 - Customer Service Inspections

Applicants for new service connections or facilities which have undergone extensive plumbing modifications are required to furnish the utility a completed customer service inspection certificate. The inspection certificate shall certify that the establishment is in compliance with the Texas Natural Resource Conservation Commission Rules and Regulations for Public Water Systems, Section 290.46(j). The Utility is not required to perform these inspections for the applicant/customer, but will assist the applicant/customer in locating and obtaining the services of a certified inspector.

Section 2.07 - Back Flow Prevention Devices

All non-residential customers requiring a greater than 1" meter or any customer with irrigation or fire fighting systems, must install back flow prevention devices which have been approved by the utility or its consulting engineers on each of their customer service lines.

The back flow assembly shall be tested upon installation by a recognized prevention assembly tester and certified to be operating within specifications. Back flow prevention assemblies which are installed to provide protection against high health hazards must be tested and certified to be operating within specifications at least annually by a recognized back flow prevention device tester. The maintenance and testing of the back flow assembly shall occur at the customer's expense.

No water connection shall be made to any establishment where an actual or potential contamination or system hazard exists without an approved air gap or mechanical backflow prevention assembly. The air gap or backflow prevention assembly shall be installed in accordance with the American Water Works Association (AWWA) standards C510, C511 and AWWA Manual M14 or the University of Southern California Manual of Cross-Connection Control, current edition. The backflow assembly installation by a licensed plumber shall occur at the customer's expense.

Section 2.08 - Access to Customer's Premises

The utility will have the right of access to the customer's premises at all reasonable times for the purpose of installing, testing, inspecting or repairing water mains or other equipment used in connection with its

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SECTION 2.0 - SERVICE RULES AND POLICIES (CONT.)

provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow the utility and its personnel access to the customer's property to conduct any water quality tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours and the utility personnel will attempt to notify the customer that they will be working on the customer's property. The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

All customers or service applicants shall provide access to meters and utility cutoff valves at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply.

Section 2.09 - Meter Requirements, Readings, and Testing

One meter is required for each residential, commercial, or industrial connection. 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.

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.

Section 2.10 - Billing

(A) Regular 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

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SECTION 2.0 - SERVICE RULES AND POLICIES (CONT.)

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.

(B) Late Fees

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.

(C) Information on Bill

Each bill will provide all information required by the TNRCC 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.

(D) 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 2.11 - Payments

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve month period, the customer shall be required to pay a deposit if one has not already been paid.

Section 2.12 - Service Disconnection

(A) With Notice

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

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SECTION 2.0 - SERVICE RULES AND POLICIES (CONT.)

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 TNRCC Rules.

(B) Without Notice

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

Section 2.13 - Reconnection of Service

Utility personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

Service will be reconnected within 24 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.

Section 2.14 - 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.

Section 2.15 - 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 Commission, the utility will maintain facilities as described in the Texas Natural Resource Conservation Commission Rules and Regulations for Public Water Systems.

Section 2.16 - 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 Texas Natural Resource Conservation Commission

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SECTION 2.0 - SERVICE RULES AND POLICIES (CONT.)

complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

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.

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 2.17 - Customer Liability

Customer shall be liable for any damage or injury to utility-owned property shown to be caused by the customer.

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.

Unless an exception is granted by the TNRCC's Executive Director, the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution and pressure wastewater collection lines and 6" in diameter for gravity wastewater lines.

Exceptions may be granted by the TNRCC Executive Director if

- adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;
- or larger minimum line sizes are required under subdivision platting requirements or building codes of municipalities within whose corporate limits or extraterritorial jurisdiction the point of use is located; or the residential service applicant is located outside the CCNS service area.

If an exception is granted, the Utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

The utility shall bear the cost of any over-sizing of water distribution lines or waste water collection lines necessary to serve other potential service applicants for customers in the immediate area.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certificated area, industrial, and wholesale customers shall be treated as developers. A service applicant requesting a one inch meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in

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SECTION 3.0 - EXTENSION POLICY (CONT.)

providing the standard service and connection beyond 200 feet and throughout his property including the cost of all necessary transmission facilities.

Residential customers 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.

Section 3.02 - Costs Utilities Shall Bear

The utility will bear the full cost of any oversizing 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.

Within its certificate 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 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.

The Utility is not required to extend service to any applicant outside of its certificated service area and will only do so under terms and conditions mutually agreeable to the Utility and the applicant, in compliance with TNRCC rules and policies, and upon extension of the Utility's certificated service area boundaries by the TNRCC.

Section 3.03 - Contributions in Aid of Construction

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 Texas Natural Resource Conservation Commission minimum design criteria for facilities used in the production, transmission, pumping, or treatment of water or Texas Natural Resource Conservation Commission 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.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

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SECTION 3.0 - EXTENSION POLICY (CONT.)

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the Texas Natural Resource Conservation Commission minimum design criteria for water production, treatment, pumping, storage and transmission.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 30 TAC 291.86(d). When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with the Texas Natural Resource Conservation Commission minimum design criteria. As provided by 30 T.A.C. 291.85(e)(3), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

A utility may only charge a developer standby fees for unrecovered costs of facilities committed to a developer's property under the following circumstances:

- Under a contract and only in accordance with the terms of the contract; or
- if service is not being provided to a lot or lots within two years after installation of facilities necessary to provide service to the lots has been completed and if the standby fees are included on the utility's approved tariff after a rate change application has been filed. The fees cannot be billed to the developer or collected until the standby fees have been approved by the commission or executive director.
- for purposes of this section, a manufactured housing rental community can only be charged standby fees under a contract or if the utility installs the facilities necessary to provide individually metered service to each of the rental lots or spaces in the community.

Section 3.04 - Appealing Connection Costs

The imposition of additional extension costs or charges as provided by Sections 3.0 - Extension Policy of this tariff shall be subject to appeal as provided in this tariff, TNRCC rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the TNRCC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located.

Section 3.05 - Applying for Service

The Utility will provide a written service application form to the applicant for each request for service received by the Utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service application forms will be available at the Utility's business office during normal weekday business hours. Service

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SECTION 3.0 - EXTENSION POLICY (CONT.)

applications will be sent by prepaid first class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. The tap request must be accompanied with a diagram, map, plat, or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line. The actual point of connection and meter installation must be readily accessible to Utility personnel for inspection, servicing, and meter reading while being reasonably secure from damage by vehicles and mowers. If the Utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the Utility's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the Utility. If no agreement on location can be made, the applicant may refer the matter to the TNRCC for resolution.

Section 3.06 - Qualified Service Applicant

A "qualified service applicant" is an applicant who has: (1) met all of the Utility's requirements for service contained in this tariff, TNRCC rules and/or TNRCC order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all necessary easements and rights-of-way necessary to provide service to the requested location, (4) delivered an executed customer service inspection certificate to the Utility, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

The Utility shall serve each qualified service applicant within its certificated service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by TNRCC rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The TNRCC service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a qualified service applicant as defined by TNRCC rules.

Section 3.07 - Developer Requirements

As a condition of service to a new subdivision, the Utility shall require a developer (as defined by TNRCC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

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SECTION 4.0 - WATER RATIONING PROGRAM

In cases of extreme drought, periods of abnormally high usage, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit water usage. The purpose of the Water Rationing Program is to encourage customer conservation in order to maintain supply, storage or pressure or to comply with requirements of a court, government agency or other authority.

Water rationing is not a legitimate alternative when the water system does not meet Texas Natural Resource Conservation Commission's capacity requirements under normal conditions, nor when the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

Section 4.01 - General Provisions

DECLARATION OF WATER RATIONING: When there is an acute water supply shortage to such an extent that normal use patterns can no longer be served, the utility may implement a water rationing program in the following manner.

NOTICE REQUIREMENTS: Written notice will be provided to each customer prior to implementing the rationing program. Mailed notice must be given 72 hours prior to the start of rationing. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

- d) the date rationing will begin,
- e) the date rationing will end,
- f) the stage of rationing and explanation of the restrictions to be implemented, and,
- g) an explanation of the consequences for violations.

The utility must notify the TNRCC by telephone prior to implementing the program and will provide the TNRCC with a copy of the utility's rationing notice within 10 days. The utility must file a status report of its rationing program with the TNRCC every 30 days that rationing continues.

VIOLATION OF RATIONING RULES:

First violation - The customer will be notified by written notice of their specific violation.

Second violation - After written notice the utility may install a flow restricter in the line to limit the amount of water which will pass through the meter in a 24 hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricter, not to exceed \$50.00.

Subsequent violations - The utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the utility will apply for restoration of service.

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SECTION 4.0 - WATER RATIONING PROGRAM (CONT.)

EXEMPTIONS OR VARIANCES FROM RATIONING RULES: The utility may grant any customer an exemption or variance from the uniform rationing program for good cause. A customer who is refused an exemption or variance shall be informed that they may appeal the denial in writing to the Texas Natural Resource Conservation Commission. The utility will treat all customers equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances.

Section 4.02 - Stages of Rationing

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the utility will initially declare Stage I rationing. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage II may be implemented with Stage III to follow if necessary.

STAGE I (MILD) RATIONING: One of the following rationing alternatives may be implemented to limit outdoor water use. In some instances, the program implemented initially may not be effective and a more restrictive alternative may be implemented before going to Stage II.

- a) Restricted Hours: Outside watering is allowed daily, but only during periods specifically described in the customer notice; between 10:00PM and 5:00AM for example.
- b) Restricted Days: Customers whose addresses end in 0 and 1 may use water outside on the 1st day of the month, 2 and 3 - on the 2nd day, 4 and 5 - on the 3rd, 6 and 7 - on the 4th, 8 and 9 - on the 5th, 0 and 1 - again on the 6th day, and so on. The utility will provide customers with a calendar noting the assigned watering days and the order will remain consecutive as a new month begins.
- c) Weekend Watering Prohibited. No outside watering on weekends.
- d) Restricted Hours and Days: Outside water use will only be permitted on certain days during certain times. The times and days will be specified on the rationing notice.

STAGE II (MODERATE) RATIONING: All outdoor water usage is prohibited except by hand held hoses with manual turn-on/off nozzles. Water usage for livestock is exempt.

STAGE III (SEVERE) RATIONING: All outdoor water usage is prohibited; livestock may be exempted by the utility. All consumption may also be limited to each customer in one of the following ways:

- a) An average of the customer's winter months' average to be uniformly applied on a system-wide basis, each customer being notified of this average amount; OR
- b) Based upon technical data of the utility's facilities, a maximum number of gallons per meter (customer) per month, with notice to each customer of this number. Approval of the TNRCC must be obtained prior to implementing this restriction

All meters shall be read as often as necessary to insure compliance with this program for the benefit of all the customers.

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Chapter 290.47(b) Sample Service Agreement

SERVICE AGREEMENT

- I. **PURPOSE.** The NAME OF WATER SYSTEM is responsible for protecting the drinking water supply from contamination or pollution which could result from improper private water distribution system construction or configuration. The purpose of this service agreement is to notify each customer of the restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the NAME OF WATER SYSTEM will begin service. In addition, when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement.
- II. **RESTRICTIONS.** The following unacceptable practices are prohibited by State regulations.
 - A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
 - C. No connection which allows water to be returned to the public drinking water supply is permitted.
 - D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
 - E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.
- III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between the NAME OF WATER SYSTEM (the Water System) and NAME OF CUSTOMER (the Customer).
 - A. The Water System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the Water System.
 - B. The Customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the Water System or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the Water System's normal business hours.

STM APPLICATION
TCE WATER LLC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART B – QUESTION 5
LIST OF CUSTOMERS

STM APPLICATION
TCE WATER LLC – BUYER TEXAS COUNTRY
WATER, LLC – SELLER
PART C QUESTION
CERTIFICATE OF ACCOUNT STATUS



Franchise Tax Account Status

As of : 10/04/2018 16:21:49

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

TCE WATER LLC

Texas Taxpayer Number 32068542672

Mailing Address 7000 N MOPAC BLVD SUITE 200 AUSTIN, TX 78731

Right to Transact Business in Texas ACTIVE

State of Formation TX

Effective SOS Registration Date 10/01/2018

Texas SOS File Number 0803131164

Registered Agent Name RANDALL B WILBURN

Registered Office Street Address 7000 N. MOPAC BLVD, SUITE 200 AUSTIN, TX 78731

STM APPLICATION

7 & (:SL7&5 BUYER

TEXAS COUNTRY WATER, LLC – SELLER

PART & QUESTION

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Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709

Filing Fee: \$300



**Certificate of Formation
Limited Liability Company**

Filed in the Office of the
Secretary of State of Texas
Filing #: 803131164 10/01/2018
Document #: 840339210003
Image Generated Electronically
for Web Filing

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

TCE Water LLC

Article 2 – Registered Agent and Registered Office

☐ A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

☒ B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Randall B Wilburn

C. The business address of the registered agent and the registered office address is:

Street Address:

7000 N. Mopac Blvd, Suite 200 Austin TX 78731

Consent of Registered Agent

☐ A. A copy of the consent of registered agent is attached.

OR

☒ B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

☐ A. The limited liability company is to be managed by managers.

OR

☒ B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Managing Member 1: **David Burch**

Title: **Managing Member**

Address: **900 River Hills Road Austin TX, USA 78733**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Randall B Wilburn **Gilbert Wilburn PLLC, 7000 N. MoPac Blvd, Suite 200, Austin, TX 78731**

Effectiveness of Filing

☒ A. This document becomes effective when the document is filed by the secretary of state.

OR

☐ B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Randall B Wilburn

Signature of Organizer

FILING OFFICE COPY

STM APPLICATION
TCE WATER LLC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART D 11.B
LIST OF ASSETS AND VALUATION

STM APPLICATION
306 WATER SERVICE COMPANY, LLC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART D QUESTION AND QUESTION 17
CCN 12921

DLR WATER COMPANY LLC.

301 Main Plaza Box# 367

(830)660- 6933

New Braunfels, Texas 78130

(830)660-4765

Watertexas@yahoo.com

MANAGEMENT AGREEMENT

OPERATIONS, BILLING, AND MAINTENANCE AGREEMENT

Texas Country Water, LLC, Hereinafter called **OWNER**, and **DLR WATER CO.**, hereinafter called **OPERATOR**, agree to the following MANAGEMENT AGREEMENT.

For the base monthly fee, the OPERATOR agrees to provide items 1-6 and for an additional amount the OPERATOR agrees to provide items 7-10 listed below.

1. SYSTEM MANAGEMENT:

Operate the public water system in strict accordance as per state or local applicable authority. The OPERATOR will maintain the water production and distribution facilities such as make minor adjustments to valves, pumps, motors, instruments, switches chlorinator, and other items, in order to keep the system running within the proper pressures and chlorine residuals, Minor maintenance is defined as what in operator can perform during one hour or less, at that time of his/ her regular scheduled visit and with the tools and supplies that he/she normally carries on the work truck.

The OPERATOR will: read all water meters on a monthly basis, bill according to the tariff, provide end of the month reports for the OWNER, make local bank deposits, establish new service for customers, respond to customers questions/requests, and disconnect any past due water customers.

2. ON CALL SERVICES:

Be available 24 hours a day for emergency calls. All emergency calls will be

directed to call 830-660-6933 and 830-660-4765

3. WATER TESTING AND SAMPLING:

Take the required monthly bacterial water samples to the testing laboratory for testing. Cost of laboratory will be billed as an extra to OWNER.

4. INSPECTIONS AND REPORTING

Be available for all inspections with representatives of all local, state or federal authorities; including EAA, TCEQ, and any other applicable regulatory government agencies. OPERATOR will fill out all State and Federal reports that are required and those along with any results, including inspections, will be furnished to both OWNER and POA.

5. MANAGEMENT PAYMENT AND COST:

OWNER agrees to pay the OPERATOR, within 15 days of receiving monthly invoice, including all properly invoiced expenses necessary to properly operate the OWNER'S water facilities. The monthly fees will include;

\$ 250.00 BASE MONTHLY FEE

\$ 30.00 PER EACH BACTERIAL SAMPLE SUBMITTED.

\$13.75 per Meter for billing and collecting.

In addition, amounts may be included based on additional work done by the OPERATOR outside of the management agreement, which will be pre-approved by OWNER prior to starting any work unless public health and safety are at risk and/or affected. Owner will pay his own electric bill and may use other contractors for major work and repairs to the system.

ADDITIONAL COST BILLED COULD INCLUDE:

6. Recurring outages or after-hours service calls will be billed on an hourly basis.

The hourly rate is \$50.00 an hour for Senior Operator, and \$25 an hour for general operator/ assistant if needed.

a. A \$34.00 bottle Monthly Chlorine tank rental

7. Maintenance that requires more than one hour of the regular operator's time, or more than one "man", or if additional parts or tools are required and must be obtained. OWNER will Pre-approve of such work prior to starting unless public health and safety are at risk and/or affected.

8. FOR LARGE REPAIRS AND MAINTENANCE: OWNER will either pay direct for all parts, chemicals, equipment, supplies, and may hire and supervise subcontractors. OWNER will pay OPERATOR all of OPERATOR'S cost per billed.

9. Special water samples will be billed at OWNERS expense. Very large repairs or major capital improvements can be done by OPERATOR, if agreed to by both the OPERATOR and OWNER, at terms and conditions agreed to by both parties.

The proposal shall be to manage the water works as owned by TEXAS COUNTRY WATER, LLC which shall include but not be limited to the following:

1. Maintain the well in strict accordance with all guidelines and requirements of the applicable authorities
2. Visit and inspect the facility as required to insure proper operation, condition, and compliance
3. Compliance:
 - a. File reports monthly and annually as required by EAA, TCEQ, and any other applicable regulatory government agency.
 - b. Attend and represent the OWNER at inspections by the government agencies
 - c. Report the results of the inspections to the OWNER
5. Repairs and Improvements
 - a. Make recommendations and secure approval for equipment repairs and improvements

- b. Procure vendors and or contractors to make approved repairs and improvements
- c. Monitor the repairs or improvements
- d. Approve for payment

9. Renewal of Services

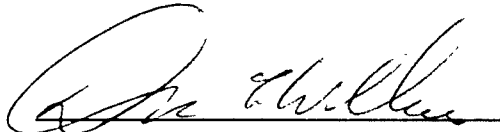
- a. The service of this agreement is to renew each year of the anniversary date of the acceptance
- b. A 90 day notice is required to either party in the event that a change in the services and or price is required

10. Termination of Services

- a. Management Company is required to provide 60 days' notice of intent to terminate this service
- b. OWNER is required to provide 60 days' notice of intent to terminate this service
- c. OWNER can terminate this service in 15 business days if the management company is determined to be in violation of this agreement.
- d. Upon termination from either party, the management company shall deliver in proper condition to the OWNER all records, reports, accounts, checkbooks, bank statements, lock combinations or keys, supplies, any and all other information and or data relating to the operation of the water works either in hard copy or electronic files as it applies

The SERVICE AGREEMENT shall start on _____ and shall renew each year on the anniversary date of acceptance. If either party chooses to terminate, modify pricing, or modify duties of either party 30 days written notice will be required. In addition, Texas Country Water, LLC is required to provide 30 days written notice of intent to terminate the service agreement. Texas Country Water, LLC can terminate the agreement in 10 business days if the

management company is determined to be in violation of this agreement. Upon termination of agreement by either party, the OPERATOR shall deliver in proper condition to Texas Country Water, LLC in all records, reports, accounts, lock combinations or keys, supplies and all other information and data relating to the operation of the water system either by hard copy or electronic files as it applies upon final invoice settlement is paid in full.



(Signature)

(Date)

David L. Wallace

President DLR Water

830.660.4765

(Signature)

(Date)

Texas Country Water, LLC

TCEQ Search Licensing or Registration Information

License Detail

To report a change of address, phone number, or email address, please fill out the form located at <http://www.tceq.texas.gov/licensing/forms/contactupdate>.

CN: CN602251654
Name: WALLACE, DAVID L
Address: 486 COMAL AVE
City: NEW BRAUNFELS
State: TX
ZIP: 78130-7656
County: COMAL
Work Phone: 210-655-2888

License(s)

There were 13 licenses found.

Program ?	License Type and Level ?	License Number ?	Last Issued Date ?	Exp. Date ?	License Status ?	BPAT Practical Skills ?	CE Hours ?
BPATOL	BACKFLOW PREVENTION ASSEMBLY TESTER	BP0012502	10/08/2015	10/01/2018	CURRENT	NO	20
CSIOL	CUSTOMER SERVICE INSPECTOR	CI0008152	08/06/2018	09/08/2021	CURRENT	N/A	0
WATEROL	WATER OPERATOR A	WO0024796	02/09/2018	04/17/2021	CURRENT	N/A	0
WWOL	WASTEWATER TREATMENT OPERATOR A	WW0039956	08/06/2018	10/20/2021	CURRENT	N/A	0
BPATOL	BACKFLOW PREVENTION ASSEMBLY TESTER	BP0008776	02/10/2005	02/10/2008	EXPIRED	YES	N/A
CSIOL	CUSTOMER SERVICE INSPECTOR	CI0004859	03/07/2005	03/07/2008	EXPIRED	N/A	N/A
WATEROL	GROUND WATER TREATMENT OPERATOR C	WG0007941	06/29/2007	03/25/2009	EXPIRED	N/A	N/A
WATEROL	GROUND WATER TREATMENT OPERATOR B	WG0011680	03/25/2009	04/17/2009	EXPIRED	N/A	N/A
WWOL	WASTEWATER TREATMENT OPERATOR B	WW0039473	07/28/2009	10/20/2009	EXPIRED	N/A	N/A
WATEROL	SURFACE WATER TREATMENT OPERATOR C	N/A	N/A	N/A	VOID	N/A	N/A
WATEROL	SURFACE WATER TREATMENT OPERATOR B	N/A	N/A	N/A	VOID	N/A	N/A
WATEROL	GROUND WATER TREATMENT OPERATOR B	N/A	N/A	N/A	VOID	N/A	N/A
WATEROL	WATER DISTRIBUTION OPERATOR B	N/A	N/A	N/A	VOID	N/A	N/A

Note: The number of CE hours needed in order to renew a license is based on the term (length) of each license. Please go to the program page for the license you hold to determine the number of CE hours needed and to view the latest information and renewal requirements for your license.

Application(s) within the Last 2 Years

There were 3 applications found.

Program ?	Type and Level ?	App. Type ?	App. Status ?	App. Review Date ?	App. Expiration Date ?	Deficiency Letter Date ?	Total Hours ?
CSIOL	CUSTOMER SERVICE INSPECTOR	RENEWAL	LICISSUED	08/06/2018	10/08/2018	No Deficiency	128
WATEROL	WATER OPERATOR A	RENEWAL	LICISSUED	02/09/2018	05/17/2018	No Deficiency	591
WWOL	WASTEWATER TREATMENT OPERATOR A	RENEWAL	LICISSUED	08/06/2018	11/19/2018	No Deficiency	540

Course(s)

There were 153 courses found. **Note:** You may see the same course listed multiple times. This occurs because the course counted towards multiple license programs.

Program ?	Course Title	Course Code ?	Hours ?	Date ?	Provider
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	11/30/2017	TWUA
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	11/30/2017	TWUA
BPATOL	BPAT PRACTICAL SKILLS REFRESHER - INCL. PRAC. SKILLS	1201	8.0	09/23/2015	BAC-FLO
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	01/13/2015	TWUA
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	01/13/2015	TWUA
BPATOL	BPAT PRACTICAL SKILLS REFRESHER - INCL. PRAC. SKILLS	1201	8.0	09/27/2012	TEEX ITSI
BPATOL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	16.0	11/09/2011	TRWA

BPATOL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	14.0	10/08/2008	TRWA
BPATOL	BACKFLOW PREV ASSEMBLY REPAIR	842	8.0	05/22/2008	BAC-FLO
BPATOL	BPAT PRACTICAL SKILLS REFRESHER - INCL. PRAC. SKILLS	1201	8.0	05/21/2008	BAC-FLO
BPATOL	INTRO:CROSS CONNECTION CONTROL	840	8.0	05/20/2008	BAC-FLO
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	12/14/2004	TEEX ITS
BPATOL	BACKFLOW PREVENTION ASSEMBLY TESTER - INCL. PRAC. SKILLS	1200	40.0	11/19/2004	TEEX ITS
CS	CUSTOMER SERVICE INSPECTIONS	173	10.0	11/30/2017	TWUA
CS	CROSS-CONNECTION CONTROL	43	10.0	11/30/2017	TWUA
CS	CUSTOMER SERVICE INSPECTIONS	173	10.0	01/13/2015	TWUA
CS	CROSS-CONNECTION CONTROL	43	10.0	01/13/2015	TWUA
CS	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	16.0	11/09/2011	TRWA
CS	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	14.0	10/08/2008	TRWA
CS	INTRO:CROSS CONNECTION CONTROL	840	8.0	05/20/2008	BAC-FLO
CS	CUSTOMER SERVICE INSPECTIONS	173	10.0	12/14/2004	TEEX ITS
CS	BACKFLOW PREVENTION ASSEMBLY TESTER - INCL. PRAC. SKILLS	1200	40.0	11/19/2004	TEEX ITS
LI	CROSS-CONNECTION CONTROL	43	10.0	11/30/2017	TWUA
LI	CROSS-CONNECTION CONTROL	43	10.0	01/13/2015	TWUA
LI	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	12.0	11/09/2011	TRWA
LI	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	12.0	10/08/2008	TRWA
LI	INTRO:CROSS CONNECTION CONTROL	840	8.0	05/20/2008	BAC-FLO
LI	BACKFLOW PREVENTION ASSEMBLY TESTER - INCL. PRAC. SKILLS	1200	40.0	11/19/2004	TEEX ITS
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	11/30/2017	TWUA
WATEROL	CROSS-CONNECTION CONTROL	43	10.0	11/30/2017	TWUA
WATEROL	PUBLIC DRINKING WATER CONFERENCE	626	3.0	08/09/2017	TCEQ
WATEROL	DISASTER MGT FOR WATER & WASTEWATER UTILITIES	619	16.0	01/12/2017	TEEX DMT
WATEROL	PUBLIC DRINKING WATER CONFERENCE	626	9.0	08/10/2016	TCEQ
WATEROL	TRWA CONFERENCE-WATER ONLY	249	5.5	12/02/2015	TRWA
WATEROL	EXCAVATION SAFETY/COMPETENT PERSON	204	6.0	03/18/2015	UR
WATEROL	TWUA ALL DAY SCHOOL	609	7.5	02/03/2015	GOLDEN CRS
WATEROL	CROSS-CONNECTION CONTROL	43	10.0	01/13/2015	TWUA
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	01/13/2015	TWUA
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	12/17/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/20/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	07/23/2013	TWUA DIST
WATEROL	TRWA CONFERENCE-WATER/WASTEWATER	257	1.0	07/18/2013	TRWA
WATEROL	TRWA CONFERENCE-WATER ONLY	249	4.5	07/18/2013	TRWA
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	06/18/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	05/21/2013	TWUA DIST
WATEROL	TRWA CONFERENCE-WATER ONLY	249	3.0	07/19/2012	TRWA
WATEROL	TRWA CONFERENCE-WATER/WASTEWATER	257	3.0	07/19/2012	TRWA
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	06/19/2012	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/17/2012	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	01/17/2012	TWUA DIST
WATEROL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	16.0	11/09/2011	TRWA
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	10/18/2011	TWUA DIST
WATEROL	TRWA CONFERENCE-WATER ONLY	249	4.0	10/13/2011	TRWA
WATEROL	CONFERENCE (W/WW)	1007	6.0	09/15/2011	TEX_AWWA
WATEROL	TRWA CONFERENCE-WATER ONLY	249	6.0	10/07/2010	TRWA
WATEROL	UTILITY RATES AND MANAGEMENT SEMINAR	438	8.0	08/24/2010	TCEQ
WATEROL	WATER TECHNOLOGY	613	40.0	12/05/2008	TEEX ITS
WATEROL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	14.0	10/08/2008	TRWA
WATEROL	SURFACE WATER PRODUCTION II	954	20.0	08/21/2008	TRWA
WATEROL	SURFACE WATER PRODUCTION I	942	24.0	08/07/2008	TRWA
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	06/19/2008	TRWA
WATEROL	INTRO:CROSS CONNECTION CONTROL	840	8.0	05/20/2008	BAC-FLO
WATEROL	SEMINAR (W/WW)	34	2.0	02/09/2007	IWSCOT
WATEROL	SEMINAR (W/WW)	34	6.0	09/15/2006	IWSCOT
WATEROL	SEMINAR (W/WW)	34	6.0	02/10/2006	IWSCOT
WATEROL	SEMINAR (W/WW)	34	5.0	02/11/2005	IWSCOT
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	12/14/2004	TEEX ITS
WATEROL	BACKFLOW PREVENTION ASSEMBLY TESTER - INCL. PRAC. SKILLS	1200	40.0	11/19/2004	TEEX ITS
WATEROL	SEMINAR (W/WW)	34	6.0	05/14/2004	IWSCOT
WATEROL	SEMINAR (W/WW)	34	6.0	02/13/2004	IWSCOT
WATEROL	SEMINAR (W/WW)	34	6.0	09/12/2003	IWSCOT
WATEROL	SEMINAR (W/WW)	34	5.0	02/14/2003	IWSCOT

WATEROL	SEMINAR (W/WW)	34	6.0	09/13/2002	IWSCOT
WATEROL	(DEACT 5/14) TELECONFERENCE-WATER & WASTEWATER	927	4.0	08/06/2002	TEX_AWWA
WATEROL	SEMINAR (W/WW)	34	6.0	02/08/2002	IWSCOT
WATEROL	SEMINAR (W/WW)	34	5.0	09/14/2001	IWSCOT
WATEROL	SEMINAR (W/WW)	34	6.0	02/09/2001	IWSCOT
WATEROL	SEMINAR (W/WW)	34	7.0	09/15/2000	IWSCOT
WATEROL	WATER UTILITY SAFETY	426	20.0	04/13/2000	TEEX ITSI
WATEROL	SEMINAR (W/WW)	34	6.0	02/18/2000	IWSCOT
WATEROL	SEMINAR (W/WW)	34	5.0	09/17/1999	IWSCOT
WATEROL	SEMINAR (W/WW)	34	6.0	05/21/1999	IWSCOT
WATEROL	SEMINAR (W/WW)	34	6.0	02/19/1999	IWSCOT
WATEROL	SEMINAR (W/WW)	34	5.0	05/08/1998	IWSCOT
WATEROL	SEMINAR (W/WW)	34	5.0	02/13/1998	IWSCOT
WATEROL	(CORE) WATER DISTRIBUTION	605	20.0	06/09/1996	TEEX ITSI
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	12/01/1986	SAM HOUSTN
WATEROL	ADVANCED WATER	27	20.0	05/01/1986	TEEX ITSI
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	12/01/1985	SAM HOUSTN
WATEROL	GENERAL TRAINING CREDIT(DEACT 12/30/04)	5	80.0	01/01/1975	TSTI
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	8.0	12/01/1974	CEN TEXAS
WATEROL	(CORE) BASIC WATERWORKS OPERATION	92	20.0	05/01/1974	TEEX ITSI
WTSOL	CROSS-CONNECTION CONTROL	43	10.0	11/30/2017	TWUA
WTSOL	CROSS-CONNECTION CONTROL	43	10.0	01/13/2015	TWUA
WTSOL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	12.0	11/09/2011	TRWA
WTSOL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	12.0	10/08/2008	TRWA
WTSOL	INTRO:CROSS CONNECTION CONTROL	840	8.0	05/20/2008	BAC-FLO
WTSOL	BACKFLOW PREVENTION ASSEMBLY TESTER - INCL. PRAC. SKILLS	1200	40.0	11/19/2004	TEEX ITSI
WWOL	CROSS-CONNECTION CONTROL	43	10.0	11/30/2017	TWUA
WWOL	WASTEWATER TREATMENT	437	20.0	05/04/2017	TRWA
WWOL	DISASTER MGT FOR WATER & WASTEWATER UTILITIES	619	16.0	01/12/2017	TEEX DMT
WWOL	EXCAVATION SAFETY/COMPETENT PERSON	204	6.0	03/18/2015	UR
WWOL	TWUA ALL DAY SCHOOL	609	7.5	02/03/2015	GOLDEN CRS
WWOL	CROSS-CONNECTION CONTROL	43	10.0	01/13/2015	TWUA
WWOL	RURAL DEVELOPMENT WASTEWATER WORKSHOP	324	4.0	09/24/2014	TRWA
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	12/17/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/20/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	07/23/2013	TWUA DIST
WWOL	TRWA CONFERENCE-WATER/WASTEWATER	257	1.0	07/18/2013	TRWA
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	06/18/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	05/21/2013	TWUA DIST
WWOL	TRWA CONFERENCE-WATER/WASTEWATER	257	3.0	07/19/2012	TRWA
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	06/19/2012	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/17/2012	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	01/17/2012	TWUA DIST
WWOL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	12.0	11/09/2011	TRWA
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	10/18/2011	TWUA DIST
WWOL	CONFERENCE (W/WW)	1007	6.0	09/15/2011	TEX_AWWA
WWOL	UTILITY RATES AND MANAGEMENT SEMINAR	438	8.0	08/24/2010	TCEQ
WWOL	WASTEWATER TECHNOLOGY	586	40.0	08/14/2009	TEEX ITSI
WWOL	WASTEWATER TREATMENT	437	20.0	04/09/2009	TRWA
WWOL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	12.0	10/08/2008	TRWA
WWOL	WATER UTILITY MANAGEMENT	550	20.0	06/19/2008	TRWA
WWOL	INTRO:CROSS CONNECTION CONTROL	840	8.0	05/20/2008	BAC-FLO
WWOL	SEMINAR (W/WW)	34	2.0	02/09/2007	IWSCOT
WWOL	SEMINAR (W/WW)	34	6.0	09/15/2006	IWSCOT
WWOL	SEMINAR (W/WW)	34	6.0	02/10/2006	IWSCOT
WWOL	SEMINAR (W/WW)	34	5.0	02/11/2005	IWSCOT
WWOL	BACKFLOW PREVENTION ASSEMBLY TESTER - INCL. PRAC. SKILLS	1200	40.0	11/19/2004	TEEX ITSI
WWOL	SEMINAR (W/WW)	34	6.0	05/14/2004	IWSCOT
WWOL	SEMINAR (W/WW)	34	6.0	02/13/2004	IWSCOT
WWOL	SEMINAR (W/WW)	34	6.0	09/12/2003	IWSCOT
WWOL	SEMINAR (W/WW)	34	5.0	02/14/2003	IWSCOT
WWOL	SEMINAR (W/WW)	34	6.0	09/13/2002	IWSCOT
WWOL	(DEACT 5/14) TELECONFERENCE-WATER & WASTEWATER	927	4.0	08/06/2002	TEX_AWWA
WWOL	SEMINAR (W/WW)	34	6.0	02/08/2002	IWSCOT
WWOL	SEMINAR (W/WW)	34	5.0	09/14/2001	IWSCOT

WWOL	SEMINAR (W/WW)	34	6.0	02/09/2001	IWSCOT
WWOL	SEMINAR (W/WW)	34	7.0	09/15/2000	IWSCOT
WWOL	WATER UTILITY SAFETY	426	20.0	04/13/2000	TEEX ITSI
WWOL	SEMINAR (W/WW)	34	6.0	02/18/2000	IWSCOT
WWOL	SEMINAR (W/WW)	34	5.0	09/17/1999	IWSCOT
WWOL	SEMINAR (W/WW)	34	6.0	05/21/1999	IWSCOT
WWOL	SEMINAR (W/WW)	34	6.0	02/19/1999	IWSCOT
WWOL	SEMINAR (W/WW)	34	5.0	05/08/1998	IWSCOT
WWOL	SEMINAR (W/WW)	34	5.0	02/13/1998	IWSCOT
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	12/31/1986	SAM HOUSTN
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	12/31/1985	SAM HOUSTN
WWOL	WASTEWATER TECHNOLOGY	586	40.0	08/23/1985	TEEX ITSI
WWOL	WASTEWATER TREATMENT	437	20.0	04/30/1985	TEEX ITSI
WWOL	GENERAL TRAINING CREDIT(DEACT 12/30/04)	5	80.0	01/31/1975	TSTI
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	8.0	12/31/1974	CEN TEXAS
WWOL	(CORE) BASIC WASTEWATER OPERATIONS	59	20.0	07/31/1974	TEEX ITSI

Note: Approved training providers are responsible for submitting approved training to TCEQ. Please allow 30 days from the last date of the training session for a record to appear in the search results. If a course does not appear in your training record after that time, please contact the training provider of the missing course. You may find contact information for approved training providers at <https://www.tceq.texas.gov/licensing/training/AllTrainingProviders>.

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An Agreement for the Provision of Limited Professional Services

Donald G. Rauschuber & Associates, Inc.
P. O. Box 342707
Austin, Texas 78734
(512) 413-9300

Client: 306 Water Service Company, LLC ("Client")
900 River Hills Road
Austin, Texas 78733

Date: September 4, 2018
Project Name: Texas Country Estates Subdivision

Project No.: TBD

Scope/Intent and Extent of Services: The purpose of this task is to provide professional engineering services to the Client related to their Texas Country Estates Water System Project (the "Project"). This Project entails public water supply engineering services related to the Client's ownership and operations of the Texas Country Estates Subdivision water system. Under this Work Authorization, DGRA, Inc.'s activities related to the Project will include, but not limited to, the following:

- a. Provide engineering consulting services related to the Client's acquisition of the Texas Country Water System (the "TCWS"), currently owned and operated by William "Bill" Lowman II, that provides public water service to customers located within the Texas Country Estates Subdivision, Comal County, Texas;
- b. Prepare applications, on behalf of the Client, promulgated by the Texas Public Utility Commission, Texas Commission on Environmental Quality and other state and local regulatory agencies to effectuate the Client's acquisition of the TCWS;
- c. Following Client's acquisition of the TCWS and Client securing State of Texas regulatory approvals related to such acquisition, provide engineering services, as directed by the Client, to assist in the transition of public water services from TCWS to Client's owned and operated water system;
- d. Provide, as directed by the Client, engineering design, permitting, and construction administration services pertaining to needed water system upgrades within the Texas Country Estates Subdivision;
- e. Provide, as directed by the Client, water system management, operation and customer services oversight to ensure that the Client's Texas Country Estates Subdivision water system will be operated and maintained in a manner to provide continuous and adequate water service in compliance all applicable PUC and TCEQ rules and regulations; and
- f. Provide other professional engineering services, as may be required and directed by the Client.

Fee Arrangement: DGRA, Inc. proposes to complete this project on a time and materials basis in accordance with the following rates:

Don Rauschuber, P.E.	\$165 per hr
Engineer	\$140 per hr
Administrative Assistant	\$55 per hr
Travel Expenses:	\$0.55 per mile plus out-of-pocket expenses

Terms and Conditions: The attached Terms and Conditions are a part of this agreement.

DGRA, Inc.

KR Holding, LLC

Donald G. Rauschuber, P.E.

David Burch, President

Date

Date

TERMS AND CONDITIONS

Donald G. Rauschuber & Associates, Inc. (DGRA) shall perform the services outlined in this Agreement for the stated fee arrangement.

Access to Site:

Unless otherwise stated, DGRA will have access to the site for activities necessary for the performance of the services. DGRA will take precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage.

Dispute Resolution:

Any claims or disputes made during design, construction or post-construction between the Client and DGRA shall be submitted to non-binding mediation. Client and DGRA agree to include a similar mediation agreement with all contractors, subcontractors, sub consultants, suppliers, and fabricators, thereby providing for mediation as the primary method for dispute resolution between all parties.

Billings/Payments:

Invoices for DGRA's services shall be submitted, at DGRA's option, either upon completion of such services or on a monthly basis. Invoices shall be payable within 30 days after the invoice date. If the invoice is not paid within 30 days, DGRA may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of the service. Retainers shall be credited on the final invoice.

Late Payments:

Accounts unpaid 60 days after the invoice may be subject to a monthly service charge of 1.5% (or the legal rate) on the unpaid balance. In the event any portion or all of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.

Indemnification:

The Client shall, to the fullest extent permitted by law, indemnify and hold harmless DGRA, or his or her officers, directors, employees, agents and sub consultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance by any of the parties above named of the services under this Agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of DGRA.

Certifications, Guarantees and Warranties:

DGRA shall not be required to execute any document that would result in their certifying, guaranteeing or warranting the existence of conditions whose existence DGRA cannot ascertain.

Limitation of Liability:

In recognition of the relative risks, rewards and benefits of the project to both the Client and DGRA, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, DGRA's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this Agreement from any cause or causes, shall not exceed the limits of any professional liability insurance carried by DGRA. Such causes include, but are not limited to DGRA's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

Termination of Services:

The Client or DGRA may terminate this Agreement should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay DGRA for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

Design With Construction Administration:

If the basic services under this Agreement include project observation or review, DGRA shall visit the site at intervals appropriate to the stage of construction, in order to observe the progress and quality of the Work completed by the Contractor. Such visits and observation are not intended to be an exhaustive check or a detailed inspection of the Contractor's work but rather are to allow DGRA, as an experienced professional, to become generally familiar with the work in progress and to determine, in general, if the Work is proceeding in accordance with the Contract Documents.

DGRA shall not supervise, direct or have control over the Contractor's work, nor have any responsibility for the construction means, methods, techniques, sequences, or procedures selected by the Contractor nor for the Contractor's safety precautions or programs in connection with the Work. DGRA shall not be responsible for any acts or omissions of the Contractor and DGRA does not guarantee the performance of the Contractor and shall not be responsible for the Contractor's failure to perform its Work in accordance with the Contract Documents or any applicable laws, codes, rules, or regulations.

Design Without Construction Administration:

If the basic services under this Agreement do not include project observation or review of the Contractor's performance or any other construction phase services, the Client assumes all responsibility for interpretation of the Contract Documents and for construction observation, and the client waives any claims against DGRA that may be in any way connected thereto. The Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless DGRA from any and all claims arising from modifications, clarifications, interpretations, adjustments or changes made to the Contract Documents to reflect changed field or other conditions, except for claims arising from the sole negligence or willful misconduct of DGRA.

Hazardous Materials – Suspension of Services:

Both parties acknowledge that DGRA's scope of services does not include any services related to the presence of any hazardous or toxic materials. The Client agrees to indemnify and hold harmless DGRA from and against any and all claims, suits, demands, liabilities, losses, damages or costs, including reasonable attorneys' fees and defense costs arising out of or in any way connected with the detection, presence, handling, removal, abatement, or disposal of any asbestos or hazardous or toxic substances, products or materials that exist on, about or adjacent to the Project site, whether liability arises under breach of contract or warranty, tort, including negligence, strict liability or statutory liability or any other cause of action, except for the sole negligence or willful misconduct of DGRA.

Betterment:

If, due to DGRA's negligence, a required item or component of the Project is omitted from DGRA's construction documents, DGRA shall not be responsible for paying the cost required to add such item or component to the extent that such item or component would have been required and included in the original construction documents. In no event will DGRA be responsible for any cost or expense that provides betterment or upgrades or enhances the value of the Project.

RESUME
DONALD G. RAUSCHUBER, P.E.
Austin, Texas

EDUCATION:

B.S., Civil Engineering, Texas Tech University, 1970
M.S., Civil Engineering, Texas Tech University, 1972

PROFESSIONAL REGISTRATION:

Professional Engineer, Texas

EMPLOYMENT HISTORY:

1981-Present Donald G. Rauschuber and Assoc., Inc., Austin, Texas. President/Owner.
2013-2016 West Travis County Public Utility Agency, Austin, Texas, General Manager
2001-2009 Chisholm Trail Special Utility District, Florence, Texas, District Engineer/GM
1979-1981 Henningson, Durham and Richardson, Inc., Austin, Texas. Assistant Vice President, Director of Water Resources Programs, and Manager of Austin, Texas Office.
1977-1979 Henningson, Durham and Richardson, Inc., Austin, Texas. Manager and Water Resources Consultant.
1976-1977 Texas Water Development Board, Austin, Texas. Assistant Director Environmental Division.
1975-1976 Texas Water Development Board, Austin, Texas. Engineer II.
1973-1975 Texas Water Development Board, Austin, Texas. Hydrologist I.
Continued studies of freshwater inflow requirements and instream flow needs.
Conducted major hydrological studies on Choke Canyon Reservoir, Lake Texana, Wright Patman Reservoir,

1971-1973 Texas Water Development Board, Austin, Texas. Engineering Assistant.
Conducted Research and Develop Policies pertaining to freshwater inflow requirements to Texas Bay and Estuarine Systems – Under Jack Nelson, Seth Burnett, and Lew Seward, P.E.
1970-1971 Texas Tech University, Lubbock, Texas. Research Assistant.
Research Assistant under Dr. Dan Wells – Cattle Feedlot Runoff

HONORS:

Tau Beta Pi Texas Tech University, Lubbock, Texas

Advisor: Civil Engineering Department, Texas Tech University

Recipient: U.S. Environmental Protection Agency Environmental Excellence Award w/Barton Springs/Edwards Aquifer Conservation District

Recipient: Barton Springs/Edwards Aquifer Conservation District - Ground Water Conservation Award

Recipient: American Planning Association - Project Planning Award w/Barton Springs/Edwards Aquifer Conservation District

Recipient: Manager of The Year Award – Texas Rural Water Association

Civil

Engr. Academy: Texas Tech University

Fields of Experience:

Mr. Rauschuber's background is in the field of Civil Engineering with specialties in the areas of water resources engineering/planning, including water and wastewater evaluations, regulatory permitting, environmental assessments, water/wastewater rates/appraisals, engineering economics/cost assessments, surface and ground water hydrology/development, municipal engineering/planning, facility planning/implementation, and regulatory reviews/permitting. Mr. Rauschuber has written numerous technical reports for public/private entities involving engineering, surface and ground water resources, water rates/rights, water quality, and advanced assessments of environmental resources. He also has extensive experience in water use analyses and projections, water and wastewater rates, and mathematical modelling of surface/ground water systems (quantity and quality).

Since beginning his professional career in 1970, Mr. Rauschuber has become a respected and recognized expert in Texas' water and natural resources. He specializes in water resources engineering and environmental assessments. Mr. Rauschuber is intimately knowledgeable with Texas' natural resources. He has performed assessments, studies and/or projects that have involved almost every Texas county/major city, river basin/major surface water resource, major aquifer/ground water resource, and bay and estuarine system.

Mr. Rauschuber has worked with or for State agencies, such as the TNRCC (formerly Texas Water Commission and Texas Water Rights Commission), TWDB, Texas Department of Health, and Texas Department of Transportation and with numerous local and federal agencies. He has represented municipalities, river/water authorities, underground water districts, and other types of political subdivisions. Also, he has worked with environmental, agricultural and industrial entities throughout the State.

Mr. Rauschuber has represented and performed major projects for public and private concerns, including the Texas Cities of San Antonio, Irving, Austin, Corpus Christi, Amarillo, Wichita Falls, Brownsville, Arlington, Fredericksburg, Albany, Winters, Kingsville, Argyle, Garden Ridge, El Cenizo, Canyon, Lampasas, Gun Barrel, and Crowley. Also, he has performed projects for other public entities, such as, the Red River Authority of Texas, Public Utilities Board of Brownsville, Rio Grande Valley Municipal Water Authority, Sharyland Water Supply Corporation, Dallas County Park Cities Municipal Utility District, Texas Department of Water Resources, Texas Water Development Board, U.S. Bureau of Reclamation, Cameron County Water Development Board, U.S. Fish and Wildlife Service, Lavaca-Navidad River Authority, Nueces River Authority, High Plains Underground Water District No. 1, Chisholm Trail WSC, and the Barton Springs/Edwards Underground Water Conservation District.

Private concerns include Farm Bureau, irrigation interests, IBM, Pepsi Cola/Frito-Lay, Robert Lanier/Sportsmen World MUD, Robert Shelton, Inc., Leonard Farms, Inc., Fort Clark Springs Corporation, Horizon Land and Cattle Company, and Gulf Coast Cattle Company.

Mr. Rauschuber has performed water and wastewater rate evaluations for numerous Texas clients. These rate study clients include Sharyland Water Supply Corporation, Winters, San Antonio, Corpus Christi, Red River Authority, Lavaca-Navidad River Authority, Public Utilities Board of Brownsville, Dallas County Park Cities Municipal Utility District, City of Argyle, Carroll Water System, City of Pharr, City of Winters, City of Bowie, Palo Pinto County MWD, Protect Lake Travis Association, and South Texas Water Authority.

At Texas Tech University, Mr. Rauschuber was a Graduate Research Assistant with the Water Resources Center, Department of Civil Engineering. He was co-principal investigator in a research program to document the effects of runoff from cattle feedlots on receiving streams and ground water systems, and co-principal investigator in research to determine the effects of Lubbock's wastewater treatment plant discharge of Buffalo Lake and the North Fork of the Double Mountain Fork of the Brazos River.

At the Texas Water Development Board, Mr. Rauschuber's research efforts and studies focused on evaluating the effects of water resources development on Texas bay and estuarine systems. Major programs included research on hydrologic, physical, chemical, and biological responses of estuarine environments. Principal study areas included Sabine Lake Estuary, Galveston Bay System, Lavaca-Tres Palacios Estuarine System, San Antonio Bay System, Aransas-Copano Estuarine System, Nueces-Corpus Christi Bay System and Laguna Madre System. In addition, he was co-principal investigator on research involving deltaic marsh systems, with emphasis on the Trinity River delta, and the Nueces River delta. Also while at the TWDB, Mr. Rauschuber, performed analytical and planning studies of major surface and ground water systems throughout the state.

Mr. Rauschuber conducted environmental studies of Lake Texana Reservoir and Choke Canyon Reservoir, and numerous other lakes and streams in the State. These investigations included environmental, hydrological, statistical, and water quality studies. While at the Board, he developed numerous hydrologic and biologic programs (computer and field sampling), and a comprehensive coastal data storage and retrieval system. Mr. Rauschuber participated in and was directly responsible for numerous hydrologic/biologic estuarine and fresh water sampling programs, including diurnal studies, plankton, and benthic sampling programs, intensive inflow-exchange studies and water quality sampling in all seven major estuarine systems of Texas. Mr. Rauschuber is a contributing author to the 1975 draft of the Texas Water Plan (Finalized in 1977), and was co-author of numerous estuarine reports while employed at the Texas Water Development Board.

At Henningson, Durham and Richardson, Mr. Rauschuber was Manager of the Austin office, Director of Water Resources Programs and Assistant Vice President. He managed and directed an interdisciplinary group of professionals in the performance of water resources planning and development projects, environmental investigations, hydrological studies and bay and estuary investigations. He was project manager and principal investigator of a 27-month study titled "Studies of Freshwater Needs of Fish and Wildlife Resources in Nueces-Corpus Christi Bay Area, Texas". This investigation was conducted under contract with the U.S. Fish and Wildlife Service. Mr. Rauschuber was also project manager/co-principal investigator of a study to

evaluate fresh water inflow responses for Sabine Lake Estuary System. This effort was funded by the U.S. Department of Interior, Bureau of Reclamation. Also, while at HDR, Mr. Rauschuber was project manager and chief engineer for the design and construction of major water resources projects. These projects included assessments of dams and reservoirs, water and wastewater treatment plants, and surface and ground water systems.

At Donald G. Rauschuber & Associates, Inc. (DGRA), Mr. Rauschuber was principal investigator/project manager of numerous water resources and environmental projects. These include environmental analysis of the Red River Basin, Nueces River Basin, Brazos River Basin, Colorado River Basin, Rio Grande River Basin, and Lavaca-Navidad River Basin. He was principal engineer/principal investigator on a three year investigation sponsored by the High Plains Underground Water District titled "Secondary Recovery of Ground Water". In addition, Rauschuber has performed numerous studies of the Edwards Aquifer, as well as, other major aquifer systems, for public and private entities. Mr. Rauschuber has numerous public and private entities on water and wastewater rates and water system analyses. He has provided support on permitting issues involving Texas water rights and water quality discharge, as well as, on numerous environmental projects. He has also provided expert testimony in Federal and District courts on related water resources and environmental matters. He has provided expert testimony and prepared numerous technical exhibits on behalf of public and private entities before the Texas Natural Resources Conservation Commission (formerly the Texas Water Commission and the Texas Water Rights Commission). His experience and responsibilities at DGRA, Inc. include project management and research/development in the fields of water resources, regulatory guidelines, and the environment.

Also while with DGRA, Mr. Rauschuber has performed municipal engineering and water resources services for numerous Cities, including Irving, Argyle, Gun Barrel, Garden Ridge, Fredericksburg, Canyon, Sunset Valley, and Hays City. In this capacity he has performed water and wastewater system analyses and prepared ordinances, provided engineering opinions on interpretation of the Local Government Code, local regulations, State statutes, and Federal laws and regulations. In addition, he has performed municipal design and construction management services.

SELECTED DGRA, INC. WATER RESOURCES AND ENVIRONMENTAL PROJECTS:

BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT - Mr. Rauschuber has is the principal investigator for all District engineering activities. He has performed such projects as development of non-point runoff control devices and assessments of highway runoff, development of a regional water plan, evaluation and design of recharge enhancement projects, and detailed assessments of the Barton Springs Segment of the Edwards Aquifer.

SHARYLAND WATER SUPPLY CORPORATION, MISSION, TEXAS. Mr. Rauschuber was the chief water rate specialist is a complex wholesale water rate dispute between Sharyland Water Supply Corporation and United Irrigation District. This rate case, heard before the Texas Water Commission, involved developing and analyzing costs of service, evaluation of numerous raw water supply contracts, water rates, water rights, and conveyance losses. Due in part to

Mr. Rauschuber's efforts, SWSC prevailed in its case. Mr. Rauschuber provide extensive expert testimony in this matter including depositions and prefiled direct testimony.

CITY OF WINTERS, TEXAS. In this effort, Mr. Rauschuber was the rate expert for the City of Winters in a wholesale water rate case against the North Runnels County WSC. This dispute was heard before the Texas Water Commission. In this effort, Mr. Rauschuber design rates, determine costs of service, evaluated raw/treated water supply contracts, and provided expert testimony. Due in part to Mr. Rauschuber's efforts, the City of Winters was successful in achieving a fair and reasonable wholesale water rate.

RIO GRANDE VALLEY MUNICIPAL WATER AUTHORITY. Mr. Rauschuber is chief hydrologist and environmental engineer on a major project for the Rio Grande Valley Municipal Water Authority. This project involves the planning, environmental assessment, permitting, design, and construction of two channel dams on the Rio Grande. The present cost of these facilities is estimated to be \$30 million. Currently, Mr. Rauschuber is the project manager and chief coordinator of the development of an Environmental Impact Statement for the project. This effort is being coordinated through the U. S. Fish and Wildlife Service.

DALLAS COUNTY PARK CITIES MUD - EVALUATION OF LAKE GRAPEVINE. Mr. Rauschuber is the principal investigator on an effort to evaluate the hydrologic and environmental resources of Lake Grapevine. This project involves the development of reservoir operation rules to optimize reservoir yield, while minimizing the environmental impact of reservoir withdrawals.

CITY OF CORPUS CHRISTI - EVALUATION OF LAKE CORPUS CHRISTI AND LAKE CHOKE CANYON RESERVOIR. Mr. Rauschuber was project manager and principal investigator on a major effort to investigate procedures to optimize the system firm yield of Lake Corpus Christi and Choke Canyon Reservoir, while providing minimum environmental impact on the fish and wildlife resources of the Nueces River Basin and Corpus Christi Bay System.

PROTECT LAKE TRAVIS ASSOCIATION. Mr. Rauschuber was principal investigator to develop environmentally safe alternatives for no-discharge from the City of Marble Falls' proposed expansion of their wastewater treatment plant.

CITY OF WINTERS, TEXAS - WATER TREATMENT PLANT. Mr. Rauschuber was project manager, contract administrator and chief design engineer on the implementation and design of a 2.0 mgd raw water treatment facility for the City of Winters, Texas. This effort involved planning, development and financing elements for the project. The plant was placed into operation in July, 1986.

RED RIVER AUTHORITY OF TEXAS - BLOSSOM WASTEWATER TREATMENT FACILITY. Mr. Rauschuber was project manager, contract administrator, and chief design engineer on a 0.2 mgd wastewater treatment facility for the City of Blossom, Texas. This effort included state facility permitting and environmental assessments of the wastewater discharge from the proposed facility.

LAVACA-NAVIDAD RIVER AUTHORITY. Mr. Rauschuber is chief project environmental engineer on a project for the Lavaca-Navidad River Authority. This project entails detail

hydrologic/hydraulic analyses to determine the need or non-need for freshwater releases from Lake Texana to the Lavaca-Matagorda Estuarine System.

PEPSI COLA/FRITO-LAY. Mr. Rauschuber was project hydrologist on a water resources development project for Frito-Lay, Inc. This effort involved the hydrologic/hydraulic evaluations of three reservoirs to be utilized by Frito-Lay, as a part of their new national headquarters development near Plano, Texas. As a result of Mr. Rauschuber efforts Frito-Lay was granted a Texas Water Rights Permit for their development.

INTERNATIONAL BUSINESS MACHINES - IBM. Mr. Rauschuber was the Austin Project Manager for a \$80 million IBM facility in Austin, Texas. He performed major client liaison functions, City and State permitting activities and some plant design functions in his effort.

SOUTH TEXAS WATER AUTHORITY, KINGSVILLE, TEXAS. Mr. Rauschuber was Project Manager/Engineer in this multi-task project that involved detailed ground water assessment of a 10,000 square mile region of South Texas. His duties included mathematical modelling of fresh water aquifers, well field(s) designs, and water transmissions/storage facilities. This effort involved a detailed evaluation of ground water availability and quality, including modelling of salt water intrusion into local aquifers from the Gulf of Mexico. As a result of Mr. Rauschuber's efforts in this project, a multi-million dollar water resources was developed resulting in the efficient use of ground and surface water resources for municipal, industrial, and agricultural purposes.

WINTERS ELM CREEK RESERVOIR, WINTERS, TEXAS. Mr. Rauschuber was Project Manager/Engineer on the planning, development, design, and construction of a major reservoir project in Runnels County, Texas. Initial planning study included the consideration of five alternative surface and ground water systems. The selected project involved the design and construction of a 60 foot high-5,000 foot-long earth-rolled dam. Raw water is pumped from the reservoir to the City via a 5.5 mile long 14-inch diameter pipeline.

ENLARGEMENT OF AMON G. CARTER RESERVOIR, BOWIE, TEXAS. Mr. Rauschuber was Project Manager of the planning and design of Amon G. Reservoir in Montague County, Texas. This project involved the planning, financing, design, and construction of a 50,000 acre-foot reservoir. The dam is a earth-rolled structure 2,000 feet in length with concrete spillways, outlet works and water intake tower.

LAKE BALLINGER, BALLINGER, TEXAS. This project involved the preliminary planning and design of an 10,000 acre-foot reservoir (earth-rolled dam) for the City of Ballinger, Texas.

LAKE TEXANA AND CHOKE CANYON RESERVOIR, TEXAS. Mr. Rauschuber was the principal investigator, while employed by the Texas Water Development Board, on the Lake Texana Reservoir Project Lavaca-Navidad River Authority, and Choke Canyon Reservoir, Nueces River Authority. This effort included environmental assessments, hydrologic/hydraulic design and an evaluation of the effects of reduced fresh water inflows to associated estuarine systems.

HIGH PLAINS UNDERGROUND WATER CONSERVATION DISTRICT NO. 1, LUBBOCK, TEXAS. This project involved advanced research in the development of ground

water resources. Mr. Rauschuber as Project Manager and Project Engineer was directly involved in state-of-the-art ground water evaluations involving analyses of flow in saturated and unsaturated formations. In this project, Mr. Rauschuber directed laboratory and field research in a highly successful effort to enhance ground water recovery from previously saturated zones. He personally directed and preformed advanced well designs and was directly responsible for field construction. As result of his efforts, a new technology was developed that has world-wide application in the efficient development of ground water resources.

RED RIVER AUTHORITY OF TEXAS, WICHITA FALLS, TEXAS. Mr. Rauschuber conducted an extensive evaluation for the Red River Authority of Texas which involved a detailed evaluation for the water quality control programs at minimal cost to existing and future water customers.

REGIONAL RAW WATER SUPPLY EVALUATION - PALO PINTO COUNTY MUNICIPAL WATER DISTRICT NUMBER ONE, MINERAL WELLS, TEXAS. Mr. Rauschuber was Project Manager/Engineer on a multi-task water supply investigation to determine the short and long-term future raw water requirements of the Palo Pinto County Municipal Water District. Existing water resource developments of the District were analyzed by Mr. Rauschuber with respect to firm/safe yields to determine their adequacy. An economic analysis of potential surface ground water resource development projects was preformed.

RAW WATER SUPPLY SYSTEM - WEATHERFORD, TEXAS. Mr. Rauschuber performed a detailed water resources evaluation for the City of Weatherford/Parker County, Texas. The City's existing water supply could not satisfy their present needs. Mr. Rauschuber performed analysis that showed the City is already overdrawing its supply reservoir and is in critical need of an additional water source. Several alternative water resource developments were identified and studied with respect to cost and long-term water supply reliability. An optimization model was utilized in the study to achieve the most economical water supply alternative of the City.

FALLS COUNTY WATER SUPPLY PROJECT, MARLIN, TEXAS. This project involved the detailed evaluation of the potential of developing ground water resources for municipal, industrial and agricultural uses in Falls County, Texas. Mr. Rauschuber was Project Manager/Principal Investigator in this effort. The project involved a detailed evaluation of four major aquifers covering over a 15,000 square mile region.

SPORTSMAN'S WORLD DEVELOPMENT, LAKE POSSUM KINGDOM, TEXAS. This project involved the planning and design of a water supply and water treatment system. Mr. Rauschuber was Project Manager/ Engineer in this effort. The project involved the planning and design of ground and surface water supply systems, with treatment accomplished by using reverse osmosis.

CITY OF KINGSVILLE, TEXAS. This project involved the planning of surface and ground water supply alternatives for the City of Kingsville. This analysis included water rate evaluations and water availability analyses.

CITY OF BISHOP, TEXAS. This project involved the planning of surface and ground water supply alternatives for the City of Bishop. This analysis included water rate evaluations and water availability analyses.

UNITED STATES DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION. This project entailed the development of the economic and environmental problems for 13 Texas river basins. This effort included population and water use projections as well as an assessment of costs associated with water resource development.

SABINE RIVER AUTHORITY, BON WEIR RESERVOIR PROJECT. This effort involved the planning and economic assessment of the proposed Bon Weir Reservoir Project, Sabine River Authority, Texas.

BRAZOS RIVER AUTHORITY/BOSQUE COUNTY WATER COMMITTEE, LAKE BOSQUE PROJECT. This project involved the preliminary engineering and feasibility analysis for the proposed Lake Bosque Project. Numerous surface and ground water supply alternatives were evaluated. This included detailed rate evaluations as well as hydrological studies.

CITY OF KILLEEN, TEXAS. This project involved the assessment of wastewater treatment plant alternatives for the City of Killeen. This also included assessment of wastewater discharge and economic alternatives analyses.

CITY OF WINTERS, TEXAS. This effort involved analyses of cost of service for the City of Winters regarding their raw and treated water system.

TEXAS NATURAL RESOURCES CONSERVATION COMMITTEE, LAKE CYPRESS SPRINGS. This effort involved detailed economic and water rate assessments for the proposed Lake Cypress Springs Reservoir. This included economic assessment of alternative water supply projects.

CITY OF ARGYLE, TEXAS. Mr. Rauschuber was project manager and construction manager on a 3.0 mile wastewater forcemain for the City of Argyle, Texas. This effort included planning, field management and contract administration of lift and metering stations and wastewater main.

CITY OF FREDERICKSBURG, TEXAS. This effort involved an assessment of the Ellenburger Formation, and the testing/development of a well field.

MCFADIN, ET. AL., UVALDE, TEXAS. Mr. Rauschuber represented numerous irrigation interest on the development and use of the San Antonio segment of the Edwards Aquifer. This effort involved mathematical modeling of the Edwards Aquifer and assessment of spring discharge.

CITY OF BRADY, TEXAS. Mr. Rauschuber performed an assessment of the Hickory Aquifer for the City of Brady, which involved the assessment of area/regional pumping impacts on the city's well field.

CITY OF IRVING, TEXAS. Mr. Rauschuber is project manager for the City of Irving on the assessment of transporting Lake Cooper water to the city of municipal use.

SELECTED PUBLICATIONS/TECHNICAL REPORTS:

"Freshwater Needs of Fish and Wildlife Resources in the Nueces-Corpus Bay Area, Texas: A Literature Synthesis" FWS/OBS-80/10, March, 1981 (with D.E. Henley, et al.).

"Plan for Additional Studies of Freshwater Needs of Fish and Wildlife Resources in Nueces-Corpus Christi Bay Area, Texas - Phase 2 Final Report", USFWS, July, 1978 (with D.E. Henley, et al.).

"Phase 3 Final Report - Additional Studies of Freshwater Needs of Fish and Wildlife Resources in Nueces-Corpus Christi Bay Area, Texas", USFWS, July, 1978 (with D.E. Henley, et al.).

"Phase 4 Management Plan - Additional Studies of Freshwater Needs of Fish and Wildlife Resources in the Nueces-Corpus Christi Bay Area, Texas", USFWS, August, 1980.

"Economic and Environmental Problem Needs Assessment of Trinity-San Jacinto Estuarine System", Bur. of Rec., 1981 (with D.E. Henley et al.).

"Economic and Environmental Problem Needs Assessment of Brazos Riverine Estuarine System", Bur. of Rec., 1981 (with D.E. Henley et al.).

"Economic and Environmental Problem Needs Assessment of Southeast Texas - Thirteen River Basins", 13 Vols./Chap., Bur. of Rec., 1981.

"Analytical Tools for Evaluating the Effects of Water Resources Development on Estuarine Environments", JAWWA, 1972 (with L. Tishler, J.C. Nelson).

"A Methodology for Evaluating Biological Responses", Div. of Envir. Chem. - Am. Chem. Society, April, 1975 (with C.W. Chen and J.C. Nelson)

"Texas Coastal Hydrology and Texas Estuaries", Paper Presented Natl. Est. Res. Conf., Galveston, Texas, 1974.

"Effects of Water Resources Development on Texas Estuarine Systems", Paper Presented at USEPA Estuarine Symposium, Las Vegas, Nevada, 1975.

"Evaluation of Texas Estuarine Systems, Paper Presented at ASCE National Meeting, St. Louis, Mo., 1973.

"Coastal Data Storage and Retrieval System", Paper Presented at International Conference of World Health Organization - United Nations, Houston, Texas, 1974.

"Texas Hydrology and Estuarine Systems", Paper Presented at Water Resources Institute Symposium, TAMU, 1975.

"Coastal Data System User Documentation - Volume 1 Storage Reference Manual", TWDB, WD-2505-01, 1977 (co-author).

"Completion Report on Techniques for Evaluating the Effects of Water Resources Development on Estuarine Environments" OWRR, TWDB 1974, Pub. LP-75 TDWR, 1978 (with A. White, et al.).

"Supplemental Studies - Environmental Impact of Stage 1 Palmetto Bend Reservoir Project", TWDB, Jan, 1974 (with J.C. Nelson at al.).

"Continuing Water Resources Planning and Development for Texas" Vols 1 & 2, TWDB, May 1977 (contributing author).

"Water Quality Evaluation - Upper and Middle Red River Basin", Red River Authority of Texas, March, 1983.

"Investigation of Secondary Recovery of Ground Water from the Ogallala Formation, High Plains of Texas", Vols 1 Thur 7, December 1982 (with A.W. Wyatt, et al.).

"Continuing Studies - Secondary Recovery of Ground Water", Vols. 1 thru 7, High Plains Underground Water Conservation District No. 1, May 1985 (with others).

"Evaluation of Diamond Shamrock Refinery Discharge Permit No. 01353 on Lower Nueces River Basin", City of Corpus Christi, March, 1984 (with C. Oppenheimer and D.E. Henley).

"Secondary Recovery of Ground Water", Paper Presented at the Second Ogallala Symposium, Texas Tech University, Lubbock, Texas, June, 1984 (with A.W. Wyatt, et al.).

"Environmental Assessment Rio Grande Valley Water Conservation Project", Rio Grande Valley Municipal Water Authority and Public Utilities Board of Brownsville, Brownsville, Texas, March, 1991, 2 Vols. (with R.J.Brandes Co., M. Sullivan & Assocs., and Horizon Environmental Services, Inc.)

"Environmental Inventory and Issues Report", Rio Grande Valley Water Conservation Project", Rio Grande Valley Municipal Water Authority and Public Utilities Board of Brownsville, Brownsville, Texas, March, 1991. (with M. Sullivan & Assocs., Inc.)

"Technical Report - Operations Study", Rio Grande Valley Water Conservation Project", Rio Grande Valley Municipal Water Authority and Public Utilities Board of Brownsville, Brownsville, Texas, March, 1991. (with R.J. Brandes, Co.)

"Computer Simulations Report Rio Grande Valley Water Conservation Project", Rio Grande Valley Municipal Water Authority and Public Utilities Board of Brownsville, Brownsville, Texas, March, 1991, 4 Vols. (with R.J. Brandes, Co.)

"Regional Water Plan", Barton Springs/Edwards Aquifer Conservation District, Austin, Texas, September 1990.

ADDITIONAL STUDIES:

In addition to the publications and technical reports shown above, Mr. Rauschuber has authored or co-authored over numerous technical reports related to water resource projects. These environmental planning, evaluation and design reports were performed for public and private entities. These activities include the following:

Field data collection activities on Texas estuarine and deltaic marsh systems.

Mathematical modelling of estuarine systems.

Environmental effects of water resources development.

State-wide water resources planning and development studies, including surface and ground water investigations.

Environmental studies of Choke Canyon Reservoir and Lake Corpus Christi.

Evaluations and reviews of ground water and surface water resources in five states and in Mexico and Canada.

Hydrology studies of the Ogallala Aquifer of Texas and other major/minor aquifers of Texas and the United States.

Water rights and other permitting for surface and ground water resource development projects.

Wholesale and retail water rate analyses.

Expert witness in Federal/District Court and before the Texas Water Commission concerning water resources projects.

STM APPLICATION
306 WATER SERVICE COMPANY, LLL – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART D QUESTION 15.A.
CCN 12921