



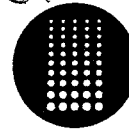
Control Number: 49660



Item Number: 21

Addendum StartPage: 0

ORIGINAL



**Monarch
Utilities I, L.P.**

A SouthWest Water Company

Customer Service
866.654.SWWC (7992)

PM 2:50

December 19, 2019

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

Re: Docket 49660 - Application of Ni America Texas, LLC and Monarch Utilities I LP for Sale
Transfer, or Merger of Facilities and Certificate Rights in Johnson and Wise Counties

Response to Staff's First RFI

To the Commission Staff:

Attached is the applicant's response to Staff RFI questions 1-1 and 1-2 .as filed on December 10, 2019.

Please contact me if any additional information is required at this time.

Sincerely,

George Freitag, P.E.
Texas Regulatory Manager
SouthWest Water Company
Monarch Utilities I, L.P.
(512) 219-2288
gfreitag@swwc.com

Attachments:

21

DOCKET 49660

**MONARCH UTILITIES I L.P. RESPONSE TO COMMISSION STAFF'S FIRST
REQUEST FOR INFORMATION**

Staff 1-1 Provide documentation showing the violations for the systems listed below, as shown in the Texas Commission on Environmental Quality's databases, have been returned to compliance or proof the utility is working towards compliance:

a) PWS ID: 2490053 – Coyote Ridge Addition

Response: We are not aware of any outstanding compliance issues or monitoring violations. See attached compliance inspection letter.

Sponsored by: George Freitag

b) PWS ID: 2490046 – Hills of Oliver Creek

Response: 2016 Water Quality Parameter Violations occurred prior to SouthWest Water Company owning or operating the system. We have contacted TCEQ for guidance on returning to compliance.

Sponsored by: George Freitag

c) PWS ID: 2490061 – Sky View Ranch Estates

Response: 2015 Groundwater Rule Violations occurred prior to SouthWest Water Company owning or operating the system. We have contacted TCEQ for guidance on returning to compliance.

Sponsored by: George Freitag

d) PWS ID: 2490050 – Windmill Trail

Response: 2015 Groundwater Rule Violations occurred prior to SouthWest Water Company owning or operating the system. We have contacted TCEQ for guidance on returning to compliance.

Sponsored by: George Freitag

e) PWS ID: 1070159 – Dal High Water System

Response: 1. 2016 Public Notice Violations occurred prior to SouthWest Water Company owning or operating the system. We have contacted TCEQ for guidance on returning to compliance.

2. A Notice of Violation (NOV) was issued on September 10, 2019 for inadequate well casing height and for inadequate line sizes in parts of the distribution system. We plan to address those items in our 2020 Capital Expenditures Plan.

Sponsored by: George Freitag

f) PWS ID: 1870075 – Oak Terrace Estates

Response: A Notice of Violation (NOV) was issued on January 28, 2019 for Maximum Daily Demand Capacity violations for production capacity and pressure tank capacity. We are preparing a Capacity Exception Request and have been granted a waiver until December 2020. A new well has been completed.

Sponsored by: George Freitag

g) PWS ID: 1870130 – Pinwah Pines Estates

Response: A Haloacetic Acids Violation occurred in a previous sampling quarter. Water sampled in the most recent quarters is in compliance with the MCL. An Agreed Order was submitted to the TCEQ on August 30, 2019 (awaiting sign off) and we are required to continue to issue Public Notice as the running annual average exceeds the MCL.

Sponsored by: George Freitag

h) PWS ID: 1870160 – Garden Acres Water System

Response: In 2019 there was a Lead and Copper Rule Violation. Public notice was given on July 16, 2019. We believe we are currently in compliance.

Sponsored by: George Freitag

i) PWS ID: 2120064 – Lakeway Harbor Subdivision

Response: In the second quarter of 2019 THHM and Haloacetic Acids Violations occurred. Water sampled in the most recent quarters is in compliance with the MCLs. We are required to continue to issue Public Notice as the running annual averages for each exceeds the MCLs.

Sponsored by: George Freitag

j) PWS ID: 1110004 – Oak Trail Shores

Response: 1. In the second quarter of 2019 a THHM Violation occurred. Water sampled in the most recent quarters is in compliance with the MCL. We are required to continue to issue Public Notice as the running annual average exceeds the MCL.

2. Distribution pressure violations occurred in 2019. An Agreed Order was submitted to the TCEQ on October 8, 2019 (awaiting sign off) and we are required to provide 30 days continuous pressure monitoring.

Sponsored by: George Freitag

k) PWS ID: 2490051 – Aurora Vista

Response: We are not aware of any outstanding compliance issues or monitoring violations. See attached compliance inspection letter and response sent October 2019.

Sponsored by: George Freitag

l) PWS ID: 1070106 – Carolynn Estates

Response: A Notice of Violation (NOV) was issued in 2019 for failure to provide an adequate Recycling Report and Chemical Addition Plan. The reports were submitted to TCEQ in December 2019.

Sponsored by: George Freitag

m) PWS ID: 2040045 – Cedar Valley Subdivision

Response: A Notice of Violation (NOV) was issued in 2017 for Maximum Daily Demand Capacity violations. We are preparing a Capacity Exception Request to satisfy capacity requirements.

Sponsored by: George Freitag

n) PWS ID: 2040008 – Governors Point

Response: A Notice of Violation (NOV) was issued on April 30, 2019 for failure to notify the TCEQ of changes with a pressure tank. We are preparing an exception request to the rule and plan to submit by December 2020.

Sponsored by: George Freitag

o) PWS ID: 1070039 – Lollipop Water Works

Response: There was a violation for exceeding the secondary MCL for iron. A new well was drilled and put in service in 2019 and the iron in the water is now below the secondary MCL limit..

Sponsored by: George Freitag

p) PWS ID: 1110044 – Montego Bay Estates

Response: A Notice of Violation (NOV) was issued on October 31, 2019 for Maximum Production Capacity violations. We are preparing a new Capacity Exception Request as the previous one had expired.

Sponsored by: George Freitag

q) PWS ID: 0910052 – Tanglewood On Texoma

Response: We are not aware of any outstanding compliance issues or monitoring violations.
See attached compliance inspection letter.

Sponsored by: George Freitag

r) PWS ID: 1840014 – Western Lake Estates

Response: 1. A Notice of Violation (NOV) was issued on July 30, 2019 for non-compliance with a secondary drinking water standard (iron). We are in the process of cleaning and resampling the wells..

2. A Notice of Violation (NOV) was issued on September 23, 2019 for pressure violations. We provided compliance documentation dated October 2019 – see attached.

Sponsored by: George Freitag

Staff RFI 1-2 Please confirm that notice have been provided to landowners with the area named Las Brisas.

Response: Notice was mailed to 29 separate landowners with the certificated boundaries of the area known as Las Brisas on December 17, 2019.

Sponsored by: George Freitag

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Stephanie Bergeron Perdue, *Interim Executive Director*



RECEIVED

AUG 15 2018

TXU - AP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 8, 2018

Mr. Tim Williford, Environment Manager
Southwest Water Company
1620 Grand Avenue Pkwy STE 140
Pflugerville, TX 78660-2185

Re: Public Water Supply Comprehensive Compliance Investigation at:
Coyote Ridge Addition, Coyote Trail, Rhome, Wise County, Texas
RN101214534, PWS ID No. 2490053, Investigation No. 1504089

Dear Mr. Williford:

On July 12, 2018, Mr. Xu Shi of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Xu Shi in the D/FW Regional Office at (817) 588-5913.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall".

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

CM/xs

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



RECEIVED
AUG 30 2019
TXU-AP

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 28, 2019

E-CERTIFIED # 9171 9690 0935 0229 6417 60

Mr. Tim Williford, Environmental Manager
1620 Grand Avenue Pkwy, Ste 140
Pflugerville, Texas 78660-2185

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:
Aurora Vista, 200 Aurora Vista Trail, Rhome, Wise County, Texas
RN 101378917, PWS ID No. 2490051, Investigation No. 1590808

Dear Mr. Williford:

On August 7, 2019, Ms. Merissa Green of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. During the investigation, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by **October 29, 2019**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the D/FW Regional Office at (817) 588-5800 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the D/FW Regional Office within 10 days from the date of this letter. At that time, Mr. Brent Candler, Water Section Manager, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

Mr. Tim Williford, Environmental Manager

Page 2

August 28, 2019

If you or members of your staff have any questions, please feel free to contact Ms. Green in the D/FW Regional Office at (817) 588-5846.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall". The signature is fluid and cursive, with a large initial "C" and "M".

Charles Marshall

Team Leader, Public Water Supply Program

D/FW Regional Office

CM/mg

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

AURORA VISTA	Investigation # 1590808
, WISE COUNTY,	Investigation Date: 08/07/2019
Additional ID(s): 2490051	

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

Track No: 725458 Compliance Due Date: 10/29/2019
30 TAC Chapter 290.45(b)(1)(C)(i)

Alleged Violation:

Investigation: 1590808

Comment Date: 08/22/2019

Failure to provide a minimum production capacity of 0.6 gallons per minute (gpm) per connection.

During the investigation, it was noted that the public water system serves 149 connections and is therefore required to provide a minimum of 89.4 gpm. The majority of the water supplied to the system is purchased water from the City of Rhome, which by contract has a maximum purchase rate of 50 gpm. The two groundwater wells were documented to produce 30 gpm (Well #1 produced 11 gpm, and Well #2 produced 19 gpm). Therefore the water system only provides 80 gpm in production and is 10.5% deficient of the minimum capacity requirement.

30 TAC 290.45(b)(1) states groundwater supplies must meet the following requirements.

30 TAC 290.45(b)(1)(C) states for 50 to 250 connections, the system must meet the following requirements:

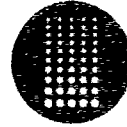
30 TAC 290.45(b)(1)(C)(i) states a well capacity of 0.6 gpm per connection.

Recommended Corrective Action: Increase the production capacity in order to meet the minimum requirement of 0.6 gpm per connection, which is currently a total of 89.4 gpm based on the number of connections to the water system.

Please note that changes in existing systems must receive prior approval from the executive director. Plans and specifications prepared by a licensed engineer are required to be submitted for review prior to any significant change as defined in 30 TAC 290.39(j)(1). Send notification of the significant change to: TCEQ, Water Supply Division, Plan and Technical Review Section, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4961.

The water system also has the option to request an exception to these requirements or an alternative capacity requirement by writing to the TCEQ Plan and Technical Review Section at the address listed in the paragraph above.

Please submit compliance documentation to the TCEQ Region 4 Office which describes the corrective action taken by the water system. Please include a copy of the notification if a significant change is made or a copy of the granted exception request, if applicable.



**Monarch
Utilities I L.P.**

A SouthWest Water Company

October 29, 2019

12535 Reed Road
Sugar Land, TX 77478
Phone: 281-207-5800
Fax: 281-207-5940
www.swwc.com

Mr. Charles Marshall
Team Leader, Public Water Supply Program
TCEQ – D/FW Regional Office
2309 Gravel Dr.
Fort Worth, TX 76118-6951

Re: Monarch Utilities I L.P. (the Utility)
Aurora Vista Water System
PWS ID No. 2490051

Dear Mr. Marshall:

The Utility is in receipt of your letter dated August 28, 2019. In that letter, one Alleged Violation is noted. The Utility responds as follows:

Track No. 725458 – Failure to provide a minimum production capacity of 0.6 gallons per minute (gpm) per connection. During the investigation, it was noted that the water system was 9.4 gpm deficient of the minimum capacity requirement. Please see attached signed amendment to increase the contract with the wholesale provider system (City of Rhome) from 50 gpm to 100 gpm. Once we receive a signed copy of the amended contract, we will provide the D/FW Regional office a copy to document compliance with the minimum production capacity requirement.

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

Sincerely,

Tim Williford
Senior Environmental Health & Safety Manager
SouthWest Water Company

Enclosures

Cc: Charles W. Proffitt, Jr.
Jennifer McKnight
John McClellan

Terry Benton
Jarrod Reynolds
George Freitag



October 28, 2019

Monarch Utilities L.P.
A Southwest Water Company
12535 Reed Road
Sugarland, TX 77478
Terry Benton
Vice President of Operations
TXU East

Mr. Benton,

Thank you for your interest in increasing capacity for water service to Aurora Vista water system. After meeting with members of your staff, Jennifer McKnight and Preston Gilliam on October 23, 2019, your staff indicated that Southwest Water Company would like to request an amendment to the "Agreement for Water Services" dated December 17, 2001. The contract currently allows for capacity of 50 gallons per minute and Southwest Water Company is requesting an additional 50 gallons per minute, for a total capacity of 100 gallons per minute.

The City of Rhome has received a copy of the proposed amendment to the contract for review. The City of Rhome's legal staff will be in contact to negotiate the amendment to the "Agreement for Water Services" submitted on October 25, 2019.

This letter should satisfy TCEQ that the City of Rhome and Southwest Water Company are in negotiations for increase capacity 50 gallons per minute for water service to Aurora Vista water system and to execute an amendment to the "Agreement for Water Services" dated December 17, 2001.

Michelle Pittman Di Credico

Michelle Pittman Di Credico
Mayor
City of Rhome

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



PWS ID_0910052_CO_20190628_Exception

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

June 28, 2019

Mr. John McClellan, Vice President
Monarch Utilities I, L.P.
7987 Caruth Court
Dallas, Texas 75225

RECEIVED

JUL 11 2019

TXU-AP

Re: Tanglewood on Texoma - PWS ID No. 0910052
Request for an Exception to the Recordkeeping - Well Completion Data Requirement
Request for an Exception to the Well Casing Material Requirement
Well No. 2: 'CAMBRIDGE 2 - 222 CASTLE DR' (TCEQ Well ID: G0910052T)
Grayson County, Texas
RN: 101376986 | CN: 602740706

Dear Mr. McClellan,

On March 22, 2019, the Texas Commission on Environmental Quality (TCEQ) received your letter, dated March 20, 2019, on behalf of the Tanglewood on Texoma public water system (PWS). The letter requested an exception to the recordkeeping-well completion data requirements, as specified in Title 30 of the Texas Administrative Code (30 TAC) Chapter 290.46(n)(3) and is a response to the TCEQ letter dated November 27, 2018. In addition, on June 28, 2018, a request to the well casing material requirement specified in 30 TAC §290.41(c)(3)(B) was submitted via email. These requests are for PWS Well No. 2 (TCEQ Well ID: G0910052T), which we understand is operating and serving the PWS. The TCEQ's determination regarding the requested exceptions are discussed below.

Recordkeeping - Well Completion Data Requirement - 30 TAC §290.46(n)(3)

The TCEQ requires a PWS to maintain well completion data for all water wells in use that provide water for public consumption. This is required if a well exhibits contamination, and the cause of the potential means of resolving the contamination needs to be determined. The well completion data also documents the well capacity and water quality at the time of its installation which may be used as a benchmark to evaluate its current performance or water quality, and provides documentation of the means and materials used in the construction of the well.

Well completion data is defined in 30 TAC §290.41(c)(3)(A) as the following documents:

- Driller's log (geological log and material setting report);
- Cementing certificate;
- The results of a 36-hour pump test;
- The results of the microbiological and chemical testing as required by 30 TAC Chapter 290 rules;

P.O. Box 13087 · Austin, Texas 78711-3087 · 512-239-1000

How is our customer service? www.tceq.texas.gov/goto/customersurvey
printed on recycled paper

- Legible copies of the recorded deeds for all real property within 150 feet of the well;
- Legible copies of recorded sanitary control easements or other documents; demonstrating compliance with the sanitary control easement requirement of 30 TAC Chapter 290 rules;
- An original or legible copy of a United States Geological Survey (USGS) 7.5-minute topographic quadrangle map showing the accurate location of the well; and
- A map showing the location of the well in relation to the surrounding property boundaries.

Based on the review of the of the information provided in support of this exception request, the TCEQ is **granting your request** for an exception to the recordkeeping - well completion data requirement for Well No. 2 (TCEQ Well ID: G0910052T). The following items satisfy documentation to support the exception request:

1. A geological log was included in the copy of the State of Texas Well Report provided in the August 2, 2018 submittal for State Well ID 18-11-406.
2. The lack of information regarding the material setting report is addressed by the exception granted in the Well Casing Material Requirement - 30 TAC §290.41(c)(3)(B) section of this letter.
3. A cementing certificate or other cementing information was not provided. The lack of pressure cementing method information is addressed by the temporary exception to 30 TAC §290.41(c)(3)(C) granted by the TCEQ on November 27, 2018, in lieu of the cementing certificate as a substitute for this requirement.
4. The 36-hour pump test results were not provided, but the TCEQ has tested and rated the well and assigned a flow rate of 20 gallons per minute (gpm). A review of TCEQ boil water notice records indicated that the PWS has not issued a boil water notice. This documentation is accepted for fulfilling the 36-hour pump test requirement.
5. The submittal included documentation of three (3) consecutive days (March 5, 6 and 7, 2019) of raw water bacteriological sampling with negative results. The documentation is an acceptable substitute for the raw water bacteriological sampling required as a part of the well completion data.
6. Based on review of the water chemistry analytical results provided in the March 22, 2019 submittal for the sample collected on December 20, 2018, the TCEQ has determined the documentation is an acceptable substitute for the water analytical results required as a part of the well completion data. The TCEQ notes that the pH measurement included in the submittal is not a field measurement. Based on calculations performed by the TCEQ using the laboratory pH result included in the submittal, it appears that the Well No. 2 groundwater source is not corrosive.
7. An official copy of the recorded deed for property owned by the PWS within 150-feet of Well No. 2 was provided in the August 2, 2018 submittal and is acceptable.
8. A temporary exception to the sanitary control easement (SCE) requirement in 30 TAC 290.41(c)(1)(F) was granted for non-PWS owned land located within 150-ft of Well No. 2, as per the November 27, 2018 TCEQ response letter.
9. A copy of the USGS 7.5-minute topographic quadrangle map showing the location of Well No. 2 was provided in the submittal and is acceptable.
10. A site plan map showing the location of Well No. 2 and the boundaries of the PWS property is acceptable, as per the November 27, 2018 TCEQ response letter.

Well Casing Material Requirement - 30 TAC §290.41(c)(3)(B)

The casing material used in the construction of public supply wells must conform to AWWA Standards and otherwise meet the construction requirements of 30 TAC §290.41(c)(3)(B). In the absence of documentation of the materials used in well construction, the TCEQ evaluates the chemical analyses of the raw water for evidence of improper well casing materials. The submittal included a photograph of the portion of the casing above the sealing slab which

Mr. John McClellan, Vice President
Page 3 of 3
June 28, 2019

indicated that the well casing is 7-3/8" diameter steel for Well No. 2. Lead samples were collected on December 20, 2018 for Well No. 2. The provided raw water chemistry result indicates that the lead concentration in the groundwater source is less than the regulatory limit. Based on the information provided, the TCEQ is **granting an exception** to the well casing material requirement for Well No. 2.

A copy of this letter and all related monitoring data must be maintained with the water system's records for as long as the granted exceptions are in effect. These records must be made available to TCEQ staff upon request. If contamination of Well No. 2 occurs which is not remediated through treatment, a new properly constructed well may be required at another location and abandonment, proper plugging, and sealing of the abandoned well will be required.

All exceptions are subject to periodic review and may be revoked or amended if warranted as specified in 30 TAC §290.39(l)(2) or evidence is found that granting of an exception results in a degradation of water quality or water supply. Noncompliance with any condition stated in this exception letter may result in enforcement action as specified in 30 TAC §290.39(l)(5).

These granted exceptions are not intended to waive compliance with any other TCEQ requirements in 30 TAC Chapter 290. These exceptions cannot be used as a defense in any enforcement action resulting from noncompliance with any other requirement of 30 TAC Chapter 290.

If you have questions concerning this letter or if we can be of additional assistance, please contact Mr. Richard Bosch, at richard.bosch@tceq.texas.gov, by telephone at (512) 239-3465 or by correspondence at the following address.

Technical Review and Oversight Team (MC 159)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Stephanie Escobar, Team Leader
Technical Review and Oversight Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

SJE/rb

cc: Mr. Tim Williford, Environmental Manager, Monarch Utilities I, L.P., 1620 Grand Avenue Parkway, Suite 140, Pflugerville, TX, 78660-2185

Mr. Dennis F. Key, Manager, 1437 Georgetown Road, Pottsboro, TX, 75076-6907

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 24, 2019

RECEIVED

OCT 30 2019

TXU AF

Mr. Tim Williford, Environment Manager
Monarch Utilities I, LP
1620 Grand Avenue Pkwy STE 140
Pflugerville, TX 78660-2185

Re: Notice of Compliance with Notice of Violation (NOV) dated August 22, 2019
Western Lake Estates, Weatherford, Parker County, Texas
RN 101220275, PWS ID No. 1840014, Incident No. 316482, Investigation No. 1582525

Dear Mr. Williford:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional Office has received adequate compliance documentation on September 23, 2019 to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted from July 23, through July 30, 2019. Based on the information submitted, no further action is required concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Mr. Xu Shi at the D/FW Regional Office at (817) 588-5913.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Candler".

Brent Candler
Section Manager, Water Section
D/FW Regional Office
BC/xs

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

WESTERN LAKE ESTATES

Investigation #

1603546
Investigation Date: 10/16/2019

, PARKER COUNTY,

Additional ID(s): 1840014

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 722299

30 TAC Chapter 290.46(r)

Alleged Violation:

Investigation: 1582525

Comment Date: 08/06/2019

Failure to provide a minimum pressure of 35 psi throughout the distribution system.

During the investigation conducted from July 23, 2019 through July 30, 2019, two pressure loggers located on the distribution main of each pressure plane recorded readings below 35 psi, and on two occasions below 20 psi.

30 TAC 290.46(r) Minimum pressures. All public water systems shall be operated to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions. The system shall also be operated to maintain a minimum pressure of 20 psi during emergencies such as firefighting. As soon as safe and practicable following the occurrence of a natural disaster, a public water system that is an affected utility shall maintain a minimum of 35 psi throughout the distribution system during an extended power outage.

Investigation: 1603546

Comment Date: 10/16/2019

Failure to provide a minimum pressure of 35 psi throughout the distribution system.

During the FRR investigation, it was noted that the water system submitted compliance documentation that appears to resolve the alleged violation.

30 TAC 290.46(r) Minimum pressures. All public water systems shall be operated to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions. The system shall also be operated to maintain a minimum pressure of 20 psi during emergencies such as firefighting. As soon as safe and practicable following the occurrence of a natural disaster, a public water system that is an affected utility shall maintain a minimum of 35 psi throughout the distribution system during an extended power outage.

Recommended Corrective Action: Provide a minimum pressure of 35 psi throughout the distribution system at all times. Submit a letter describing the action taken to ensure acceptable operating pressure is maintained throughout the distribution system and copies of work orders and pressure monitoring records (If pressure cannot be monitored continuously, monitoring must be performed during peak usage periods of the day) in the area where the violation occurred to the TCEQ Region 4 Office to document that the alleged violation has been resolved.

Resolution: On September, 23, 2019, compliance documentation was received at the Region 4 Office. Included in the documentation were pressure monitoring results. Based on this documentation, it appears the water system has adequately corrected the alleged violation.

PUBLIC UTILITY COMMISSION



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES AND
AFFECTED PARTIES
DOCKET NO. **49660**

STATE OF TEXAS
COUNTY OF TRAVIS

Monarch Utilities I L.P. has provided individual notice
to the following entities and customers:

29 Landowners in the
Las Brisas CCN area

DATE
December 17, 2019

OATH

I, George Freitag, being duly sworn, file this form as
Texas Regulatory Manager (indicate relationship to applicant, that is, owner,
member of partnership, title of officer of corporation, or other authorized representative of
applicant); that in such capacity, I am qualified and authorized to file and verify such form, am
personally familiar with the notices given with this application, and have complied with all notice
requirements in the application and application acceptance letter; and that all such statements made
and matters set for therein are true and correct.

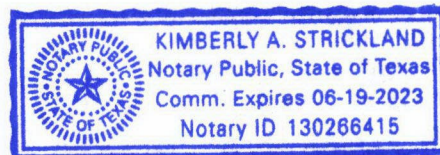
George H. Freitag
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant,
or its' attorney, a properly verified Power of Attorney must be enclosed.

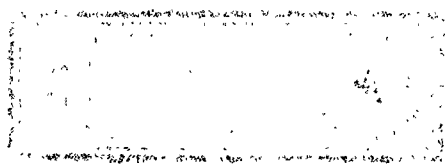
Subscribed and sworn to before me this 18 day of DECEMBER, 2019,
to certify which witness my hand and seal of office.

Kim Strickland
Notary Public in and for the State of Texas

KIMBERLY STRICKLAND
Print or Type Name of Notary Public



Commission Expires JUNE 19, 2023



Notice to Landowners

MONARCH UTILITIES I L.P. NOTICE OF INTENT TO PURCHASE WATER FACILITIES AND TO TRANSFER AND CANCEL NI AMERICA TEXAS L.L.C.'S WATER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) NO. 11922 IN JOHNSON AND WISE COUNTY, TEXAS

Date Notice Mailed: December 17, 2019

<u>Monarch Utilities I L.P.</u>	<u>12535 Reed Road</u>	<u>Sugar Land, TX</u>	<u>77478</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to purchase water facilities, transfer and cancel CCN No. 11922, and amend Monarch Utilities I L.P.' CCN No. 12983 in Johnson and Wise County, TX from:

<u>Ni America Texas, L.L.C.</u>	<u>12535 Reed Road</u>	<u>Sugar Land, TX</u>	<u>77478</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place as approved by the Commission (V.T.C.A., Water Code § 13.301). The transaction and the transfer of the CCN includes the following subdivisions:

Johnson County

Shaded Lane Estates: The requested area is located approximately 4.8 miles southeast of downtown Burleson, TX, and is generally bounded on the north by CR 529; on the east by CR 608; on the south by CR 528; and on the west by Merrell Court.

The requested area includes approximately 198 total acres and 243 current customers.

Wise County

Chisholm Hills Estates: The requested area is located approximately 1.6 miles north of downtown New Fairview, TX, and is generally bounded on the north by 1,000 feet north of Chisholm Hills Drive; on the east by FM 2264; on the south by 500 feet south of Wilson Court; and on the west by 600 feet west of Layfield Lane.

The requested area includes approximately 724 total acres and 269 current customers.

Coyote Ridge Addition, Sage Brush Estates, and Hills of Oliver Creek: The requested area is located approximately 3 miles north of downtown New Fairview, TX, and is generally bounded on the north by FM 2264; on the east by FM 2264; on the south by 2,000 feet south of Happy Trail; and on the west by CR 4421.

The requested area includes approximately 3,244 total acres and 508 current customers.

Las Brisas: The requested area is located approximately 4 miles southwest of downtown Decatur, TX, and is generally bounded on the north by Eastridge Road and Waggoner Creek; on the east by Wild Wood Drive and Acorn Drive; on the south by Hlavek Road; and on the west by Mission Oak Trail. The requested area includes approximately 233 total acres and 0 current customers.

Sky View Ranch Estates: The ***two requested areas*** are located approximately 3 miles northeast of downtown Rhome, TX, and is generally bounded on the north by 3,200 feet north of intersection of FM 407 & Pioneer Road; on the east by FM 2264; on the south by FM 407/ Illinois Street; and on the west by US Highway 287.

The requested area includes approximately 356 total acres and 71 current customers.

Windmill Trail: The requested area is located approximately 7.4 miles southeast of downtown Bridgeport, TX, and is generally bounded on the north by Garrett Creek; on the east by CR 3355/ School House Road; on the south by CR 3355/ School House Road; and on the west by CR 3473. The requested area includes approximately 527 total acres and 75 current customers.

A copy of the map showing the requested area is available at:
1620 Grand Avenue Parkway, #140 Pflugerville, TX 78660

This transaction will have the following effect on the current customers' rates and services: This transaction will not have an effect on the current customer's rates and services.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

Si desea informacion en Español, puede llamar al 1-888-782-8477.

Charles W. Profilet, Jr., P.E.
President
Monarch Utilities I L.P.