

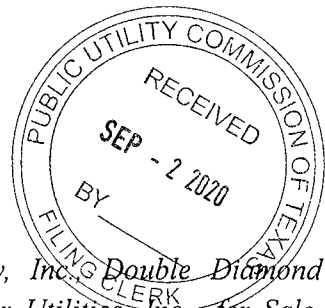


Control Number: 50059



Item Number: 38

Addendum StartPage: 0



**CONSENT FORM**

**Docket 50059:** *Application of Double Diamond Utilities Company, Inc., Double Diamond Properties Construction Company, and Midway Water Utilities, Inc. for Sale, Transfer, or Merger of Facilities and Certificate Rights in Hill, Palo Pinto, Johnson, and Grayson Counties*

- I concur with the maps, tariffs, and certificates transmitted by e-mail on Sept 1, 2020 ~~August 17, 2020~~.  
*except The Retreat Water and Sewer maps. See attached*
- I do not concur with the maps, tariffs, and certificates transmitted by e-mail on August 17, 2020. *CCN application for The Retreat*

I understand that I have until September 2, 2020 to provide my response.

I am authorized by *Double Diamond Utilities Company, Inc.* to sign this form.

Signature: *Kandy Gracy*  
Printed Name: *Kandy Gracy*  
Relationship to Applicant: *President*  
Date signed: *Sept 2, 2020*

Please mail the original and 10 copies to:  
Public Utility Commission of Texas  
Central Records  
P.O. Box 13326  
Austin, Texas 78711-3326

or for Shipping/Overnight Delivery:  
Public Utility Commission of Texas  
Central Records  
1701 N. Congress, Suite 8-100  
Austin, Texas 78701

Robert J. Huston, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Kathleen Hartnett White, *Commissioner*  
Jeffrey A. Saitas, *Executive Director*



REC'D JUN 10 2002

## TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

June 5, 2002

**FILE**

*The Retreat  
CCN Application*

Mr. Charles P. Gillespie, JR., P.E.  
Consulting Environmental Engineers, Inc.  
150 Harbin Drive, Suite 434  
Stephenville, Texas 76401

Re: Application from Double Diamond Utilities Company to Amend Water Certificate of Convenience and Necessity (CCN) No. 12087 and to Amend Sewer CCN No. 20705 in Johnson County; Application Nos. 33922-C and 33923-C

Dear Mr. Gillespie:

Your applications have been accepted for filing, and Mr. Brian Dickey has been assigned to perform the technical review. The applications have been assigned Application Nos. 33922-C and 33923-C. Please refer to these numbers in future correspondence.

Your next step is to provide the public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Johnson County. It is the responsibility of the applicant to provide correct notice of the application to any utilities within two (2) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area, customers, or other affected parties in your requested area. Check the notices carefully before mailing or publishing.

A review of our files and maps indicates that, in addition to the neighboring utility noted on your application, you must provide notice to the following utility:

Middle Trinity Groundwater Conservation District

Information related to utilities and districts including addresses can be obtained from the TNRCC web site located at [www2.tnrcc.state.tx.us/iwud](http://www2.tnrcc.state.tx.us/iwud).

As proof that notice was provided, you are required to send us the following:

- a) an original and three copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
- b) four copies of each individual notice and map sent to neighboring utilities and other affected parties;
- c) four copies of the notice sent to customers; and
- d) an original and three copies of the signed affidavits that individual notice to neighboring utilities, customers, and affected individuals has been given. (Copies of the Affidavit forms are enclosed with this letter.)

Mr. Charles P. Gillespie, JR., P.E.

Page

June 5, 2002

Include the enclosed small scale location map delineating the proposed service area with your individual notices to neighboring utilities and other affected parties.

In addition, in your application you stated the proposed area is a new residential development. Please provide a copy of any letters of intent from developers, landowner requests or applications for service received for the proposed area.

Also, please submit wastewater plans and specifications submitted for approval and a copy of the approval letter if available.

These items must be completed and returned by **July 5, 2002**. Processing of this application cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. If we do not receive the requested information by this date, your application may be returned for failure to prosecute.

If you have any questions, please contact Mr. Brian Dickey at 512/239-0963, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Victoria R. Harkins, Ph.D., P.E.  
Utilities & Districts Section  
Water Supply Division

VRH/BD/lg

Enclosures

cc: Mr. Randy Gracy, President, Double Diamond Utilities Company  
TNRCC, Region 4 Office

*Notice for Publication*

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

Double Diamond Utilities Co. has filed an application for a CCN / to  
Name of Applicant  
amend CCN No. 12087, and Sewer CCN No. 20705 / and to decertify a portion(s) of N/A with the  
Texas Natural Resource Conservation Commission to provide 3) Water and Sewer (specify 1) water or  
2) sewer or 3) water & sewer) utility service in Johnson County(ies).

The proposed utility service area is located approximately 10 miles southwest [direction] of  
downtown Cleburne, [City or Town] Texas, and is generally bounded on the north by  
Hwy 1434; on the east by County Road 1224A  
; on the south by Hwy. 916; and on the west by Mill Creek

The total area being requested includes approximately 3,050 acres and 0 current customers.

A copy of the proposed service area map is available at 10100 N. Central Expressway, Suite 400, Dallas, Texas 75231,  
(214)-706-9801

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

Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission  
Water Permits and Resource Management Division  
Utilities and Districts Section, MC-153  
P. O. Box 13087  
Austin, TX 78711-3087

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

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

*Notice to Neighboring Systems and Cities*

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

To: \_\_\_\_\_ Date Notice Mailed: \_\_\_\_\_, 2001  
(Neighboring System or City)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(City State Zip)

Double Diamond Utilities Co. \_\_\_\_\_ has filed an application for a CCN / to  
Name of Applicant  
amend Water CCN No. 12087, and Sewer CCN No. 20705 / and to decertify a portion(s) of N/A with  
the Texas Natural Resource Conservation Commission to provide 3) water and sewer (specify 1) water or  
2) sewer or 3) water & sewer) utility service in Johnson County(ies).

The proposed utility service area is located approximately 10 miles southwest [direction]  
of downtown Cleburne, [City or Town] Texas, and is generally bounded on the  
north by Hwy 1434; on the east by County Road 1224A  
; on the south by Hwy. 916; and on the west by  
Mill Creek. See enclosed map of the proposed service area.

The total area being requested includes approximately 3,050 acres and 0 current customers.

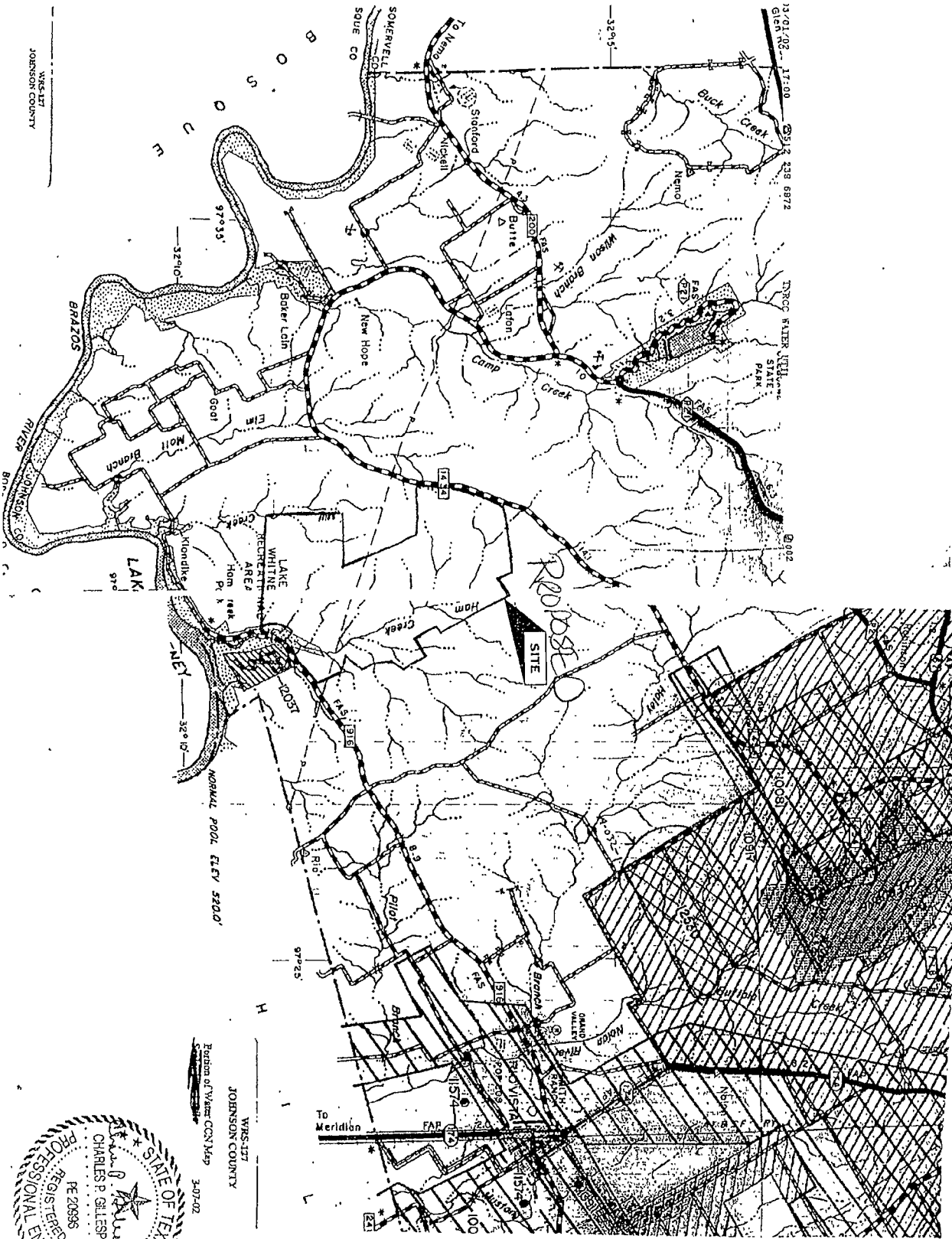
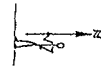
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WRS-117  
JOHNSON COUNTY  
Edition of Varner CCM Map  
3-07-02

R-CCN  
Exhibit IV  
PROJECT NAME: Double Diamond Utilities, Inc.  
DRAWING NAME: CCM Map with Subdivision Boundary

DATE DRAWN: 04-15-02  
DRAWN BY: CPG sdh  
SCALE: 1" = 6000'

Consulting Environmental Engineers, Inc.  
150 Hawks Dr. Suite 434  
Stephenville, Texas 76401  
Phone: (254) 968-8170  
Fax: (254) 968-8131

*Notice to Customers of IOUs in Proposed Area*

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

Dear Customer:

Date Notice Mailed \_\_\_\_\_, 2002

Double Diamond Utilities Co. \_\_\_\_\_ has filed an application for a CCN to/  
Name of Applicant  
 amend Water CCN No. 12087, and Sewer CCN No. 20705 to decertify a portion(s) of N/A with the Texas Natural Resource Conservation Commission to provide 3) water & sewer (specify 1) water or 2) sewer or 3) water & sewer) utility service in Johnson County(ies).

The proposed utility service area is located approximately 10 miles Southwest [direction] of downtown Cleburne, [City or Town] Texas

A copy of the proposed service area map is available at 10100 N. Central Expwy, Suite 400, Dallas, Texas 75231, (214) 706-9801

**Water Tariff Rates for The Retreat Subdivision, Johnson County, Texas:**

Monthly Base Rate including <u>1,000</u> gallons per connection for:	<u>Miscellaneous Fees</u>	
5/8" or 3/4" meter	\$ <u>30.00</u>	-Regulatory Assessment 1.0%
1" meter	\$ <u>50.10</u>	-Tap Fee (Average Actual Cost) \$ <u>400.00</u>
1 1/2" meter	\$ <u>99.90</u>	-Reconnection fee:
2" meter	\$ <u>159.80</u>	-Non Payment (\$25.00 max) \$ <u>25.00</u>
Other <u>3"</u>	\$ <u>320.00</u>	-Transfer \$ <u>25.00</u>
		-Customer's request \$ <u>25.00</u>
		-Late fee 10% of bill
		-Returned Check charge \$ <u>20.00</u>
		-Customer Deposit (\$50.00 max) \$ <u>0.00</u>
		-Meter test fee (Actual Cost not exceed \$25.00) \$ <u>None</u>
		-Other Fees \$ <u>None</u>

**Gallage charge:**

\$1.85 per 1,000 gallons, 1,001 – 10,000 gallons  
 \$2.10 per 1,000 gallons, 10,001 – 20,000 gallons  
 \$4.75 per 1,000 gallons, 20,001 gallons and thereafter

**Sewer Tariff Rates for The Retreat Subdivision, Johnson County, Texas:**

5/8" or 3/4" meter	\$ 25.00	<u>Miscellaneous Fees:</u>	
1" meter	\$ 41.75	-Regulatory Assessment	1.0%
1 1/2" meter	\$ 83.25	-Tap Fee	\$2,500.00
2" meter	\$133.25	-Reconnection fee:	
3" meter	\$263.00	-Non Payment (\$25.00 max)	\$20.00
		-Transfer	\$40.00
		-Customer's request	\$25.00
		-Late Fee	10% of bill
		-Returned check charge	\$20.00
		-Customer Deposit	\$None
		-Meter test fee	\$None



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

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

Persons who wish to intervene or comment should write the:

Texas Natural Resource Conservation Commission  
Water Permits and Resource Management Division  
Utilities and Districts Section, MC-153  
P. O. Box 13087  
Austin, TX 78711-3087

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

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



Texas Natural Resource

Conservation Commission

APPLICATION NO. \_\_\_\_\_

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_,

who being by me duly sworn, deposes and says that (s)he is the \_\_\_\_\_ of the

TITLE

\_\_\_\_\_ ; that said

NAME OF NEWSPAPER

newspaper is regularly published in \_\_\_\_\_

County(ies) and generally circulated in \_\_\_\_\_

County (Counties), Texas; and that the attached notice was published in said newspaper on the following date(s), to wit: \_\_\_\_\_

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002, to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

Commission Expires \_\_\_\_\_



Texas Natural Resource Conservation Commission

APPLICATION NO. \_\_\_\_\_

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ has provided individual notice to the following entities:

	DATE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

OATH

I, \_\_\_\_\_, being duly sworn, file this form as \_\_\_\_\_ (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.

\_\_\_\_\_  
Applicant's Authorized Representative

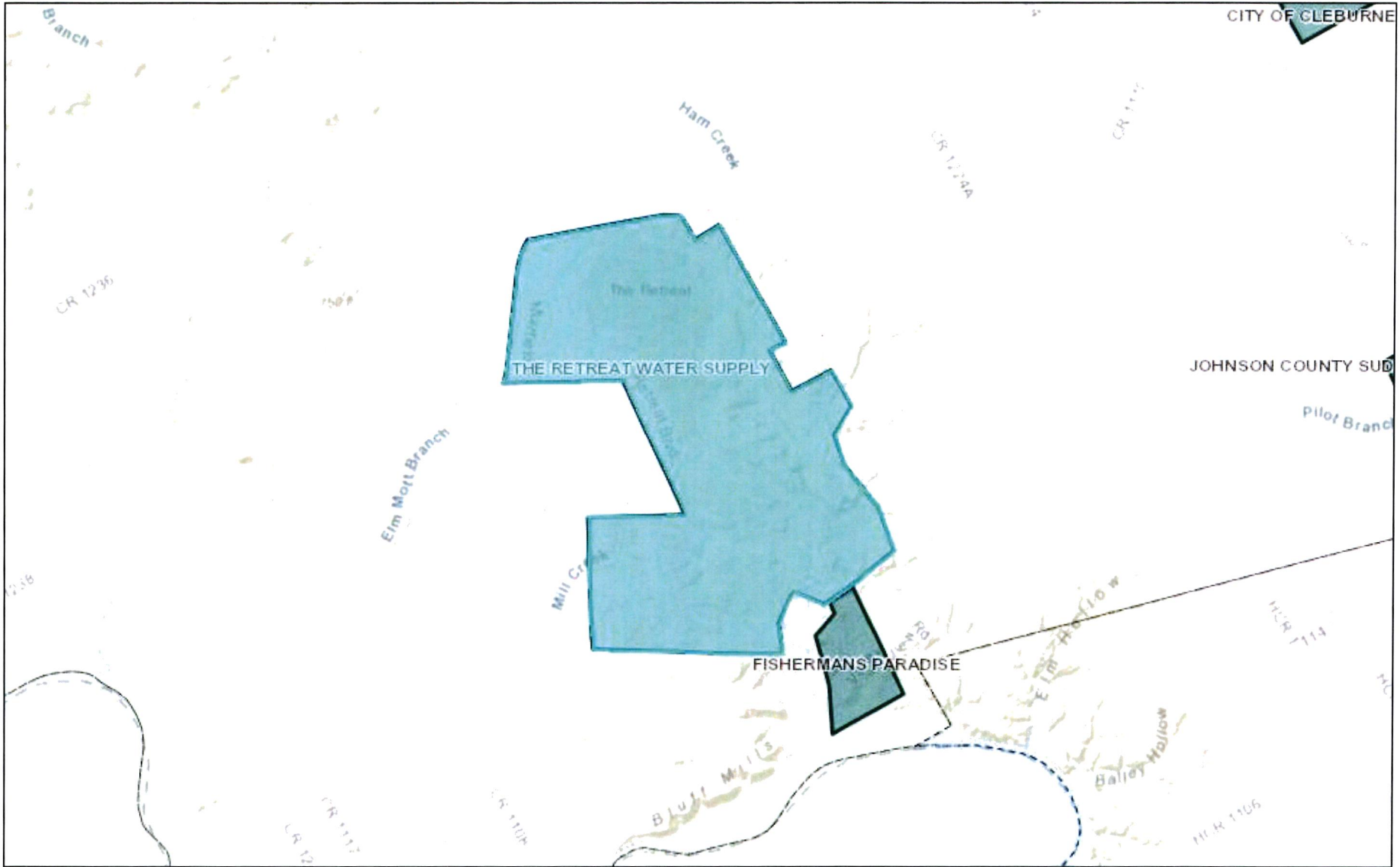
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2002, to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public in and for the  
State of Texas

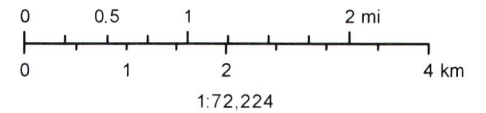
\_\_\_\_\_  
Print or Type Name of Notary Public  
Commission Expires \_\_\_\_\_

# Public Water Service Areas, Texas



**Texas Water Development Board**

September 11, 2019



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS TEXAS WATER DEVELOPMENT BOARD

The data in the Texas Water Service Boundary Viewer represents the best available information provided by the Texas Water Development Board (TWDB) and third-party cooperators of the TWDB and is believed to be accurate and reliable. However, the TWDB provides information via this web site as a public service. Neither the State of Texas nor the TWDB assumes any legal liability or responsibility or makes any guarantees or warranties as to the accuracy, completeness or suitability of the information or boundaries for any particular purpose. These service boundaries and info provided in the application do not alter legal boundaries as regulated by the Public Utility Commission and the Texas Commission on Environmental Quality. This material is based upon work supported by the U.S. Geological Survey under Cooperative Agreement No. G17AC0016.