



Control Number: 50520



Item Number: 1

Addendum StartPage: 0

Application to Amend Water CCN 13227 in Blanco County

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PUBLIC UTILITY COMMISSION
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Public Utility Commission of Texas

Trinity Oaks Preserve

50520

Docket Number: _____

Interchange Filer Tracking Number: TQARMZKG

Submitted To:

Public Utility Commission of Texas
1701 N. Congress Avenue
PO Box 13326
Austin, TX 78711-3326

Attention:
Filing Clerk

Phone: 512.936.7000

Submitted By:

Corix Utilities (Texas), Inc.
1812 Centre Creek Drive, Suite 100
Austin, TX 78754

Contact:

Scott B. Ahlstrom
Vice President of Operations
Phone: 512-306-4003
Mobile: 512-568-0849
Email: scott.ahlstrom@corixtexas.com

February 2020

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Application to Amend a Water CCN

Further to the Public Utility Commission of Texas' (PUC) Instructions for an Application to Amend a Water CCN, following is a completed application. Corix Utilities (Texas), Inc. respectfully requests that the Commission issue an order approving the addition of this water system to CCN 13227.



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

*Pursuant to 16 Texas Administrative Code (TAC) Chapter 24, Substantive Rules Applicable to Water and Sewer
Service Providers, Subchapter G: Certificates of Convenience and Necessity*

CCN Application Instructions

- I. **COMPLETE:** In order for the Commission to find the application sufficient for filing, you should be adhere to the following:
- Answer every question and submit all required attachments.
 - Use attachments or additional pages if needed to answer any question. If you use attachments or additional pages, reference their inclusion in the form.
 - Provide all mapping information as detailed in Part F: Mapping & Affidavits.
 - Provide any other necessary approvals from the Texas Commission on Environmental Quality (TCEQ), or evidence that a request for approval is being sought at the time of filing with the Commission.
- 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.
- 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:
- DEFICIENT (Administratively Incomplete):** Applicant 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.**
 - SUFFICIENT (Administratively Complete):** Applicant 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 Applicant issues notice, a copy of the actual notice sent (including any map) and an affidavit attesting to notice should be filed in the docket assigned to the application. Recipients of notice may choose to take one of the following actions:
- HEARING ON THE MERITS:** an affected party may request a hearing on the application. The request must be made within 30 days of notice. If this occurs, the application may be referred to the State Office of Administrative Hearings (SOAH) to complete this request.
 - LANDOWNER OPT-OUT:** A landowner owning a qualifying tract of land (25+ acres) may request to have their land removed from the requested area. The Applicant will be requested to amend its application and file new mapping information to remove the landowner's tract of land, in conformity with this request.
- V. **PROCEDURAL SCHEDULE:** Following the issuance of notice and the filing of proof of notice in step 4, the application will be granted a procedural schedule for final processing. During this time the Applicant must respond to hearing requests, landowner opt-out requests, and requests for information (RFI). The Applicant will be requested to provide written consent to the proposed maps, certificates, and tariff (if applicable) once all other requests have been resolved.
- VI. **FINAL RECOMMENDATION:** After receiving all required documents from the Applicant, Staff will file a recommendation on the CCN request. The ALJ will issue a final order after Staff's recommendation is filed.

FAQ:

Who can use this form?

Any retail public utility that provides or intends to provide retail water or wastewater utility 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) must use this form to obtain or amend a CCN prior to providing retail water or sewer utility service in the requested area.

What is the purpose of the application?

A CCN Applicant is required to demonstrate financial, managerial, and technical (FMT) capability to provide continuous and adequate service to any requested area. The questions in the application are structured to support an Applicant's FMT capabilities, consistent with the regulatory requirements.

Application Summary

Applicant: Corix Utilities Texas, Inc.

CCN No. to be amended: 13227

or ☐ Obtain NEW CCN ☐ Water ☐ Sewer

County(ies) affected by this application: Blanco

Dual CCN requested with: n/a

CCN No.: _____ (name of retail public utility) ☐ Portion or ☐ All of requested area

Decertification of CCN for: n/a

CCN No.: _____ (name of retail public utility) ☐ Portion or ☐ All of requested area

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Please mark the items included in this filing

<input type="checkbox"/> Partnership Agreement	Part A: Question 4
<input type="checkbox"/> Articles of Incorporation and By-Laws (WSC)	Part A: Question 4
<input type="checkbox"/> Certificate of Account Status	Part A: Question 4
<input checked="" type="checkbox"/> Franchise, Permit, or Consent letter	Part B: Question 7
<input type="checkbox"/> Existing Infrastructure Map	Part B: Question 8
<input type="checkbox"/> Customer Requests For Service in requested area	Part B: Question 9
<input checked="" type="checkbox"/> Population Growth Report or Market Study	Part B: Question 10
<input checked="" type="checkbox"/> TCEQ Engineering Approvals	Part B: Question 11
<input type="checkbox"/> Requests & Responses For Service to ½ mile utility providers	Part B: Question 12.B
<input type="checkbox"/> Economic Feasibility (alternative provider) Statement	Part B: Question 12.C
<input type="checkbox"/> Alternative Provider Analysis	Part B: Question 12.D
<input checked="" type="checkbox"/> Enforcement Action Correspondence	Part C: Question 16
<input type="checkbox"/> TCEQ Compliance Correspondence	Part D: Question 20
<input type="checkbox"/> Purchased Water Supply or Treatment Agreement	Part D: Question 23
<input type="checkbox"/> Rate Study (new market entrant)	Part E: Question 28
<input checked="" type="checkbox"/> Tariff/Rate Schedule	Part E: Question 29
<input checked="" type="checkbox"/> Financial Audit	Part E: Question 30
<input type="checkbox"/> Application Attachment A & B	Part E: Question 30
<input type="checkbox"/> Capital Improvement Plan	Part E: Question 30
<input checked="" type="checkbox"/> Disclosure of Affiliated Interests	Part E: Question 31
<input checked="" type="checkbox"/> Detailed (large scale) Map	Part F: Question 32
<input checked="" type="checkbox"/> General Location (small scale) Map	Part F: Question 32
<input checked="" type="checkbox"/> Digital Mapping Data	Part F: Question 32
<input checked="" type="checkbox"/> Signed & Notarized Affidavit	Page 12
<input checked="" type="checkbox"/> Environmental integrity information	Part C: Question 17
<input checked="" type="checkbox"/> Listing of neighboring water utilities	Part C: Question 19
<input checked="" type="checkbox"/> Map of proposed facilities	Part D: Question 27

Part A: Applicant Information

1. A. Name: Corix Utilities Texas, Inc.
(individual, corporation, or other legal entity)
☐ Individual ☒ Corporation ☐ WSC ☐ Other: _____
- B. Mailing Address: 1812 Centre Creek Drive, Suite 100
Austin, TX 78754
Phone No.: (512) 306-4003 Email: scott.ahlstrom@corixtexas.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: Scott B. Ahlstrom Title: VP Operations
Mailing Address: 1812 Centre Creek Drive, Suite 100, Austin, TX 78754
Phone No.: (512) 568-0849 Email: scott.ahlstrom@corixtexas.com
2. If the Applicant is someone other than a municipality, is the Applicant currently paid in full on the Regulatory Assessment Fees (RAF) remitted to the TCEQ?
☒ Yes ☐ No ☐ N/A
3. If the Applicant is an Investor Owned Utility (IOU), is the Applicant current on Annual Report filings with the Commission?
☒ Yes ☐ No If no, please state the last date an Annual Report was filed: _____
4. The legal status of the Applicant is:
☐ Individual or sole proprietorship
☐ Partnership or limited partnership (*attach* Partnership agreement)
☒ Corporation: Charter number (recorded with the Texas Secretary of State): 801600117
☐ 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, PUD, etc.)
☐ County
☐ Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)
☐ Other (please explain): _____
5. If the Applicant operates under an assumed name (i.e., any d/b/a), provide the name below:
Name: n/a

Part B: Requested Area Information

6. Provide details on the existing or expected land use in the requested area, including details on requested actions such as dual certification or decertification of service area.

Trinity Oaks is a new subdivision with 34 lots. Each lot will be serviced by a central water supply and individual on-site septic systems. The property is located within the Blanco Pedernales Groundwater Conservation District. New wells will provide the required domestic water capacity for the 34 residential lots. Service will also be provided to an adjacent RV park which will add an additional twenty connections to the system. A portion of the area is within the Corporate and/or ETJ boundary of the Town of Round Mountain which does not object to the CCN over lapping their area.

7. The requested area (check all applicable):

☐ Currently receives service from the Applicant ☒ Is being developed with no current customers
☒ Overlaps or is within municipal boundaries ☐ Overlaps or is within district boundaries

Municipality: **City of Round Mountain** District: _____

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

A copy of a letter from the City of Round Mountain is attached in the Appendix.

8. Describe the circumstances (economic, environmental, etc.) driving the need for service in the requested area:

New development in progress. Water service is needed for development.

9. Has the Applicant received any requests for service within the requested area?

☐ Yes* ☒ No *Attach copies of all applicable requests for service and show locations on a map

10. Is there existing or anticipated growth in the requested area?

☒ Yes* ☐ No *Attach copies of any reports and market studies supporting growth

11. A. Will construction of any facilities be necessary to provide service to the requested area?

☒ Yes* ☐ No *Attach copies of TCEQ approval letters

B. Date Plans & Specifications or Discharge Permit App. submitted to TCEQ: **January 10, 2020**

C. Summarize an estimated timeline for construction for any required facilities to serve the requested area:

Full construction of facilities related to the water system are expected to be complete in 6 to 8 months (by September 2020). Water system wells, tanks, and treatment will be available sooner.

D. Describe the source and availability of funds for any required facilities to serve the requested area:

Construction is funded by Cactus Companies, 3001 South Hwy 281, Marble Falls, TX 78654. Grant Dean is President and developer for this project. Funds necessary to complete the construction are available in the savings account Cactus Companies has with First Capital Bank.

Note: Failure to provide applicable TCEQ construction or permit approvals, or evidence showing that the construction or permit approval has been filed with the TCEQ may result in the delay or possible dismissal of the application.

12. A. If construction of a physically separate water or sewer system is necessary, provide a list of all retail public water and/or sewer utilities within one half mile from the outer boundary of the requested area below:

none

B. Did the Applicant request service from each of the above water or sewer utilities?

☐ Yes*

☒ No

*Attach copies of written requests and copies of the written response

C. Attach a statement or provide documentation explaining why it is not economically feasible to obtain retail service from the water or sewer retail public utilities listed above.

D. If a neighboring retail public utility agreed to provide service to the requested area, attach documentation addressing the following information:

- (A) A description of the type of service that the neighboring retail public utility is willing to provide and comparison with service the applicant is proposing;
- (B) An analysis of all necessary costs for constructing, operating, and maintaining the new facilities for at least the first five years of operations, including such items as taxes and insurance; and
- (C) An analysis of all necessary costs for acquiring and continuing to receive service from the neighboring retail public utility for at least the first five years of operations.

13. Explain the effect of granting the CCN request on the Applicant, any retail public utility of the same kind serving in the proximate area, and any landowners in the requested area. The statement should address, but is not limited to, regionalization, compliance, and economic effects.

Corix Utilities Texas is certified by TCEQ as a regional provider of water and wastewater utilities in this area. This CCN request will incorporate this system into our existing regional service area. Our existing tariff will apply to this area and current regulatory, operations, and safety procedures will be used to provide service in this new development.

Part C: CCN Obtain or Amend Criteria Considerations

14. Describe the anticipated impact and changes in the quality of retail utility service for the requested area:

Retail utility service is not currently available in this vicinity. The granting of the CCN request will improve the availability of retail utility service.

15. Describe the experience and qualifications of the Applicant in providing continuous and adequate retail service:

Corix Utilities Texas currently owns and operates 15 public water systems in Texas that serve a population of over 15,000. In addition, Corix Utilities Texas owns and operates 7 wastewater systems.

16. Has the Applicant 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?

☒ Yes* ☐ No

*Attach copies of any correspondence with the applicable regulatory agency concerning any enforcement actions, and attach a description of any actions or efforts the Applicant has taken to comply with these requirements.

17. Explain how the environmental integrity of the land will or will not be impacted or disrupted as a result of granting the CCN as requested:

The development is being performed consistent with regulatory requirements and sound development standards. The large lot sizes (average of 3 acres) preserves the natural beauty of the area. Above ground water facilities are located in fenced and secured areas. See additional information provided in Appendix for question 17.

18. Has the Applicant made efforts to extend retail water or sewer utility service to any economically distressed area located within the requested area?

None are located within the requested area.

19. List all neighboring water or sewer retail public utilities, cities, districts (including ground water conservation districts), counties, or other political subdivisions (including river authorities) providing the same service located within two (2) miles from the outer boundary of the requested area:

Please see attached listing in the Appendix.

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

20. A. Complete the following for all Public Water Systems (PWS) associated with the Applicant's CCN:

TCEQ PWS ID:	Name of PWS:	Date of TCEQ inspection*:	Subdivisions served:
request pending	Trinity Oaks Preserve	pending	Trinity Oaks Preserve and Peach Valley RV Park

*Attach evidence of compliance with TCEQ for each PWS

- B. Complete the following for all TCEQ Water Quality (WQ) discharge permits associated with the Applicant's CCN:

TCEQ Discharge Permit No:	Date Permit expires:	Date of TCEQ inspection*:	Subdivisions served:
WQ- n/a			n/a
WQ-			
WQ-			
WQ-			

*Attach evidence of compliance with TCEQ for each Discharge Permit

- C. The requested CCN service area will be served via: PWS ID: PWS ID is pending
WQ -

21. List the number of existing connections for the PWS & Discharge Permit indicated above (Question 20. C.):

Water				Sewer	
0	Non-metered	0	2"	0	Residential
34	5/8" or 3/4"	0	3"	0	Commercial
0	1"	0	4"	0	Industrial
0	1 1/2"	1	Other (1 connection to RV park with 20 RVs)	0	Other
Total Water Connections:				Total Sewer Connections: 0	

22. List the number of additional connections projected for the requested CCN area:

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

23. A. Will the system serving the requested area purchase water or sewer treatment capacity from another source?

☐ Yes* ☒ No *Attach a copy of purchase agreement or contract.

Capacity is purchased from:

Water: n/a

Sewer: n/a

- B. Are any of the Applicants PWS's required to purchase water to meet the TCEQ's minimum capacity requirements or TCEQ's drinking water standards?

☐ Yes ☒ No

- C. What is the amount of supply or 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	0%
Sewer:	0	0%

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

☒ Yes ☐ No

25. List the name, class, and TCEQ license number of the operators that will be responsible for the operations of the water or sewer utility service provided to the requested area:

Name (as it appears on license)	Class	License No.	Water/Sewer
Thomas Collier	A	W00012271	Water
Rockey Layton	B	WS0000537	Water
Greg Presley	B	WG0003228	Water

26. A. Are any improvements required for the existing PWS or sewer treatment plant to meet TCEQ or Commission standards?

☐ Yes ☒ No There is not an existing system; new facilities to provide service are under construction.

- 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		

27. Provide a map (or maps) showing all facilities for production, transmission, and distribution, and the location of existing or proposed customer connections, in the requested area. Facilities should be identified on subdivision plats, engineering planning maps, or other large scale maps. Color coding can be used, and is encouraged, to distinguish types of facilities.

Part E: Financial Information

28. If the Applicant seeking to obtain a CCN for the first time is an Investor Owned Utility (IOU) and under the original rate jurisdiction of the Commission, a proposed tariff must be attached to the application. The proposed rates must be supported by a rate study, which provides all calculations and assumptions made. Once a CCN is granted, the Applicant must submit a rate filing package with the Commission within 18 months from the date service begins. The purpose of this rate filing package is to revise a utility's tariff to adjust the rates to a historic test year and to true up the new tariff rates to the historic test year. It is the Applicant's responsibility in any future rate proceeding to provide written evidence and support for the original cost and installation date of all facilities used and useful for providing utility service. Any dollar amount collected under the rates charged during the test year in excess of the revenue requirement established by the Commission during the rate change proceeding shall be reflected as customer contributed capital going forward as an offset to rate base for ratemaking purposes.

29. If the Applicant is an existing IOU, please attach a copy of the current tariff and indicate:

A. Effective date for most recent rates:

2/14/2019

B. Was notice of this increase provided to the Commission or a predecessor regulatory authority?

☐

No

☒

Yes

Application or Docket Number: 48844

C. If notice was not provided to the Commission, please explain why (ex: rates are under the jurisdiction of a municipality)

n/a

If the Applicant is a Water Supply or Sewer Service Corporation (WSC/SSC) and seeking to obtain a CCN, attach a copy of the current tariff.

30. **Financial Information**

Applicants 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 Commission 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.

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.

Projected Financial Information may be shown by providing any of the following:

1. Completed Appendix B;
2. Documentation that includes all of the information required in Appendix B in a concise format;
3. A detailed budget or capital improvement plan, which indicates sources and uses of funds required, including improvements to the system being transferred; or
4. A recent budget and capital improvements plan that includes information needed for analysis of the operations test for the system being transferred and any operations combined with the system. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

31. Attach a disclosure of any affiliated interest or affiliate. Include a description of the business relationship between all affiliated interests and the Applicant.

DO NOT INCLUDE ATTACHMENTS A OR B IF LEFT BLANK

Part F: Mapping & Affidavits

32. 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 Applicant should adhere to the following guidance:
 - i. If the application includes an amendment for both water and sewer certificated service areas, 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 or natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
 - i. The map should 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 and/or natural landmarks must be labeled and marked on the map as well.
 - ii. If the application includes 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.
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 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 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 drives), clearly labeled, and filed with Central Records. Seven (7) copies of the digital mapping data is also required.

Part G: Notice Information

The following information will be used to generate the proposed notice for the application.
DO NOT provide notice until the application is deemed sufficient for filing and the Applicant is ordered to provide notice.

33. Complete the following using verifiable man-made and/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: 131

Number of customer connections in the requested area: 54

The closest city or town: City of Round Mountain

Approximate mileage to closest city or town center: 2

Direction to closest city or town: south/southwest

The requested area is generally bounded on the North by: 0.3 mile south of County Road 313 and US Hwy 281 intersection

on the East by: Old Marble Falls Road (County Road 305)

on the South by: 0.8 mile south of County Road 313 and US Hwy 281 intersection

on the West by: US Hwy 281

34. A copy of the proposed map will be available at 1812 Centre Creek Drive, Suite 100, Austin, TX 78754

Applicant's Oath

STATE OF Texas

COUNTY OF Travis

I, Scott B. Ahlstrom being duly sworn, file this application to
obtain or amend a water or sewer CCN, as Vice President of Operations

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

I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants within its certificated service area should its request to obtain or amend its CCN be granted.

Scott B Ahlstrom

AFFIANT

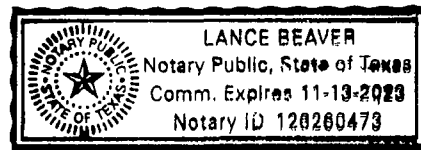
(Utility's Authorized Representative)

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 31 of January, 20 20

SEAL



Lance Beaver

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

Lance Beaver

PRINT OR TYPE NAME OF NOTARY

My commission expires: 11-13-2023

Appendix 1 for Part B: Question 7
Franchise, Permit, or Consent letter



TOWN OF ROUND MOUNTAIN

P. O. Box 40
Round Mountain, Texas 78663
(830) 825-3233

December 10, 2019

Trinity Oaks Preserve
ATTN: Grant Dean
2401 County Road 305
Round Mountain, Texas 78663

Corix Utilities (Texas), Inc.
ATTN: Scott Ahlstrom
1812 Centre Creek Drive, Suite 100
Austin, Texas 78754

RE: Trinity Oaks Preserve and Corix
Utilities (Texas), Inc. / Private water
system.

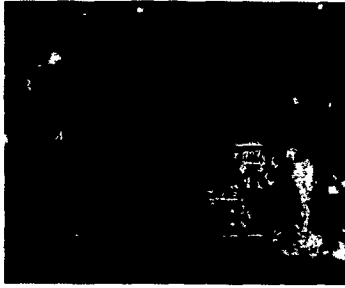
Gentlemen:

The Town of Round Mountain acknowledges your presence at Council meeting on November 12, 2019, your announcement of project and private water system for a subdivision within the Corporate and/or Extra Territorial Jurisdiction of the Town of Round Mountain and further acknowledge your letter of December 2, 2019. Please be advised that the Town of Round Mountain does not sanction or take any position whatsoever with regard to the private residential water system, the water quality and/or availability of water, the design of system, pipelines, pumps, reservoirs and/or equipment associated with the private water system and expects the water system to meet all state and local governmental rules, regulations, guidelines and standards as required by the Texas Commission for Environmental Quality.

Yours truly,

Alvin Gutierrez, Mayor

AG:ngf



2401 CR 305
Round Mountain, TX 78663
830-637-0030

December 2, 2019

Mr. Will Moursund, City Attorney
Town of Round Mountain
Round Mountain, TX 78663

Final

Mr. Moursund:

Pursuant to our discussions with the Town of Round Mountain Mayor and Alderman during their meeting on November 12, 2019, I am writing you as formal notification. This letter is intended as notification of the construction of a new residential development, Trinity Oaks Preserve, that lies within the ETJ, and adjoins the city limits of the Town of Round Mountain. Included in the construction of Trinity Oaks Preserve, is a new private residential water system that will be constructed according to the standards as required by the Texas Commission for Environmental Quality (TCEQ).

One of the requirements of the TCEQ, since Trinity Oaks Preserve lies within the ETJ and City Limits of the Town of Round Mountain, is a letter from the Town of Round Mountain on their letterhead acknowledging the private residential water system. This letter will allow Trinity Oaks Preserve and Peach Valley RV Park to be added to the Application to Amend CCN No. 13227 in order for our contracted operator, Corix Utilities (Texas), Inc., to operate and maintain this water system under the guidelines as required by the TCEQ.

Trinity Oaks Preserve has contracted and will convey this private water system upon completion to Corix Utilities (Texas), Inc., to be the sole operator of said water system. Corix Utilities (Texas), Inc. and Trinity Oaks Preserve will be totally responsible for the operation and maintenance of the private water system, now and during period of construction, during completion, and during the lifetime of the operation of the private water system, and Trinity Oaks Preserve and Corix Utilities (Texas), Inc. assumes any and all liability associated with the private water system, costs and expenses of construction, operation and maintenance of said water system, without limitation. The Town of Round Mountain, has no responsibility whatsoever concerning this water system now, or in the future, and the letter we respectfully request as acknowledgement of notification for the TCEQ. Trinity Oaks Preserve as Developer, and Corix Utilities (Texas), Inc. will be the sole owners and operators of this water system and expects nothing more from the Town of Round Mountain beyond this letter.

The Town of Round Mountain does not sanction or take any position whatsoever with regard to the private water system, water quality and or availability of water, the system, pipelines, pumps, reservoirs, and or equipment.

The Town of Round Mountain will acknowledge our presence at the Council Meeting on November 12th, 2019, our announcement of Trinity Oaks Preserve project and private water system, and the formal notification of today's date.

Thanking you in advance,

Grant Dean

Grant Dean, Manager, Trinity Oaks Preserve at Round Mountain



Appendix 2 for Part B: Question 10
Population Growth Report or Market Study

News

Trinity Oaks Preserve development under way

Special to The Highlander

281 Round Mountain LLC announces the development of Trinity Oaks Preserve, the Texas Hill Country's newest master-planned, gated residential community.

Located ten minutes south of Marble Falls along US 281, Trinity Oaks Preserve aims to deliver ranch living on three-plus acres with a family-friendly lifestyle that is less than an hour commute to Austin and San Antonio.

The 34-tract development is among the first to feature build-on-your-own homesite acreage with first class amenities, underground utilities, private water system access, curbed streets, high-speed internet connectivity and natural green belts.

"The Austin and San Antonio job market is outpacing the housing supply at an unforeseen rate," said Grant Dean of Trinity Oaks Preserve. "Builders and residential developers are both having a difficult time keeping up with the demands of an increasing population. Now more than ever we are seeing a dramatic rise in the need for

residential living options."

Trinity Oaks Preserve is among several master planned communities slated for the Highland Lakes region, an area well known as a top travel destination and retirement hotspot. The region's pristine constant level lakes, resort golf lifestyle, award winning wineries and thriving economy have long lured newcomers to the region.

"We're excited to be among the first to offer acreage living along the centrally located Highway 281 corridor," said Travis Dean of Trinity Oaks Preserve. "A key feature that really sets Trinity Oaks Preserve apart is the ability to telecommute and work from home via high-speed internet. We are the first to offer this level of connectivity in the area."

Nature and sustainability are at the heart of this safe and friendly golf cart community. State-of-the-art amenities planned for Trinity Oaks Preserve include a large outdoor pavilion, community firepits and barbecues, a fully stocked fishing pond, organic gardens and native hiking

trails.

Two gated entrances are monitored 24-7, providing residents and guests secure access from US 281 and County Road 305 (Old Marble Falls Road). Access to top medical service providers is four minutes away at the new Baylor Scott & White Marble Falls Medical Center, and award-winning education is offered at Marble Falls ISD and Johnson City ISD schools.

Father-son team, Grant and Travis Dean, are spearheading the construction and development for Trinity Oaks Preserve. The Dean family has been involved with the Highland Lakes building industry for more than 37 years. Key partners in the Trinity Oaks Preserve development include partial funding from FirstCapital Bank of Texas and architectural designs by Delineations.

Land tracts are currently for sale with pricing starting at \$39,500 per acre. Property tours are offered daily via appointment. Visit TrinityOaksPreserve.com or call 830-637-0030 to find out more.



A large outdoor community pavilion, relaxing firepit area, barbecues, fully stocked pond and plenty of green space are among the many amenities at Trinity Oaks Preserve located in the Central Texas Hill Country region.

New Ranch-Style Housing Development Underway

The Hill Country's newest master-planned, gated residential community has broken ground in Round Mountain. Trinity Oaks Preserve is located ten minutes south of Marble Falls on Highway 281, and aims to deliver ranch living on 3+ acre sites with a family-friendly lifestyle. The 34 tract development is among the first to feature "build on your own homesite acreage" with first class amenities, underground utilities, private water system access, curbed streets, high speed internet connectivity and natural green belts.

"The Austin and San Antonio job market is outpacing the housing supply at an unforeseen rate. Builders and residential developers are both having a difficult time keeping up with the demands of an increasing population. Now more than ever we are seeing a dramatic rise in the need for residential living options," said Grant Dean of Trinity Oaks Preserve.

Trinity Oaks Preserve is among several master planned communities slated for the Highland Lakes region. "We're excited to be



Trinity Oaks Preserve will offer Texas Hill Country ranch living on 3+ acres with a family-friendly lifestyle in Round Mountain on Hwy 281. The community's streets are laid out and infrastructure construction has begun as crews are currently pouring road base.

(Artist rendering)

among the first to offer acreage living along the centrally located Hwy 281 corridor," said Travis Dean of Trinity Oaks Preserve. "A key feature that really sets Trinity Oaks Preserve apart is the ability to telecommute and work from home via High Speed Internet. We are the first to offer this level of connectivity in the area."

Nature and sustainability are at the heart of this safe and friendly golf cart community. Amenities planned for Trinity Oaks Preserve include a large outdoor pavilion, community fire pits and

barbeques, a fully stocked fishing pond, organic gardens and native hiking trails. Two gated entrances are monitored 24/7 providing residents and guests secure access from Hwy 281 and CR 305 (Old Marble Falls Road). Access to top medical service providers is four minutes away at the Baylor Scott & White Medical Center, and award-winning education is offered at Marble Falls ISD and Johnson City ISD schools.

Father son team, Grant and Travis Dean, are spearheading the construction and

development for Trinity Oaks Preserve. The Dean family has been involved with the Highland Lakes building industry for over 37 years. Key partners in the Trinity Oaks Preserve development include partial funding from FirstCapital Bank of Texas and architectural designs by Delineations.

Land tracts are currently for sale with pricing starting at \$39,500 per acre. Property tours are offered daily via appointment. Visit TrinityOaksPreserve.com or call (830) 637-0030 for more information.

New Trinity Oaks Preserve Development Underway in Highland Lakes

Land Development to Offer Accessible Upscale Ranch Living

NEWS PROVIDED BY

281 Round Mountain LLC →

Aug 05, 2019, 08:31 ET

ROUND MOUNTAIN, Texas, Aug. 5, 2019 /PRNewswire/ -- 281 Round Mountain LLC announces the development of Trinity Oaks Preserve, the Texas Hill Country's newest master-planned, gated residential community. Located ten minutes south of Marble Falls along TX State Highway 281, Trinity Oaks Preserve aims to deliver ranch living on 3+ acres with a family-friendly lifestyle that is less than an hour commute to Austin and San Antonio. The 34-tract development is among the first to feature build-on-your-own homesite acreage with first class amenities, underground utilities, private water system access, curbed streets, high speed Internet connectivity and natural green belts.

[Continue Reading](#)





Trinity Oaks Preserve aims to deliver Texas Hill Country ranch living on 3+ acres with a family-friendly lifestyle that is less than an hour commute to Austin and San Antonio.



A large outdoor community pavilion, relaxing firepit area, BBQs, fully stocked fishing pond and plenty of green space are among the many amenities at Trinity Oaks Preserve, located in the Central Texas Hill Country region.

"The Austin and San Antonio job market is outpacing the housing supply at an unforeseen rate. Builders and residential developers are both having a difficult time keeping up with the demands of an increasing population. Now more than ever we are seeing a dramatic rise in the need for residential living options," said Grant Dean of Trinity Oaks Preserve.

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"We're excited to be among the first to offer acreage living along the centrally located HWY 281 corridor," said Travis Dean of Trinity Oaks Preserve. "A key feature that really sets Trinity Oaks Preserve apart is the ability to telecommute and work from home via High Speed Internet. We are the first to offer this level of connectivity in the area."

Nature and sustainability are at the heart of this safe and friendly golf cart community. State-of-the-art amenities planned for Trinity Oaks Preserve include a large outdoor pavilion, community firepits and BBQ's, a fully stocked fishing pond, organic gardens and native hiking trails. Two gated entrances are monitored 24/7 providing residents and guests secure access from HWY 281 and CR 305 (Old Marble Falls Rd.) Access to top medical service providers is four minutes away at the new Baylor Scott & White Marble Falls Medical Center, and award-winning education is offered at Marble Falls ISD and Johnson City ISD schools.

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Land tracts are currently for sale with pricing starting at \$39,500 per acre. Property tours are offered daily via appointment. Visit www.TrinityOaksPreserve.com or call 830.637.0030 to find out more.

About 281 Round Mountain LLC

281 Round Mountain LLC is a premier privately held land developer located in Central Texas. 281 Round Mountain LLC is recognized for expertise in the development and management operations of residential land properties in the Texas Hill Country region. 281 Round Mountain LLC is headquartered in Marble Falls, TX. More information is available by visiting www.TrinityOaksPreserve.com

Appendix 3 for Part B: Question 11
TCEQ Engineering Approvals

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



PWS CG_Blanco_CO_20200117_Plan Ltr

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 17, 2020

Mr. Larry Wilke, P.E.
Willis Environmental Engineering, Inc.
310 Main Street
Marble Falls, Texas 78654

Re: Trinity Oaks at Round Mountain - Public Water System ID No. *Not Yet Assigned*
Proposed Subdivision and Wells
Engineer Contact Telephone: (830) 693-3566
Blanco County, Texas

Dear Mr. Wilke:

On January 10, 2020 the Texas Commission on Environmental Quality (TCEQ) received your letter dated January 8, 2020 submitting planning material for Trinity Oaks at Round Mountain Subdivision for the above referenced entity. Based on our preliminary review of the information submitted, this project cannot be reviewed further at this time because it is considered incomplete. Please provide the following additional information on or before 30 days from the date of this letter. Once this information is received, then your project will be considered complete, logged in on that date, and assigned to an engineer for review. If we do not receive the requested information within 30 days, the project will be closed without review and you will be required to resubmit all of the necessary planning materials.

To complete the review, we will need the followings:

- Please submit two sets of engineering plans and technical specifications. This is a requirement for all new Public Water Systems.
- **Engineering Report** on your letterhead describing this project. It must be signed, sealed and dated by a Texas registered professional engineer, also clearly indicate the engineering firm name and registration number. This is required for proposed new water systems, surface water treatment plants, existing systems with design or capacity deficiencies and "As Built" submittals. Please refer to TCEQ Chapter 290 Subchapter D: Rules and Regulations for Public Water Systems (Rules) and the rules of the Texas Board of Professional Engineers. Please also note that a sealed engineering narrative is very helpful in our understanding of all submittals. Documentation that assists us in completing the review in a more timely fashion is recommended for all submittals.

- **TCEQ Core Data Form (Form No. 10400).** The Core Data Form (TCEQ-10400) is part of the TCEQ Central Registry to consolidate information for companies and individuals and their notifications, registrations, licenses, and permits including Public Water Systems (PWS). The completed Core Data form must be reviewed by the Public Drinking Water program before registering a PWS (with the assignment of a PWS identification number) and transferring the registration data to Central Registry. At that time, an individual owner (verified by county appraisal districts at a minimum) or legal entity (must be in Secretary of State) will receive a Customer Number (CN), if it doesn't already have one, and the PWS site will receive a Regulated Entity Number (RN), if it does not already have one.
- **Business plan** is required for a proposed new public water system (PWS) unless the owner of the PWS is a county, political subdivision of the state (district), municipality, non-profit water supply corporation incorporated under Chapter 67 of the Texas Water Code or meets one of the other exceptions listed in 30 TAC Section 290.39(g). If the proposed new PWS is for a non-community water system, the business plan must confirm capital availability to construct the system according to TCEQ requirements. This would consist of a balance sheet that shows liabilities as well as assets, not just a bank confirmation of a deposit account. Alternatively, if the project for the proposed non-community water system is being constructed with loan funds, then a loan commitment letter from the lender specific to that project will suffice.
- **Certificate of Convenience and Necessity (CCN)** is required because the submittal indicates that the project is for investor owned utility and/or for Water Supply Corporation and is intended to provide retail water service to its customers. Please provide documentary evidence that the CCN application to obtain/amend a CCN has been filed with the Public Utility Commission of Texas. You may include a copy of the acceptance letter or an application number with the filing date.
- The submittal shows two wells proposed to serve the project. Please refer to the enclosed *Public Well Completion Data Checklist (Step 2)* for required documentation for both wells. The submittal did not include well pump data (Item 3 (i), *Cementing Certificate* (Copy enclosed) and water testing results - Ref item 6 and 7 on checklist. We note that the chemical analysis for only one of the wells well did not include all of the analytes in item 7 and none were submitted for the other well. Three days of bacteriological samples from each well are required. Please clearly identify the two wells in the completion data with future submittals.

Please submit **two sets** of the items listed above as soon as possible so that we may complete the review of your project. **These items must be submitted to Plan Review Team (MC-159) within 30 days or the entire package must be resubmitted for review. We are unable to store incomplete submittals beyond 30 days after the original date of receipt.**

For future reference, you can review part of the Plan Review Team's database to see if we have received your project. This is available on the TCEQ's homepage at the following address:

<https://www.tceq.texas.gov/drinkingwater/planrev.html#status>

You can download completion data checklists and the latest revision of Chapter 290 "Rules and Regulations for Public Water Systems" from this site:

<https://www.tceq.texas.gov/drinkingwater/planrev.html>

Mr. Larry Wilke, P.E.
Page 3
January 17, 2020

You can see information on the TCEQ Central Registry Program, download of core data form, instructions and guidance on completing the TCEQ Core Data Form. From this site:

https://www.tceq.texas.gov/permitting/central_registry

You can see the full text of the Texas Board of Professional Engineers rules regarding the firm name and registration number here: (Specifically Section 137.33(n) & Section 137.77(h))

<https://engineers.texas.gov/downloads.htm>

If you have any questions regarding this letter, please contact David T. Smith, P.E. at (512)239-4703 or by email at "staff email" or if by correspondence at the following address:

Plan Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Vera Poe, P.E., Team Leader
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

Enclosures: *Public Well Completion Data Checklist (Step 2)*
Cementing Certificate

cc: Trinty Oaks at Round Mountain - Attn.: Mr. Darrin Barker, Corex Utilities, 1812 Centre Creek Drive, Suite 100, Austin, Texas 78754

Appendix 4 for Part C: Question 16
Enforcement Action Correspondence

Corix Utilities Texas has 3 outstanding administrative orders with TCEQ for the following systems:

1. Camp Swift Wastewater Treatment System – in 2017 and 2018 this system experienced several sanitary sewer overflows due to pipe breaks and excessive flow at a lift station. Broken pipes and valves were repaired immediately following the incident. In addition, Corix Utilities Texas has completed a thorough analysis of I&I in the collection system. Capital improvements are underway to address areas in the system needing improvements.
2. McKinney Roughs Wastewater System – in 2017 this system experience TSS levels in excess of permit limits. All improvements to address this issue have been made and TSS concentrations are now below permitted levels.
3. Northeast Washington County Water System – in 2018 it was determined that inadequate pumping capacity was available in one of the pressure planes. Corix Utilities Texas has initiated construction of a project to update the pumps and make other system improvements.

Copies of letters from TCEQ related to these actions are included on the following pages.

Corix Utilities Texas has also experienced TTHM and HAA exceedances at its Lometa Water System. The Lometa Water System has over 300 miles of distribution pipes and these exceedances occur due to long residence times in certain sections of the distribution system. Corix Utilities Texas has adopted numerous actions to reduce the TTHM and HAA levels and while they have helped, none have been adequate to resolve the problem. Corix Utilities Texas is currently undertaking a full scale pilot test of membrane treatment as the next step to resolve the issue.

The Lake Buchanan Water System also experienced TTHM and HAA exceedances in 2019. Corix Utilities Texas has taken action to necessary to address these exceedances and current levels of TTHM and HAA in the treated water are well within regulatory requirements.

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



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 15, 2019

FIRST CLASS MAIL

R. Darrin Barker, President
Corix Utilities (Texas) Inc.
1812 Centre Creek Drive, Suite 100
Austin, Texas 78754

Lisa A Sparrow, Director
Corix Utilities (Texas) Inc.
Suite 1160, 1188 West Georgia Street
Vancouver, BC V6E 4A2

RE: Corix Utilities (Texas) Inc.
TCEQ Docket No. 2018-0606-MWD-E; Permit No. WQ0013548001
Agreed Order Assessing Administrative Penalties and Requiring Certain Actions

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Texas Commission on Environmental Quality's Enforcement Division at (512) 239-2545 or the Litigation Division at (512) 239-3400. If there are questions pertaining to the mailing of the order, then please contact Michael O'Malley of the Office of the Chief Clerk at (512) 239-3300.

Sincerely,

Bridget C. Bohac

Bridget C. Bohac
Chief Clerk

BCB/mgo

Enclosure

cc: Abigail Lindsey, Enforcement Coordinator, TCEQ Enforcement Division
Stuart Beckley, SEP Coordinator, TCEQ Enforcement Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY MAY 15 2019



OF THE COMMISSION GIVEN UNDER MY HAND AND THE
SEAL OF OFFICE ON

Bridget C. Bohan
BRIDGET C. BOHAN, CHIEF CLERK
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CORIX UTILITIES (TEXAS) INC.
RN101018240

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2018-0606-MWD-E

I. JURISDICTION AND STIPULATIONS

MAY 08 2019

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Corix Utilities (Texas) Inc. (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment plant located at 101 Cool Water Drive, approximately 1.2 miles east-northeast of the intersection of State Highway 95 and Farm-to-Market Road 1441, and approximately six miles north of Bastrop in Bastrop County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$8,250 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$3,300 of the penalty and \$1,650 of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms and conditions contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$3,300 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental

Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. By May 31, 2017, the area around 15 Sandy Oaks Loop in Bastrop was contained and disinfected with bleach and the valve fitting was replaced;
 - b. By July 25, 2017, Lift Station 1 was turned off and 28,000 gallons of wastewater was hauled to the Facility to minimize the spill. The area was disinfected with chlorine tablets;
 - c. By February 13, 2018, the area around United States Highway 95 and Farm-to-Market Road 2336 was contained and disinfected with bleach and the line was fused together; and
 - d. By March 28, 2018, operators disinfected the drainage ditch, berm and Lift Station 1 with sodium hypochlorite. Also, operators secured the berm drain cap and monitored the Lift Station for the remainder of the heavy rain fall.

II. ALLEGATIONS

During an investigation conducted on April 12, 2018, an investigator documented that the Respondent failed to prevent the unauthorized discharge of untreated wastewater from the collection system into or adjacent to water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (4), and Texas Pollutant Discharge Elimination System Permit No. WQ0013548001, Permit Conditions No. 2.g, as shown in the table below:

UNAUTHORIZED DISCHARGE TABLE		
Date	Amount Discharged (gallons)	Description
May 30, 2017	240	Leaking fitting on wastewater valve in wastewater main.
July 25, 2017	40,000	Crack in force main.
February 12, 2018	400	Pipe pulled apart from the clamp, probably due to shifting ground.
March 28, 2018	400	Lift Station pumps were overloaded by an excessive amount of flow due to a stormwater inflow and infiltration during a heavy rain.

I. DENIALS

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

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph 4. The payment of this penalty and the Respondent's compliance with all of the requirements

set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Corix Utilities (Texas) Inc., Docket No. 2018-0606-MWD-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete an SEP as set forth in Section I, Paragraph 4. The amount of \$3,300 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment.
3. The Respondent shall undertake the following technical requirements:
 - a. Within 60 days after the effective date of this Order, conduct an engineering evaluation of the Facility and the associated collection system to evaluate the cause and necessary corrective actions designed to minimize or prevent unauthorized discharges from the lift station and collection system lines due to infiltration and inflow. The evaluation shall be prepared by a Texas Professional Engineer and shall include a plan and schedule for the completion of necessary corrective actions within 270 days after the effective date of this Order; and
 - b. Within 285 days after the effective date of this Order, submit written certification of completion of the corrective actions designed to prevent unauthorized discharges from the lift station and collection system lines due to infiltration and inflow, as prescribed by the engineering evaluation required by Ordering Provision No. 3.a. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Austin Regional Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087


4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
6. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
8. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY


For the Commission

5/13/19
Date


For the Executive Director

3/18/19
Date

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

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

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

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


Signature

7/17/18
Date

R. DARRIN BARKER
Name (Printed or typed)
Authorized Representative of
Corix Utilities (Texas) Inc.

PRESIDENT
Title

☐ If mailing address has changed, please check this box and provide the new address below:

Attachment A
Docket Number: 2018-0606-MWD-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Corix Utilities (Texas) Inc.
Payable Penalty Amount:	\$6,600
SEP Offset Amount:	\$3,300
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas Association of Resource Conservation and Development Areas, Inc.
Project Name:	<i>Household Hazardous Waste Collection</i>
Location of SEP:	Bastrop County: Colorado River Basin, Trinity Aquifer

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")** for the *Household Hazardous Waste ("HHW") Collection* project. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to coordinate with city and county government officials and private entities (collectively known as "Partner Entities") to conduct events for residents to bring in HHW such as paint, thinners, pesticides, oil and gas, corrosive cleaners, and fertilizers for proper disposal. Where possible, the Project may also offer electronics collection, disposal, and recycling. The Third-Party Administrator shall work with Partner Entities to determine exactly which materials will be accepted and how they will be disposed of or recycled.

The Third-Party Administrator shall ensure that individuals qualified to make determinations regarding receiving, handling, and temporarily storing HHW are present at each event. The Third-Party Administrator shall use only licensed haulers and authorized disposal sites.

Corix Utilities (Texas) Inc.
Agreed Order - Attachment A

The Third-Party Administrator shall ensure that, at least 45 days before each Collection Event, Form TCEQ-20459 Notification for a Household Hazardous Waste Collection Event, as may be amended, is submitted to TCEQ in accordance with Chapter 335, TEXAS ADMINISTRATIVE CODE. The SEP will be performed in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used for the direct cost of the Project, including but not limited to supplies, materials, and equipment. Any portion of this contribution that is not able to be spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being made solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

This SEP will provide a means of properly disposing of HHW which might otherwise be disposed of in regular landfills, storm drains, sewer systems, or other means detrimental to the environment. This SEP will provide assistance to help rid communities of the dangers and health threats associated with HHW, and will provide for proper and protective disposal or recycling of collected materials.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Association of RC&D SEP** and shall mail the contribution with a copy of the Agreed Order to:

Texas Association of RC&D Areas, Inc.
Attn.: Jerry Pearce, Executive Director
P.O. Box 2533
Victoria, Texas 77902

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount, as described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the Project, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP; shall make the check payable to "Texas Commission on Environmental Quality"; and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 30, 2018

Mr. Darrin Barker, President
Corix Utilities (Texas) Inc.
P.O. Box 140164
Austin, Texas 78714

Re: TCEQ Enforcement Action
Corix Utilities (Texas) Inc.
Docket No. 2018-0346-MWD-E

Dear Mr. Barker:

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

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

Should you have any questions, please contact Chase Davenport, the Enforcement Coordinator assigned to this matter, at (512) 239-2615.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Parrish".

Michael Parrish
Enforcement Division

Enclosure

cc: Chase Davenport, Enforcement Division
Water Section Manager, Region 11

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CORIX UTILITIES (TEXAS) INC.
RN102334893**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2018-0346-MWD-E

I. JURISDICTION AND STIPULATIONS

On **NOV 27 2018**, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Corix Utilities (Texas) Inc. (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located approximately 1,000 feet north of State Highway 71 at a point 11,500 feet northwest (along State Highway 71) of the intersection of State Highway 71 and Farm-to-Market Road 1209 in Bastrop County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$1,625 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$1,300 of the penalty and \$325 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be

waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

During a record review conducted on February 14, 2018, an investigator documented that the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1), TEX. WATER CODE § 26.121(a)(1), and Texas Pollution Discharge Elimination System ("TPDES") Permit No. WQ0013977001, Effluent Limitations and Monitoring Requirements No. 1. Specifically, the Respondent exceeded the total suspended solids permitted daily average limitation of 5 milligrams per liter ("mg/L") for the monitoring periods ending June 30, 2017 (11 mg/L) and July 31, 2017 (14 mg/L).

III. DENIALS

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

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Corix Utilities (Texas) Inc., Docket No. 2018-0346-MWD-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall, within 130 days after the effective date of this Order, submit written certification of compliance with the effluent limitations of TPDES Permit No. WQ0013977001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall include detail supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Austin Regional Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility referenced in this Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of

this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

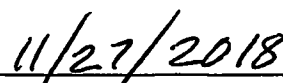
SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

Date



Date

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

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

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

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


Signature

April 23, 2018

Date

R. Darrin Barker

President

Name (Printed or typed)
Authorized Representative of
Corix Utilities (Texas) Inc.

Title

☐ If mailing address has changed, please check this box and provide the new address below:

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 11, 2019

Mr. Darrin Barker, President
Corix Utilities (Texas) Inc.
P.O. Box 140164
Austin, Texas 78714

Re: Amended Schedule for Compliance with Ordering Provisions
Corix Utilities (Texas) Inc.; RN102334893
Docket No. 2018-0346-MWD-E; Enforcement Case No. 55843
Agreed Order Effective Date: November 27, 2018

Dear Mr. Barker:

We are in receipt of a letter from Ms. Gloria Broussard, Compliance Manager, dated March 25, 2019, which requested an amended schedule for completion of Ordering Provision No. 2 of the above-referenced Agreed Order. The request also provided specific reasons for delays.

Based upon the reviewed information, we approve an amended schedule as requested. The new deadline for compliance with Ordering Provision No. 2 is September 20, 2019.

Thank you for your continuing efforts to achieve compliance. If you have any questions, please contact Ms. Corinna Willis of the Enforcement Division staff at (512) 239-2504.

Sincerely,

A handwritten signature in cursive script that reads "Bryan Sinclair".

Bryan Sinclair, Director
Enforcement Division

cc: Ms. Gloria Broussard, Compliance Manager, P.O. Box 140164, Austin, Texas 78714

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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 16, 2019

Mr. Darrin Barker, President
Corix Utilities (Texas) Inc.
P.O. Box 140164
Austin, Texas 78714

Re: Second Amended Schedule for Compliance with Ordering Provisions
Corix Utilities (Texas) Inc.; RN102334893
Docket No. 2018-0346-MWD-E; Enforcement Case No. 55843
Agreed Order Effective Date: November 27, 2018

Dear Mr. Barker:

We are in receipt of a letter from Ms. Gloria Broussard, Compliance Manager, dated September 23, 2019, which requested an amended schedule for completion of Ordering Provision No. 2 of the above-referenced Agreed Order. The request also provided specific reasons for delays.

Based upon the reviewed information, we approve an amended schedule as requested. The new deadline for compliance with Ordering Provision No. 2 is March 20, 2020.

Thank you for your continuing efforts to achieve compliance. If you have any questions, please contact Ms. Corinna Willis of the Enforcement Division staff at (512) 239-2504.

Sincerely,

A handwritten signature in cursive script, reading "Bryan Sinclair", is positioned above the typed name.

Bryan Sinclair, Director
Enforcement Division

cc: Ms. Gloria Broussard, Compliance Manager, P.O. Box 140164, Austin, Texas 78714

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 27, 2019

Ms. Lisa A. Sparrow, Director
Corix Utilities (Texas) Inc.
1160 1188 West Georgia
Vancouver, BC V6E4A2

Re: TCEQ Enforcement Action
Corix Utilities (Texas) Inc.
Docket No. 2018-1715-PWS-E

Dear Ms. Sparrow:

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

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

Should you have any questions, please contact Epifanio Villarreal, the Enforcement Coordinator assigned to this matter, at (361) 825-3421.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Parrish".

Michael Parrish
Enforcement Division

Enclosure

cc: Epifanio Villarreal, Enforcement Division
Water Section Manager, Region 9

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CORIX UTILITIES (TEXAS) INC.
RN101266138

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2018-1715-PWS-E

I. JURISDICTION AND STIPULATIONS

On SEP 24 2019, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Corix Utilities (Texas) Inc. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a public water supply located on Asa Hoxie Road near Brenham, in Washington County, Texas (the "Facility"). The Facility provides water for human consumption, has approximately 1,164 service connections, and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water system as defined in 30 TEX. ADMIN. CODE § 290.38(71).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE § 7.002 and TEX. HEALTH & SAFETY CODE § 341.049, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 and TEX. HEALTH & SAFETY CODE § 341.031 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$536 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$429 of the penalty and \$107 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that on November 19, 2018, the Respondent implemented the following corrective measures at the Facility:
 - a. Installed a suitable sampling cock on the discharge pipe of Well No. 4 prior to any treatment; and
 - b. Repaired the vent screen for Well No. 6.

II. ALLEGATIONS

During an investigation conducted on November 1, 2018, an investigator documented that the Respondent:

1. Failed to provide two or more pumps that have a total capacity of 2.0 gallons per minute ("gpm") per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less, at each pump station or pressure plane, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(iii) and TEX. HEALTH & SAFETY CODE § 341.0315(c). Specifically, Pressure Plane No. 2 had 640 service connections requiring a total service pump capacity of 1,280 gpm. However, only 790 gpm of service pump capacity was provided, indicating a 38% deficiency.
2. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m). Specifically, Well No. 5 was temporarily out of service.
3. Failed to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l).

4. Failed to provide a suitable sampling cock on the discharge pipe of the well prior to any treatment, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(M). Specifically, there was no sampling cock on the discharge pipe of Well No. 4 prior to any treatment.
5. Failed to provide a well casing vent with an opening that is covered with a 16-mesh or finer corrosion resistant screen, facing downward, elevated, and located as to minimize the drawing of contaminants into the well, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(K). Specifically, the vent screen on Well No. 6 was torn.

III. DENIALS

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

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Corix Utilities (Texas) Inc., Docket No. 2018-1715-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
 - a. Within 60 days after the effective date of this Order, compile and maintain a thorough and up-to-date plant operations manual for operator review and reference, in accordance with 30 TEX. ADMIN. CODE § 290.42.
 - b. Within 75 days after the effective date of this Order submit written certification as described in Ordering Provision No. 2.f. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.
 - c. Within 90 days after the effective date of this Order, initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment, including but not limited to ensuring Well No. 5 is in good working condition, in accordance with 30 TEX. ADMIN. CODE § 290.46.

- d. Within 105 days after the effective date of this Order submit written certification as described in Ordering Provision No. 2.f. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c.
- e. Within 450 days after the effective date of this Order, provide two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less, for Pressure Plane No. 2, in accordance with 30 TEX. ADMIN. CODE § 290.45.
- f. Within 465 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.e. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

Water Section Manager
Waco Regional Office
Texas Commission on Environmental Quality
6801 Sanger Avenue, Suite 2500
Waco, Texas 76710-7826

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and

substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.

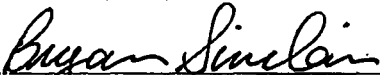
6. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director

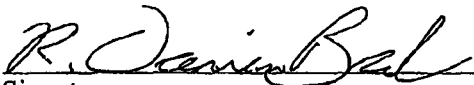
9/24/2019
Date

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

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

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

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


Signature

3/19/19
Date

R. Darrin Barker
Name (Printed or typed)
Authorized Representative of
Corix Utilities (Texas) Inc.

President
Title

☐ If mailing address has changed, please check this box and provide the new address below:

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

NEW
1002-08

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 17, 2019

Mr. Darrin Barker, President
Corix Utilities (Texas) Inc.
P.O. Box 140164
Austin, Texas 78714

Re: Corix Utilities (Texas) Inc. – Northeast Washington County; RN101266138
Docket No. 2018-1715-PWS-E; Enforcement Case No. 57015

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

Please review the ordering provisions to ensure you comply with the requirements of the Order in a timely manner. The deadline for the last technical requirement is January 1, 2021. Please be aware that most orders require a written certification of compliance. The TCEQ may initiate additional enforcement action should compliance documentation be deficient or delinquent.

Compliance documentation should be submitted by mail to:

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

Please reference Docket No. 2018-1715-PWS-E in your correspondence. If you have any questions, please contact me by phone at (512) 239-2504 or by email at Corinna.Willis@tceq.texas.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "C Willis".

Corinna Willis, Enforcement Coordinator
Enforcement Division



Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

June 07, 2019

Deliver via Certified Mail DWQ/NOE/20190607

CORIX UTILITIES TEXAS INC
DARRIN BARKER, PRESIDENT
PO BOX 140164
AUSTIN, TX 78714-0164

Subject: Public Water System
Notice of Enforcement
LOMETA REGIONAL WATER SYSTEM, PWS ID# 1410002
LAMPASAS County, Texas

Dear Water System Official:

On May 28, 2019, the Texas Commission on Environmental Quality (TCEQ) conducted a record review investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Standards. During this investigation, certain outstanding alleged violations of the Texas Administration Code (TAC) were documented using the Environmental Protection Agency's (EPA) Enforcement Response Policy (ERP) under the Safe Drinking Water Act (SDWA) for public water systems.

The ERP is a system-based approach designed to identify public water systems with violations that rise to the level of significant non-compliance by focusing on those systems with health-based violations and those that show a history of violations across multiple rules using the Enforcement Targeting Tool (ETT).

The ETT enables the prioritization of public water systems by assigning each violation a "weight" or number of points based on the assigned threat to public health. Points for each violation at a water system are added together to provide a total score for that water system.

Due to the seriousness of the alleged violations, formal enforcement action has been initiated. Attached is a summary which lists the investigation findings. Additionally, other outstanding violations may be cited upon further review. We encourage you to take immediate actions to address any outstanding violations.

In responding with prompt corrective action, the administrative requirements and/or penalties to be assessed may be limited.

DARRIN BARKER, PRESIDENT
LOMETA REGIONAL WATER SYSTEM - PWS ID # 1410002
June 07, 2019
Page 2

The TCEQ recognizes that the great majority of the regulated community wants to protect human health and comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

The TCEQ offers free on-site Financial, Managerial, and Technical (FMT) Assistance to help public water systems comply with state and federal drinking water regulations. FMT Assistance currently provides support and education on many topics, including general rule compliance, addressing violations and preventing future violations. For a complete list of assistance topics offered, please visit <http://www.tceq.texas.gov/drinkingwater/fmt>. Public water system officials may request additional information and/or free on-site FMT Assistance for their systems by calling the TCEQ's Water Supply Division at (512) 239-4691 or by emailing FMT@tceq.texas.gov.

To view your public water system information at any time, visit Texas Drinking Water Watch at: <http://dww2.tceq.texas.gov/DWW/>

A member of the TCEQ Enforcement Division will be contacting you soon to discuss the alleged violations. However, should you have any questions regarding this letter, please call the Drinking Water Special Functions Section at (512) 239-4691.

Sincerely,



Michele Risko, Manager
Drinking Water Special Functions Section (MC-155)
Water Supply Division
Texas Commission on Environmental Quality

Enclosures

cc: TCEQ Region 9

GLORIA L BROUSSARD, COMPLIANCE MANAGER PO BOX 140164 AUSTIN, TX 78714-0164

June 07, 2019 - NOTICE OF ENFORCEMENT VIOLATION DETAIL REPORT
LOMETA REGIONAL WATER SYSTEM - PWS ID # TX1410002

30 TAC §290.115(f)(1) - MCL based on Locational Running Annual Average (LRAA) Violation

Violation

<u>Determination</u>	<u>Violation Description</u>	<u>Compliance Period</u>		<u>Letter Date</u>
TOTAL HALOACETIC ACIDS (HAA5)				
05/21/2019	MCL, LRAA	04/01/2019	06/30/2019	05/21/2019
05/08/2019	MCL, LRAA	01/01/2019	03/31/2019	05/08/2019
TTHM				
05/21/2019	MCL, LRAA	04/01/2019	06/30/2019	05/21/2019
05/08/2019	MCL, LRAA	01/01/2019	03/31/2019	05/08/2019
01/15/2019	MCL, LRAA	10/01/2018	12/31/2018	01/15/2019

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



PWS_1500037_CO_20200128_NOV
RN101202778
CN604520213

Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

January 28, 2020

Delivered Via Certified Mail DWQ/NOV/02/2950

CORIX UTILITIES TEXAS INC
DARRIN BARKER, PRESIDENT
PO BOX 140164
AUSTIN, TX 78714-0164

SUBJECT: Notice of Violation: TOTAL TRIHALOMETHANE (TTHM) MCL, LRAA
30 TAC §290.115(f) - MCL Based on Locational Running Annual Average (LRAA)
LAKE BUCHANAN - PWS ID NO. TX1500037
LLANO County, TX

This letter contains important information about compliance requirements for your public water system.

Attention: Public Water System Owner / Manager / Operator

The Texas Commission on Environmental Quality (TCEQ) has determined that LAKE BUCHANAN has violated the maximum contaminant level (MCL) for total trihalomethanes in the water supplied to its customers. This violation occurred during quarter four 2019. Title 30 Texas Administrative Code (30 TAC) §290.115 describes how we determined that this violation occurred.

The MCL for total trihalomethanes is 0.080 milligrams per liter (mg/L) based on a locational running annual average (LRAA). From the data contained in the attached report, we determined a compliance value for total trihalomethanes in quarter four 2019 of 0.095 mg/L for DBP2-01.

Your public water system is required to issue public notification to your customers about the MCL violation as soon as possible, but no later than 90 days after the date the violation was identified in accordance with 30 TAC §290.122. You are required to repeat the notice every three months for as long as the violation persists. You should use the same method that you used for the initial notice.

The TCEQ recommends that the public water system provide a copy of the Public Notice(s) to local and state officials, such as Mayors, City Council Members, County Commissioners, Judges, and/or State Representatives, that are located in or that represent the affected area(s) served by the system.

The public notice must use the enclosed mandatory language for every notice, and include a brief statement about how you plan to address the problem as described in 30 TAC §290.122(d). This statement must describe what actions the water system is taking to correct the violation and when the water system expects to return to compliance. Please send a copy of the public notification and a signed Certificate of Delivery for Public Notice to this office within 10 days after it has been delivered. Mail to:

Drinking Water Inventory and Protection Team
TCEQ Public Drinking Water (MC-155)
P.O. Box 13087
Austin TX 78711-3087

Please note that enforcement actions resulting from noncompliance may result in fines for each violation.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • www.tceq.texas.gov

How is our customer service? www.tceq.texas.gov/goto/customersurvey

printed on recycled paper

DARRIN BARKER, PRESIDENT
LAKE BUCHANAN - PWS ID NO. TX1500037
January 28, 2020
Page 2

To view your public water system information, including the status of your violation(s), and public notice requirements, visit Texas Drinking Water Watch at:
<<http://dww2.tceq.texas.gov/DWW/>>

If you have not already done so, we encourage you to seek assistance. One form of assistance we can offer is through the TCEQ Directed Assistance Contract that is designed to offer free assistance to public water supplies in financial, managerial and technical areas. Please call the Response and Capacity Development Team at (512) 239-4691 and ask for a referral for "MCL violation directed assistance." If you would prefer, you can contact a member of the Drinking Water Quality Team at PWSChem@tceq.texas.gov to assist you with this referral.

If you have questions regarding this **MCL violation**, please contact:

Drinking Water Standards Section, Drinking Water Quality Team
Phone: (512) 239-4691
Email: PWSChem@tceq.texas.gov

If you have questions regarding **public notice requirements**, please contact:

Kristine Krieg, Public Notice Compliance Coordinator
Phone: 512-239-5723
Fax: (512) 239-3666
Email: PWSPN@tceq.texas.gov

Sincerely,



Michele Risko, Manager
Drinking Water Standards Section
Water Supply Division
Texas Commission on Environmental Quality

MR/SG

Enclosures

cc: TCEQ Region 11

GLORIA L BROUSSARD, COMPLIANCE MANAGER PO BOX 140164 AUSTIN, TX 78714-0164

Violation Sample Results Report:
LAKE BUCHANAN PWS ID: TX1500037

DBP2-01

Violation ID Number	Monitoring Period	Violation Description	Analyte Description	Calculated Compliance Value
368	4Q2019	MCL, LRAA	TTHM	0.095 mg/L

Results for Quarter 4 of 2019: TTHM

Sample ID:AE92121 12/11/2019 DBP2-01 STANDPIPE RR 261, BUCHANAN 37.0 µg/L

Results for Quarter 3 of 2019: TTHM

Sample ID:AE73678 07/09/2019 DBP2-01 STANDPIPE RR 261, BUCHANAN 93.3 µg/L

Results for Quarter 2 of 2019: TTHM

Sample ID:AE64103 04/30/2019 DBP2-01 STANDPIPE RR 261, BUCHANAN 88.2 µg/L

Results for Quarter 1 of 2019: TTHM

Sample ID:AE58220 03/13/2019 DBP2-01 STANDPIPE RR 261, BUCHANAN 162.0 µg/L

**Mandatory Language for a Maximum Contaminant Level Violation
MCL, LRAA / TTHM**

The Texas Commission on Environmental Quality (TCEQ) has notified the LAKE BUCHANAN TX1500037 that the drinking water being supplied to customers had exceeded the Maximum Contaminant Level (MCL) for total trihalomethanes. The U.S. Environmental Protection Agency (U.S. EPA) has established the MCL for total trihalomethanes to be 0.080 milligrams per liter (mg/L) based on locational running annual average (LRAA), and has determined that it is a health concern at levels above the MCL. Analysis of drinking water in your community for total trihalomethanes indicates a compliance value in quarter four 2019 of 0.095 mg/L for DBP2-01.

Trihalomethanes are a group of volatile organic compounds that are formed when chlorine, added to the water during the treatment process for disinfection, reacts with naturally-occurring organic matter in the water.

Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidney, or central nervous systems, and may have an increased risk of getting cancer.

You do not need to use an alternative water supply. However, if you have health concerns, you may want to talk to your doctor to get more information about how this may affect you.

We are taking the following actions to address this issue:

<corrective actions>

Please share this information with all people who drink this water, especially those who may not have received this notice directly (i.e., people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

If you have questions regarding this matter, you may contact _____ at _____
<area code + phone number> <water system official's name>

Posted /Delivered on: _____
<Date Posted>

Instructions for preparing the required Public Notice:

Recopy the mandatory language above and insert the underlined information in the spaces indicated.

The TCEQ recommends that the public water system provide a copy of the Public Notice(s) to local and state officials, such as Mayors, City Council Members, County Commissioners, Judges, and/or State Representatives, that are located in or that represent the affected area(s) served by the system.

Public Notice delivery timelines:

The initial public notice shall be issued as soon as possible, but in no case later than 90 days after the violation was identified. Repeat public notice shall be issued every 90 days for as long as the violation persists. All notifications require the attached Certificate of Delivery due 10 days from the posting date of the above notice.

Refer to 30 TAC §290.122 for additional information on Public Notification.



Texas Commission on Environmental Quality
Protecting Texas by Reducing and Preventing Pollution

CERTIFICATE OF DELIVERY OF PUBLIC NOTICE TO CUSTOMERS

Public Water System (PWS) name: **LAKE BUCHANAN**
PWS ID (7-digit number required): **TX1500037**
Type violation: **TTHM MCL, LRAA**
Time Period of violation: **fourth quarter of 2019**

The PWS named above has distributed the Public Notice (PN) for the type of violation and time period listed above by:

Mail or direct delivery, to bill-paying customers as required by 30 TAC §290.122(b)(2)(A) for community water systems; and

The information contained in this public notification is correct and complies with required public notification content in accordance with 30 TAC §290.122 and;

Made an adequate good-faith effort to reach non-bill-paying consumers by appropriate methods (check all below that apply):

- ☐ Posting the PN on the internet at www._____
- ☐ Mailing the PN to postal patrons within the service area that do not receive a bill
- ☐ Advertising the PN in news media
- ☐ Publication of PN in local newspaper
- ☐ Posting the PN in public places
- ☐ Delivery of multiple copies to single bill addresses serving several persons
- ☐ Delivery to community organizations
- ☐ Email notification

Date of Delivery to Customers _____

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

Certified by: Name (print): _____ Title: _____
Phone: _____
Signature: _____ Date Signed: _____

Mail a copy of this completed form and a copy of the Public Notice that was delivered to your customer to:

TCEQ - Drinking Water Inventory & Protection Team
Attn: Public Notice (MC-155)
P. O. Box 13087
Austin, TX 78711-3087

Appendix 5 for Part C: Question 17
Environmental Integrity Information



3+ Acre Retreats in the Heart of the Central Texas Hill Country

Master Planned Gated Community Located in Charming Round Mountain, TX
10 Mins between Marble Falls & Johnson City on HWY 281
29 Tracts Available, 3+ Acres, Starting at \$118,500
Utilities + Water + Curbed Streets
Outdoor Pavilion + Nature Preserve

Experience Ranch Living

Welcome to Trinity Oaks Preserve, central Texas's newest privacy gated community, featuring 3+ acre build-on-your-own home sites. Find your own private piece of Hill Country acreage, complete with established oak trees, majestic Hill Country views and easy to build properties that will be utility ready. Located 10 mins from Marble Falls, 30 mins from Bee Cave and just under an hour from San Antonio, Trinity Oaks Preserve offers accessible ranch living without the traffic and big city property prices.



Hill Country Living with Modern Conveniences

Trinity Oaks Preserve is proud to offer the flexibility of living outside the big city without sacrificing modern living conveniences. Each 3+ acre tract includes underground utilities, private water system access, manicured common grounds and curbed streets. The development's two gated entrances are monitored 24/7 via security cameras, providing residents and guests secure access from HWY 281 and CR 305. Rest assured knowing that state-of-the-art medical specialists and 24hr emergency care services are just moments away at the new Baylor Scott & White Medical Center of Marble Falls. What's more... The ability to work from home and telecommute is becoming a new standard in today's workplace. Trinity Oaks Preserve provides the flexibility of living outside the big city while staying connected via High-Speed internet and cable.

Location



Accessible ranch

Lifestyle



Community

Acreage



3+ acre land tracts to build

Contact



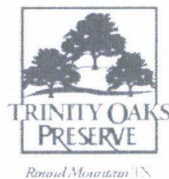
Learn more +



Hill Country Lifestyle

Hill Country Living with Modern Living Conveniences

Each 3+ acre tract includes underground utilities, private water system access, manicured common grounds and curbed streets. The development's two gated entrances are monitored 24/7 via security cameras, providing residents and guests secure access from HWY 281 and CR 305. Rest assured knowing that state-of-the-art medical specialists and 24hr emergency care services are just moments away at the new Baylor Scott & White Medical Center of Marble Falls.



Stay Connected

The ability to work from home and telecommute is becoming a new standard in today's workplace. Trinity Oaks Preserve is proud to offer the flexibility of living outside the big city while staying connected via High Speed Internet and Cable.



Unique Amenities

Nature and sustainability are at the heart of this safe and friendly community. Trinity Oaks Preserve serves as a native wildlife habitat, where nature's playground is literally in your own backyard. A community organic vegetable herb garden and annual wildflower seeding program draw quite the display of butterflies. Hours of adventure at the playground, treehouses and stocked fishing pond provide outdoor fun for all ages. Residents will enjoy the easy-going lifestyle of this golf cart friendly community as well as walks through the community's greenbelt and dry creek beds, hosting family BBQs and gathering around the giant fire pit at the Trinity Outdoor Pavilion.

Outdoor Pavilion

Fishing

Green Belts

Organic Gardens

Outdoor Recreation

The Central Texas Hill Country region ranks among Texas' top vacation destinations, offering something for everyone. Wine tasting at world-class vineyards, antique shopping, live music, breweries, restaurants, art galleries and horse boarding facilities are only minutes away. The famed Highway 290 Wine Trail starts here and stretches 35 miles to Fredericksburg. Nearby Horseshoe Bay Resort and Barton Creek Country Club rank among Texas's top golf destinations. Beat the summer heat while enjoying some of Texas's best watersports on nearby Lake LBJ and Lake Travis... at Trinity Oaks Preserve you and your family can live, work, and play year-round!

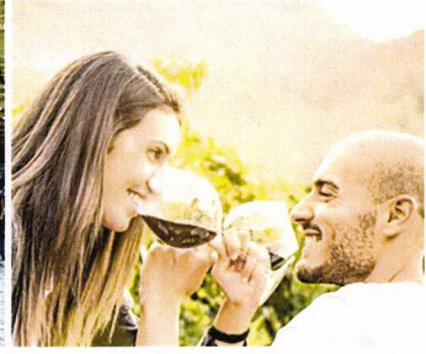




Pedernales State Park - 20 minutes



Tonkawood Horse Farm - 2 minutes



Napa of TX 290 Wine Trail - 13 mins.



Krause Springs



Lakes LBJ, Travis and Marble Falls



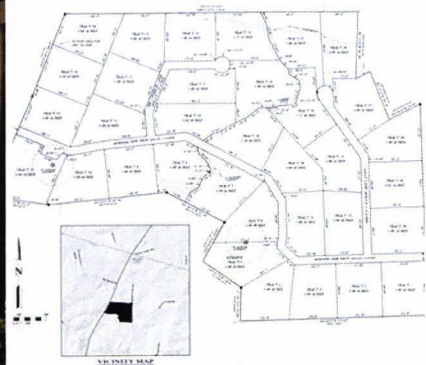
World Class Golfing - 15 minutes



Local craft breweries - 12 mins.+



Many Places for Eats and Treats!



Trinity Oaks - the center of it all!

Steward for the Environment

Trinity Oaks Preserve remains committed to preserving, protecting and enhancing our community's natural environment and wildlife habitats. The use of native drought-tolerant plants and grasses and zero-scaping are integral components to the community's commitment to sustainability. Many central Texas and migratory songbirds call this community home. Trinity Oaks Preserve is a dark sky community, where residents will continue to enjoy many unforgettable panoramic night-sky views of the stars for many years to come.

Appendix 6 for Part C: Question 19
List of Neighboring Water Utilities

Neighboring water utilities, cities and political subdivisions within 2 miles of Trinity Oaks Preserve include the follow:

City of Marble Falls (CCN 11137)
800 3rd St
Marble Falls, TX 78654

Town of Round Mountain
PO Box 40
Round Mountain, TX 78663

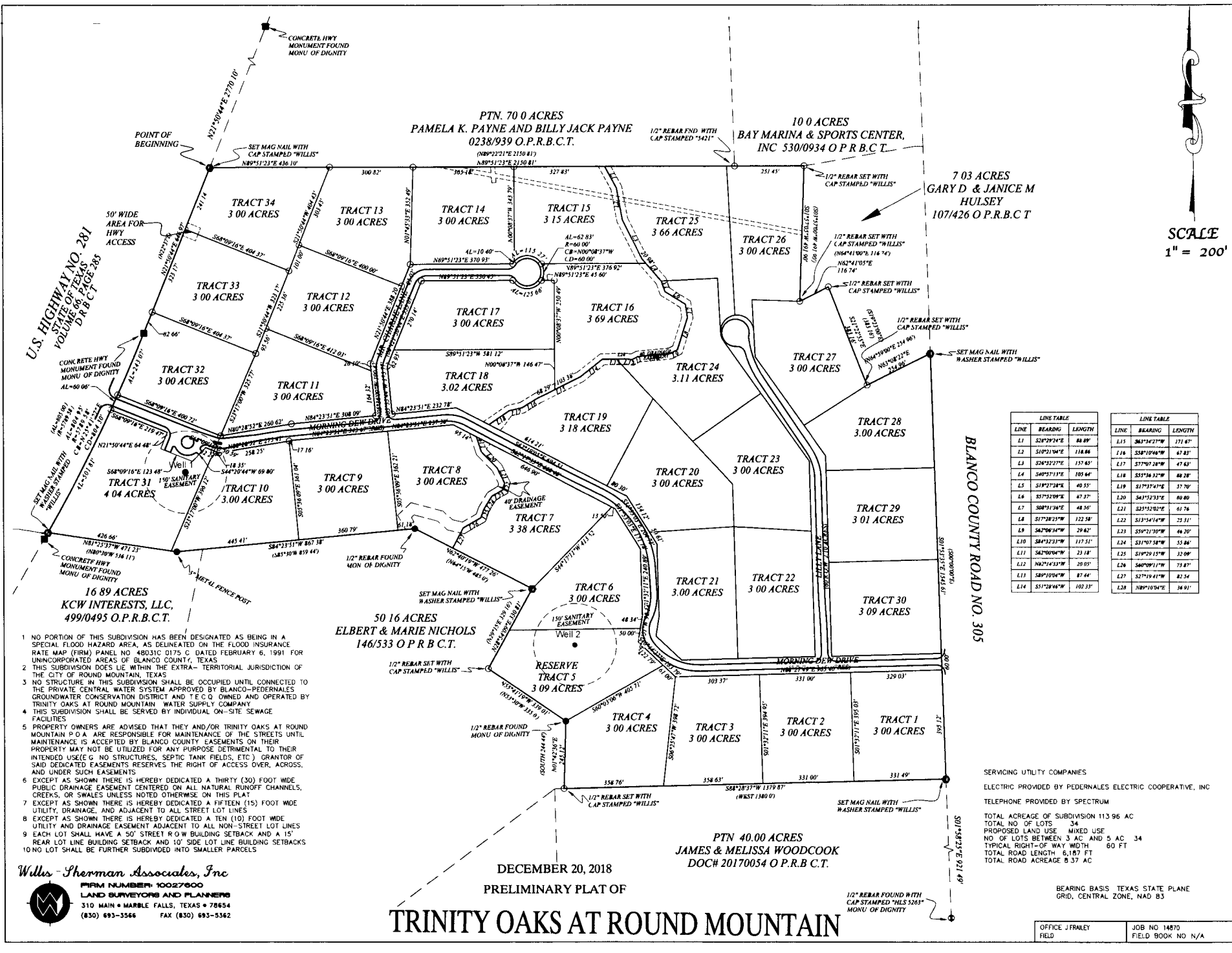
Lower Colorado River Authority (District ID 5460000, Multiple PWS IDs)
3700 Lake Austin Blvd
Austin, TX 78703-3504

Blanco-Pedernales GCD
PO Box 1516
Johnson City, TX 78636

Blanco County Judge Brett Bray
PO Box 387
Johnson City, TX 78636

Appendix 7 for Part D: Question 27
Map of Proposed Facilities

SCALE
1" = 200'



1. NO PORTION OF THIS SUBDIVISION HAS BEEN DESIGNATED AS BEING IN A SPECIAL FLOOD HAZARD AREA, AS DELINEATED ON THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 48031C 0175 C DATED FEBRUARY 6, 1991 FOR UNINCORPORATED AREAS OF BLANCO COUNTY, TEXAS.
2. THIS SUBDIVISION DOES LIE WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF ROUND MOUNTAIN, TEXAS.
3. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE PRIVATE CENTRAL WATER SYSTEM APPROVED BY BLANCO-PEDERNALES GROUNDWATER CONSERVATION DISTRICT AND T.E.C. OWNED AND OPERATED BY TRINITY OAKS AT ROUND MOUNTAIN WATER SUPPLY COMPANY.
4. THIS SUBDIVISION SHALL BE SERVED BY INDIVIDUAL ON-SITE SEWAGE FACILITIES.
5. PROPERTY OWNERS ARE ADVISED THAT THEY AND/OR TRINITY OAKS AT ROUND MOUNTAIN P.O.A. ARE RESPONSIBLE FOR MAINTENANCE OF THE STREETS UNTIL MAINTENANCE IS ACCEPTED BY BLANCO COUNTY EASEMENTS ON THEIR PROPERTY MAY NOT BE UTILIZED FOR ANY PURPOSE DETRIMENTAL TO THEIR INTENDED USE (E.G. NO STRUCTURES, SEPTIC TANK FIELDS, ETC.) GRANTOR OF SAID DEDICATED EASEMENTS RESERVES THE RIGHT OF ACCESS OVER, ACROSS, AND UNDER SUCH EASEMENTS.
6. EXCEPT AS SHOWN THERE IS HEREBY DEDICATED A THIRTY (30) FOOT WIDE PUBLIC DRAINAGE EASEMENT CENTERED ON ALL NATURAL RUNOFF CHANNELS, CREEKS, OR SWALES UNLESS NOTED OTHERWISE ON THIS PLAT.
7. EXCEPT AS SHOWN THERE IS HEREBY DEDICATED A FIFTEEN (15) FOOT WIDE UTILITY, DRAINAGE, AND ADJACENT TO ALL STREET LOT LINES.
8. EXCEPT AS SHOWN THERE IS HEREBY DEDICATED A TEN (10) FOOT WIDE UTILITY AND DRAINAGE EASEMENT ADJACENT TO ALL NON-STREET LOT LINES.
9. EACH LOT SHALL HAVE A 50' STREET ROW BUILDING SETBACK AND A 15' REAR LOT LINE BUILDING SETBACK AND 10' SIDE LOT LINE BUILDING SETBACKS.
10. NO LOT SHALL BE FURTHER SUBDIVIDED INTO SMALLER PARCELS.

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S28°29'24"E	88.89'	L15	S63°34'27"W	171.47'
L2	S10°21'04"E	118.66'	L16	S58°10'46"W	67.83'
L3	S26°32'27"E	157.65'	L17	S77°07'28"W	47.63'
L4	S40°37'13"E	105.64'	L18	S35°34'32"W	68.28'
L5	S18°27'28"E	40.55'	L19	S17°37'47"E	57.70'
L6	S57°53'09"E	47.37'	L20	S43°53'37"E	80.80'
L7	S08°51'34"E	48.50'	L21	S25°52'02"E	61.76'
L8	S17°38'23"W	122.58'	L22	S13°54'14"W	75.51'
L9	S46°30'34"W	29.62'	L23	S39°21'30"W	64.70'
L10	S84°33'33"W	117.51'	L24	S31°07'58"W	55.86'
L11	S42°00'04"W	23.18'	L25	S19°20'15"W	32.09'
L12	N62°14'33"W	20.05'	L26	S40°09'11"W	73.87'
L13	S80°10'04"W	87.44'	L27	S27°19'41"W	82.54'
L14	S51°28'46"W	102.33'	L28	N09°10'04"E	36.91'

SERVICING UTILITY COMPANIES
ELECTRIC PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE, INC.
TELEPHONE PROVIDED BY SPECTRUM

TOTAL ACREAGE OF SUBDIVISION 113.95 AC
TOTAL NO. OF LOTS 34
PROPOSED LAND USE MIXED USE
NO. OF LOTS BETWEEN 3 AC AND 5 AC 34
TYPICAL RIGHT-OF-WAY WIDTH 60 FT
TOTAL ROAD LENGTH 6,187 FT
TOTAL ROAD ACREAGE 8.37 AC

BEARING BASIS TEXAS STATE PLANE
GRID, CENTRAL ZONE, NAD 83

OFFICE J. FRANKLY
FIELD
JOB NO 14870
FIELD BOOK NO N/A

Willis-Sherman Associates, Inc
FIRM NUMBER 10027600
LAND SURVEYORS AND PLANNERS
310 MAIN • MARBLE FALLS, TEXAS • 78654
(830) 693-3566 FAX (830) 693-5342

DECEMBER 20, 2018
PRELIMINARY PLAT OF
TRINITY OAKS AT ROUND MOUNTAIN

PTN. 40.00 ACRES
JAMES & MELISSA WOODCOOK
DOC# 20170054 O.P.R.B.C.T.

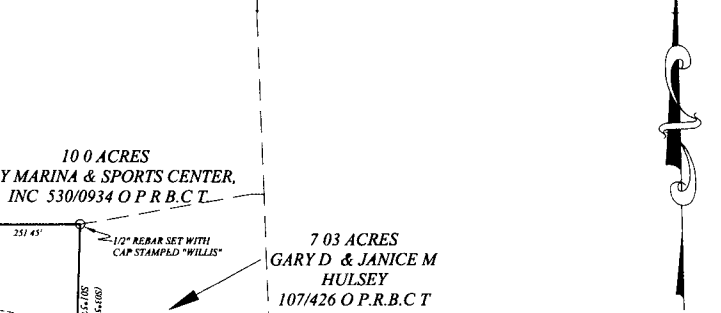
50.16 ACRES
ELBERT & MARIE NICHOLS
146/533 O.P.R.B.C.T.

16.89 ACRES
KCW INTERESTS, LLC,
499/0495 O.P.R.B.C.T.

PTN. 70.0 ACRES
PAMELA K. PAYNE AND BILLY JACK PAYNE
0238/939 O.P.R.B.C.T.

10.0 ACRES
BAY MARINA & SPORTS CENTER,
INC 530/0934 O.P.R.B.C.T.

7.03 ACRES
GARY D. & JANICE M
HULSEY
107/426 O.P.R.B.C.T.



Appendix 8 for Part E: Question 29
Tariff/Rate Schedule



WATER UTILITY TARIFF
Docket Number 48844

Corix Utilities (Texas), Inc.
(Utility Name)

Suite 100, 1812 Centre Creek Drive
(Business Address)

Austin, Texas 78754
(City, State, Zip Code)

(512) 306-4000
(Area Code/Telephone)

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

13227

This tariff is effective in the following counties:

Burnet, Blanco, Colorado, Lampasas, Llano, Matagorda, Mills, Mitchell, San Saba, Washington

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

Alleyton, Lometa, Westbrook

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

Note: Corix also provides sewer service under CCN No. 21081 for Alleyton (Colorado), Camp Swift (Bastrop), Lometa (Lampasas), McKinney Roughs (Bastrop), Matagorda Dunes (Matagorda), Ridge Harbor (Burnet), and Windmill Ranch (Bastrop).

TABLE OF CONTENTS

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

SECTION 1.0 -- RATE SCHEDULE.....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES	8
SECTION 3.0 -- EXTENSION POLICY	14

APPENDIX A -- DROUGHT CONTINGENCY PLAN
APPENDIX B -- SAMPLE SERVICE AGREEMENT

PUBLIC UTILITY COMMISSION OF TEXAS
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Corix Utilities (Texas), Inc.
LIST OF SUBDIVISIONS AND SYSTEMS

System Name	PWS ID No.	County	Rate page
Bonanza Beach	0270018	Burnet	2
Lake Buchanan	1500037	Burnet	2
Lometa	1410002	Lampasas	2
Paradise Point	1500008	Llano	2
Quail Creek	0270078	Burnet	2
Ridge Harbor	0270081	Burnet	2
Sandy Harbor	1500009	Llano	2
Smithwick Mills	0270045	Burnet	2
Spicewood Beach	0270011	Burnet	2
Tow Village	1500011	Llano	2
Alleyton	0450087	Colorado	3
Matagorda Dunes	1610052	Matagorda	4
Northeast Washington County	2390043	Washington	5
Summit Springs	0270148	Burnet/Blanco	6
Mitchell County Utilities	1680004	Mitchell	7

Docket No. 48844

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SECTION 1.0 -- RATE SCHEDULE

PUBLIC UTILITY COMMISSION OF TEXAS
 APPROVED

Phase 3 - Rates effective February 14, 2019

FEB 14 '19 DOCKET 48844

Section 1.01 - Rates

Residential/Non-residential

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallage Charge</u>
5/8 or 3/4"	\$77.00	\$7.40 per 1000 gallons up to 5,000 gallons
1"	\$195.54	\$9.75 per 1000 gallons for 5,001 to 15,000 gallons
1 1/2"	\$369.80	\$14.00 per 1000 gallons for 15,001 to 25,000 gallons
2"	\$583.58	\$17.00 per 1000 gallons for 25,001 thereafter
3"	\$1,144.87	

Schools

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallage Charge</u>
5/8 or 3/4"	\$85.00	\$9.50 per 1000 gallons for all usage
1"	\$243.88	
1 1/2"	\$443.26	
2"	\$672.90	
3"	\$1,158.57	

Wholesale

<u>Monthly Minimum Charge</u>	<u>Gallage Charge</u>
\$1,650	\$11.75 per 1000 gallons for all usage

Surcharge for Rate Case Expense:

Docket No. 45418: Total recoverable rate case expense was agreed upon at \$479,967.79 which is recoverable from all CORIX rate payers in the five rate regions included in this rate case through a monthly surcharge of \$1.43 per water meter equivalent. The monthly surcharge shall cease at the earlier of when 1) the total amount has been recovered using both water and sewer surcharges, or 2) the surcharge has been collected for 36 months.

FORM OF PAYMENT: The utility will accept the following form(s) of payment:

Cash X, Check X, Money Order X, Credit Card X, Other Electronic funds transfer

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 TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE\$800.00
 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.

Docket No. 48844

SECTION 1.0 -- RATE SCHEDULE (Continued)

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

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

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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
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LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) 10%
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RETURNED CHECK CHARGE..... \$25.00
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 PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [16 TAC § 24.25(b)(2)(G)]

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.

EQUIPMENT DAMAGE FEE:
IF CORIX'S FACILITIES OR EQUIPMENT HAVE BEEN DAMAGED DUE TO TAMPERING, NEGLIGENCE, OR UNAUTHORIZED USE OF CORIX'S EQUIPMENT, RIGHT-OF-WAY, OR METER SHUT-OFF VALVE, OR DUE TO OTHER ACTS FOR WHICH CORIX INCURS LOSSES OR DAMAGES SHOWN TO BE CAUSED BY THE CUSTOMER, THE CUSTOMER SHALL BE LIABLE FOR THE ACTUAL COSTS FOR ALL LABOR, MATERIAL, AND EQUIPMENT USE FEES NECESSARY FOR REPAIR, REPLACEMENT, OR OTHER CORRECTIVE ACTIONS TAKEN BY CORIX. CORIX SHALL PROVIDE AN ITEMIZED BILL OF SUCH CHARGES TO THE CUSTOMER. EXCEPT IN CASES OF METER TAMPERING OR SERVICE DIVERSION, CORIX MAY NOT DISCONNECT SERVICE, OR REFUSE RECONNECTION, OF A CUSTOMER REFUSING TO PAY DAMAGE CHARGES.

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

Docket No. 48844

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SECTION 1.0 -- RATE SCHEDULE

Phase 3 - Rates effective February 14, 2019

Section 1.01 - Rates

Residential/Non-residential

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge</u>
5/8"	<u>\$48.00</u>	<u>\$2.75</u> per 1000 gallons up to 3000 gallons
3/4"	<u>\$54.59</u>	<u>\$2.75</u> per 1000 gallons, 3001 TO 10,000 gallons
1"	<u>\$136.45</u>	<u>\$7.25</u> per 1000 gallons, greater than 10,000 gallons
1½"	<u>\$272.90</u>	
2"	<u>\$436.62</u>	

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Docket No. 45418 Total recoverable rate case expense was agreed upon at \$479,967.79 which is recoverable from all CORIX rate payers in the five rate regions included in this rate case through a monthly surcharge of \$1.43 per water meter equivalent. The monthly surcharge shall cease at the earlier of when 1) the total amount has been recovered using both water and sewer surcharges, or 2) the surcharge has been collected for 36 months.

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PUBLIC UTILITY COMMISSION OF TEXAS
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Docket No. 48844

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SECTION 1.0 -- RATE SCHEDULE (Continued)

RECONNECTION FEE.....\$25.00

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TRANSFER FEE\$20.00

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PUBLIC UTILITY COMMISSION OF TEXAS
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Docket No. 48844

SECTION 1.0 -- RATE SCHEDULE

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

Phase 3 - Rates effective February 14, 2019

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Section 1.01 - Rates

Residential/Non-residential

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallage Charge</u>
5/8"	\$48.00	\$2.75 per 1000 gallons up to 10,000 gallons
3/4"	\$54.59	\$7.25 per 1000 gallons, greater than 10,000 gallons
1"	\$136.45	
1½"	\$272.90	
2"	\$436.62	

Nature Park

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallage Charge</u>
5/8 or 3/4"	\$305.00	\$4.25 per 1000 gallons (0-20,000 gallons)
1"	\$762.55	\$6.50 per 1000 gallons (20,001 to 50,000 gallons)
1½"	\$1,524.43	\$9.30 per 1000 gallons thereafter
2"	\$2,439.83	

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Docket No. 48844

SECTION 1.0 -- RATE SCHEDULE (Continued)

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PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

FEB 14 '19

DOCKET

48844

Docket No. 48844

SECTION 1.0 -- RATE SCHEDULE

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

Phase 3 - Rates effective February 14, 2019

FEB 14 '19

DOCKET

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Section 1.01 - Rates

Residential/Non-residential

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METER CONVERSION FEE..... ACTUAL CONVERSION COST

Docket No. 48844

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).....\$25.00
- b) Customer's request that service be disconnected\$45.00

TRANSFER FEE\$25.00

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

SEASONAL RECONNECTION FEE

BASE RATE FOR METER SIZE TIMES NUMBER OF MONTHS OFF THE SYSTEM, NOT TO EXCEED SIX MONTHS WHEN LEAVE AND RETURN IN A TWELVE-MONTH PERIOD.

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

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\$25.00

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

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

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LINE EXTENSION AND CONSTRUCTION CHARGES:

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

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE

CHANGES IN FEES IMPOSED BY NON-AFFILIATED THIRD PARTY WATER SUPPLIER OR UNDERGROUND WATER DISTRICT HAVING JURISDICTION OVER THE UTILITY SHALL BE PASSED THROUGH AS AN ADJUSTMENT TO THE WATER GALLONAGE CHARGE ACCORDING TO THE FOLLOWING FORMULA:

- AG = $G + B/(1-L)$, where
- AG = adjusted gallonage charge, rounded to the nearest one cent
- G = approved gallonage charge (per 1,000 gallons)
- B = change in purchased water/district gallonage charge (per 1,000 gallons)
- L = system average line loss for preceding 12 months not to exceed 0.15

PUBLIC UTILITY COMMISSION OF TEXAS
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48844

SECTION 1.0 - RATE SCHEDULE

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

Phase 3 - Rates effective February 14, 2019

FEB 14 '19

DOCKET

48844

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Base Rate</u>	<u>Gallage Charge</u>
5/8" or 3/4"	<u>\$52.00</u>	<u>\$0.00</u> per 1,000 gallons up to 2,000 gallons
1"	<u>\$111.00</u>	<u>\$3.75</u> per 1,000 gallons for 2,001 to 5,000 gallons
1½"	<u>\$210.00</u>	<u>4.75</u> per 1,000 gallons for 5,001 to 15,000 gallons
2"	<u>\$332.00</u>	<u>\$6.90</u> per 1,000 gallons for 15,001 to 25,000 gallons
3"	<u>\$651.00</u>	<u>\$7.95</u> per 1,000 gallons for 25,001 and thereafter

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

Cash X, Check X, Money Order X, Credit Card X, Other (specify) Electronic funds transfer

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 TO REMIT FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE\$800.00
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 FEEActual 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.

METER CONVERSION FEEACTUAL CONVERSION COST

RECONNECTION FEE

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

- a) Nonpayment of bill (Maximum \$25.00)\$25.00
- b) Customer's request that service be disconnected\$25.00

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SECTION 1.0 - RATE SCHEDULE (Continued)

TRANSFER FEE \$20.00
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) 10%
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..... \$25.00
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 PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [16 TAC § 24.25(b)(2)(G)]

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

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE
CHANGES IN FEES IMPOSED BY NON-AFFILIATED THIRD PARTY WATER SUPPLIER OR UNDERGROUND WATER DISTRICT HAVING JURISDICTION OVER THE UTILITY SHALL BE PASSED THROUGH AS AN ADJUSTMENT TO THE WATER GALLONAGE CHARGE ACCORDING TO THE FOLLOWING FORMULA:

AG = $G + B/(1-L)$, where
AG = adjusted gallonage charge, rounded to the nearest one cent
G = approved gallonage charge (per 1,000 gallons)
B = change in purchased water/district gallonage charge (per 1,000 gallons)
L = system average line loss for preceding 12 months not to exceed 0.15

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SECTION 1.0 -- RATE SCHEDULE

Phase 3 - Rates effective February 14, 2019

PUBLIC UTILITY COMMISSION OF TEXAS
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Section 1.01 - Rates

Residential/Non-residential

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonage Charge</u>
5/8" or 3/4"	<u>\$24.45</u> (Includes 2,000 gallons)	<u>\$4.42</u> per 1000 gallons
1"	<u>\$40.86</u>	(same for all meter sizes)
1½"	<u>\$78.38</u>	
2"	<u>\$125.28</u>	
3"	<u>\$235.50</u>	

FORM OF PAYMENT: The utility will accept the following form(s) of payment:

Cash X, Check X, Money Order X, Credit Card X, Other Electronic funds transfer

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 TO REMIT TO TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE\$120.00
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.

METER CONVERSION FEE ACTUAL CONVERSION COST

RECONNECTION FEE\$25.00
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)\$25.00
- b) Customer's request that service be disconnected\$40.00

SECTION 1.0 -- RATE SCHEDULE (Continued)

TRANSFER FEE\$10.00
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\$10.00
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 PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY
INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [16 TAC
§ 24.25(b)(2)(G)]

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.

SEASONAL RECONNECT FEE:
IF A CUSTOMER VOLUNTARILY TERMINATES THEIR SERVICE AND APPLIES TO RESTORE SERVICE AT
THE SAME LOCATION, THE CUSTOMER SHALL PAY A MONTHLY RECONNECT FEE BASED ON THE
MONTHLY MINIMUM CHARGE LESS THE GALLONAGE COMPONENT TIMES THE NUMBER OF MONTHS
DISCONNECTED, NOT TO EXCEED 6 MONTHS.

PUBLIC UTILITY COMMISSION OF TEXAS
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SECTION 2.0 -- SERVICE RULES AND POLICIES

The utility will have the most current Public Utility Commission of Texas (PUC or Commission), Chapter 24, Water Utility Regulation, 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.

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.

PUBLIC UTILITY COMMISSION OF TEXAS
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SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

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 16 TAC § 24.163(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.

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.

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 30 TAC §290.47(f) Appendix F, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems.

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SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

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(f) Appendix F, 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.

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.

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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.

(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 2.0 – SERVICE RULES AND POLICIES (Continued)

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.

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 Commission, 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 the TCEQ complaint process for quality of service issues, and the PUC complaint process for billing issues. Pending resolution of a complaint, either 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 PUC.

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.

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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.

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.

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 PUC, 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 PUC 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, 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.

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SECTION 3.0 -- EXTENSION POLICY (Continued)

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.

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 16 TAC § 24.163(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 16 TAC § 24.163(d)(4), 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.
- 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, 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.

Docket No. 48844

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

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SECTION 3.0 -- EXTENSION POLICY (Continued)

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.

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.

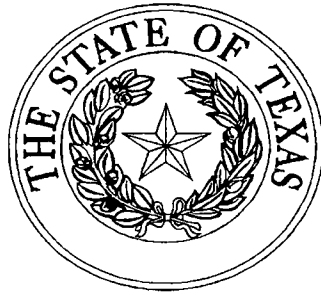
Section 3.07 - Developer Requirements

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 9 for Part E: Question 30

Financial Information

The financial information requested is classified “CONFIDENTIAL”, and as such, has been provided in accordance with the PUC instruction and checklist for submitting confidential materials to the PUC by way of the hard copy format. Page 103 included herein is the cover page of that submittal. The submittal is 17 pages, including the cover.



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**CLASS "B" WATER COMPANY
PUC ANNUAL REPORT
OF**

48918
CCN Number
13227/21081

Official Company Name:

Corix Utilities (Texas) Inc.

D/B/A Name(s)

**TO THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

For the Year Ended: 12/31/2018

Appendix 10 for Part E: Question 31
Disclosure of Affiliated Interests

The Corix Group of Companies focuses on the implementation of sustainable water, wastewater, and energy infrastructure solutions for small to medium-sized communities. We are one of the largest private water, wastewater, and energy utility operators in North America.

On July 1, 2012, Corix Utilities (Texas) Inc. assumed the day-to-day operations, maintenance, asset management, and customer care and billing responsibility of 18 of the Lower Colorado River Authority's water and wastewater utility systems, and hired many of the Lower Colorado River Authority's utility operations staff, thereby retaining the knowledge and experience of the operations of these systems.

The PUC has approved Corix Utilities (Texas) Inc.'s Sale, Transfer, or Merger applications for these Lower Colorado River Authority systems, with financial close of the sale taking place on July 31, 2014.

We have since acquired several other systems that we own and operate today.

Corix Companies includes the following entities:

- Tribus Services
- Cleveland Thermal
- Corix Water Services (serves Ontario, Canada)
- Corix Utilities
- Utilities, Inc. (a wholly-owned subsidiary of Corix Utilities)
- Fairbanks Sewer and Water
- West Shore Environmental Services (serves Langford, Canada)

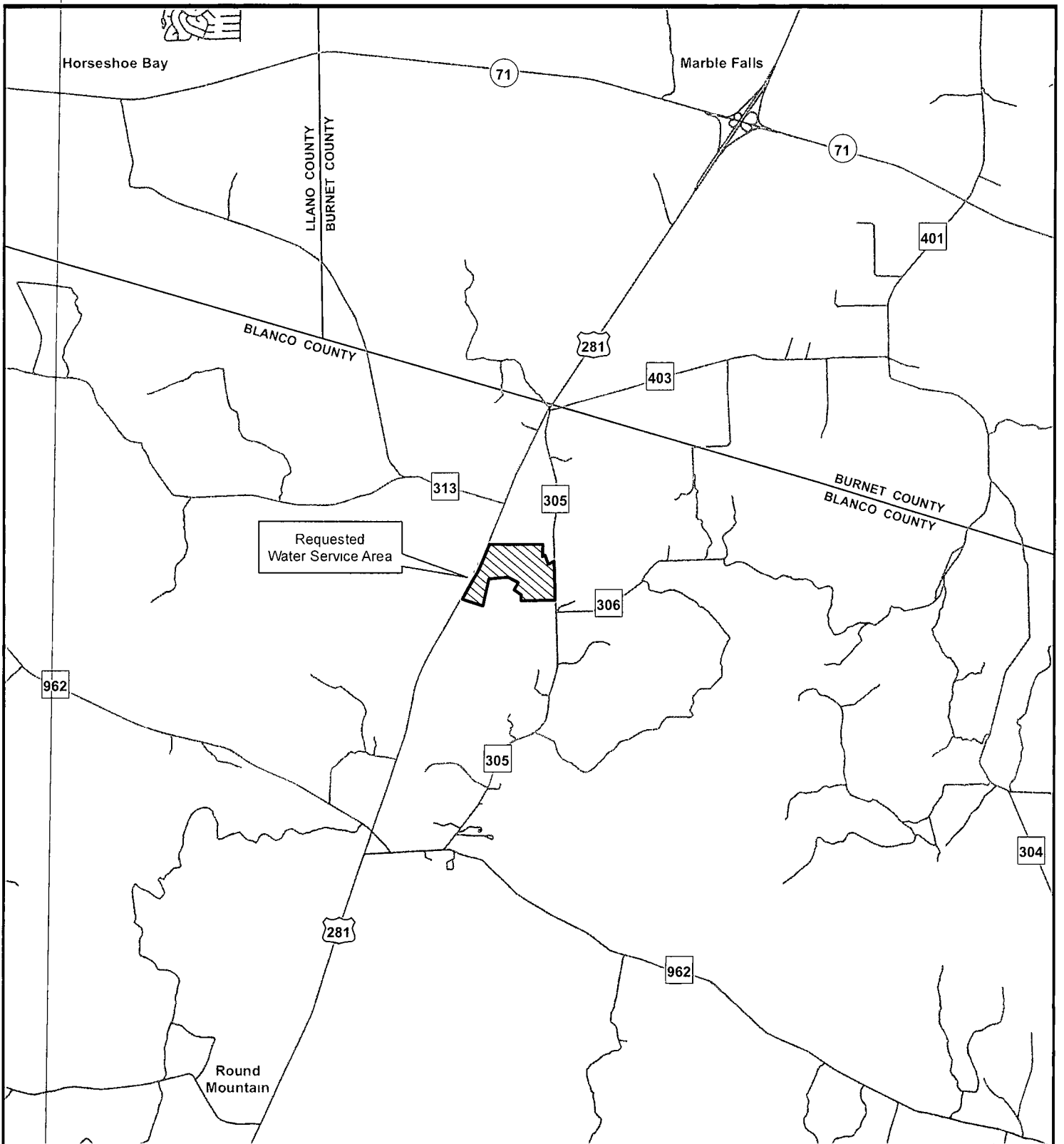
Corix Utilities (Texas), Inc. is a wholly-owned subsidiary of Utilities, Inc. it was established to acquire assets and undertake operations of water, wastewater, and natural gas systems in the state of Texas. None of the Corix Companies have an interest in or business relationship with Trinity Oaks Preserve other than Corix Utilities (Texas), Inc. who will own and operate the water system.

Appendix 11 for Part F: Question 32

General Location (small scale) Map

Detailed (large scale) Map

Digital Mapping Data



General Location

Corix Utilities Texas, Inc.
Application to Amend CCN No. 13227
in Blanco County



Requested Water Service Area - 130.87 acres

City Limits (TxDOT)

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0 0.5 1
Miles

Map by S Burt
Date Oct 22, 2019
Base Map: StratMap Transv2
Project Corix Trinity Oaks General Location mxd

281

Old Marble Falls Rd

Requested Water Service Area
130.87 acres

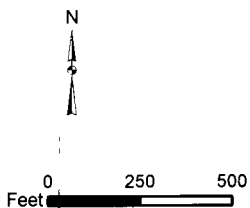
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305

Detail Map

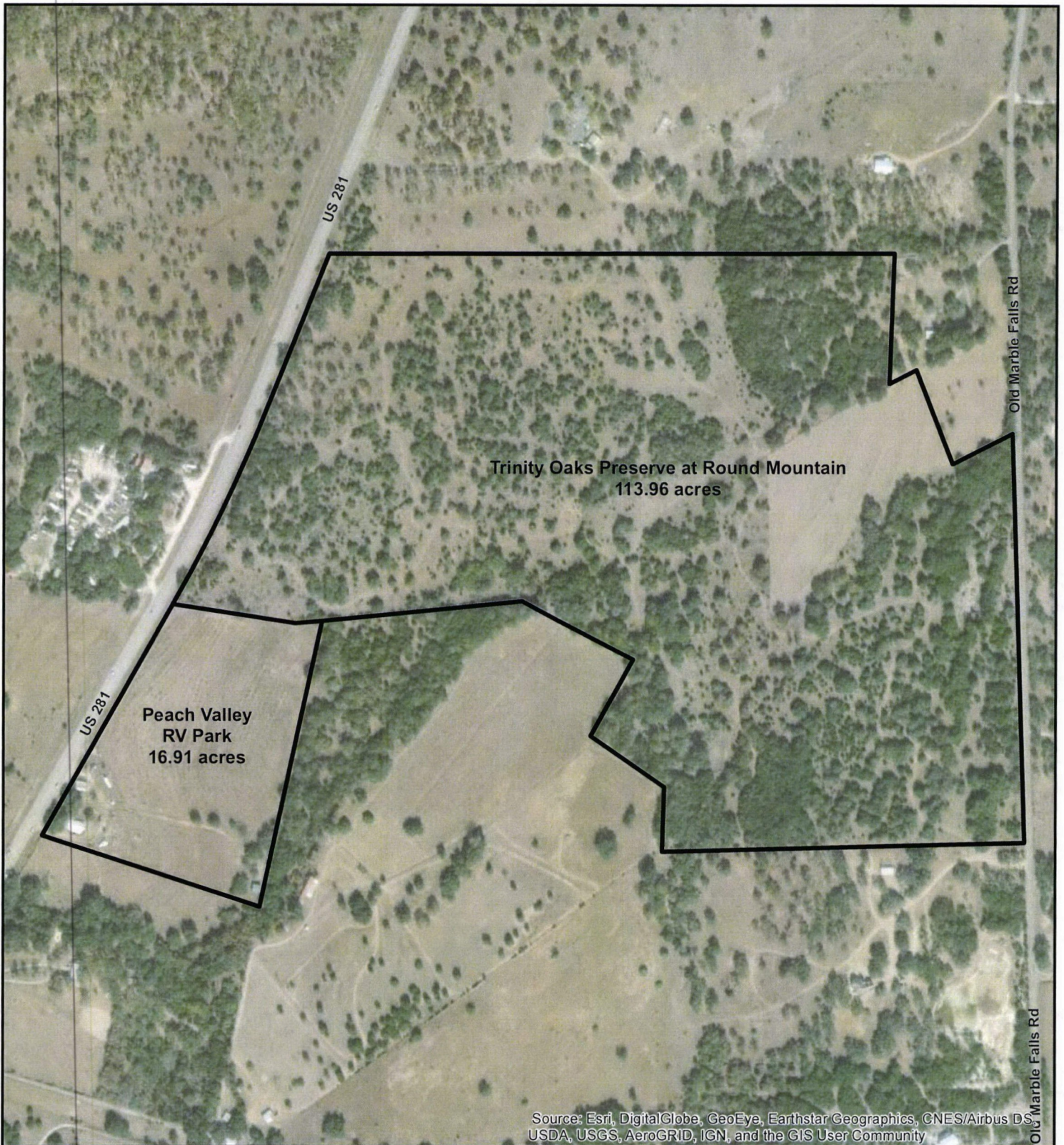
Corix Utilities Texas, Inc.
Application to Amend CCN No. 13227
in Blanco County

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Requested Water Service Area - 130.87 acres

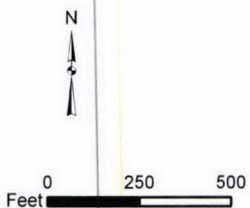
Map by S Burt
Date Oct 22, 2019
Base Map StratMap Transv2
Project Corix Trinity Oaks Detail mxd




2 Requests for Service by Property Owners/Developer - See Agreement For Water Service

Corix Utilities Texas, Inc.
Application to Amend CCN No. 13227
in Blanco County

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 Requested Water Service Area

Map by: S. Burt
Date: Oct. 22, 2019
Base Map: ESRI World Imagery
Project: Corix Requests for Service Map.mxd