



Control Number: 51657



Item Number: 8

Addendum StartPage: 0

Kimley»Horn

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PUBLIC UTILITY COMMISSION
FILING CLERK

March 23, 2021

M. Justin Ackley
Public Utility Commission of Texas
Legal Division
1701 N. Congress Avenue
PO. Box 13326
Austin, Texas 78711-3326

RE: **Docket No. 51657**
City of Anna Sewer CCN Amendment Application

Mr. Ackley,

Attached to this response letter are the updated items referenced in the comment responses below. The PUC comments are listed first followed by the responses in italics. We hope these responses address your review comments, if you have any questions, or need any additional information, please let me know.

The attachments titled "Anna CCN Application_Page 2" and "Anna CCN Application_Page 4" shall replace pages 2 and 4 respectively in the original application to amend the City of Anna's sewer CCN. A customer's request for service letter has been provided for the area proposed to be added to the sewer CCN as seen in the updated detailed "Sewer Exhibit – 1" and general "Sewer Exhibit – 2" maps also added as attachments to this document.

Memorandum Dated January 27, 2021 – Review by Gary Horton & Alicia Maloy

Application Content

1. Please submit a response to Question 34.

Response added as "3223 North Powell Parkway, Anna, TX 75409". See attachment "Anna CCN Application_Page 11" to replace page 11 in the original application submittal.

Mapping Content

1. Digital mapping data for the requested area, as a single polygon record, in shapefile (SHP) format, georeferenced in either NAD83 Texas Statewide Mapping System (Meters) or NAD83 Texas State Plane Coordinate System (US Feet); OR metes and bounds survey sealed or embossed by either a licensed state surveyor or a registered professional land surveyor.

An updated shapefile title "Anna_Prop_SewerCCN.zip" has been attached separately that conforms to all specifications listed above.

Comments Dated February 2, 2021

Staff 1-1 For each of the four alleged violations that are listed in the "TCEQ Exit Interview Form: Potential Violations and/or Records Request", please provide a brief explanation listing the actions taken or being taken by the utility to correct each alleged violation, including proposed completion dates. LP seeks to decertify.

See below for the City's explanation and response to all four TCEQ violations.

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- 1) *Failure to provide a liquid level indicator on all ground storage tanks and a pressure indicator on all elevated storage tanks.*
 - a. *The City did not have a physical, on site, way of measuring the level on storage tanks. PSI gauges have been installed.*
- 2) *Failure to maintain a record of all complaints received.*
 - a. *The City did not have a record system for complaints. The City has begun an email record keeping process.*
- 3) *Failure to maintain a monitoring plan.*
 - a. *The City did not have a monitoring plan. A monitoring plan has been submitted.*
- 4) *Failure to conduct test backflow prevention devices used for health hazard protection at least annually.*
 - a. *The City started an account with BSI to keep track of backflow devices. The City did not have a record keeping practice prior to that.*

Staff 1-2 Please provide a detailed map identifying the existing facility lines and customers within the requested area in reference to parcels, verifiable man-made and natural landmarks such as roads, rivers, and railroads. Please include the following in the requested map: the requested area and parcel lines. Please color code the parcels using the categories listed below (if necessary, provide multiple maps by section, for details to be visible):

- 1) Parcel belonging to a current customer,
- 2) Parcels with requests for service,
- 3) Existing facilities pass through or by the parcel,
- 4) Parcels where a portion is already inside the currently existing CCN, and
- 5) Parcels lying between two parcels that fall under either item 1, 2, 3, or 4 above.
- 6) Please provide an Excel table corresponding to the map with the following information for each parcel:

Parcel Number/Label	1) Current Customer (Y/N)	2) Request for Service (Y/N)	3) Existing Facilities (Y/N)	4) Portion Inside Current CCN (Y/N)	5) Intermediate Parcel (Y/N)	Outside City Limits (Y/N)	Outside ETJ (Y/N)

There are three parcels within the area requested. All three parcels have the same property owner and fall under the same request for service, attached as document titled "Rattan Request for Service". There are no existing utility lines or existing customers within the requested area. The requested area is bordered by East Fork Trinity River on the west. The requested area is shaded green to indicate all three properties fall in category 2 of the table above. You can see all information requested in 1-2 above on the attachment titled "Anna Sewer CCN_Question 1-2".

Staff 1-3 Please provide a written explanation supporting the need for service for any parcel in the requested area that does not contain current customers or existing facilities, does not have a pending request for service, and is not located in between parcels that contain current customers or existing facilities or have a pending request for service.

The requested CCN area has three parcels. All three parcels have the same property owner and have a pending request for service, attachment titled "Rattan Request for Service".

Staff 1-4 Please provide a written narrative supporting the need for service for the entire requested area as shown on the detailed map and table.

The property owner has written a letter requesting service for the entire area shown on the location maps. This request letter is provided as attachment titled "Rattan Request for Service".

Staff 1-5 For each of the categories requested above please provide the acreage. For those parcels that are partially in the CCN include only the acreage in the current requested area.

There are three parcels included in the CCN area requested. There is the same property owner for all three parcels, and the property owner has submitted a request for service to the City of Anna. This requested area amounts to approximately 105 acres and is located entirely outside the current sewer CCN.

Staff 1-6 Please provide the number of current customer connections and requests for service in the requested areas.

There are currently no customer connections in the requested area. There is one customer request for service for the entirety of the requested area.

Staff 1-7 Please provide a detailed map showing the boundaries of the requested CCN area and the city limit and extraterritorial jurisdiction (ETJ) boundaries. Also provide the connection count and acreage for each of the following:

- a. The area within the city limits;
- b. The area within the ETJ; and
- c. The area outside the city limits and ETJ

A detailed map with all the information requested above has been provided as an attachment titled "Anna Sewer CCN_Question 1-7".

Please let me know if there are any further questions or any of the questions listed above require further clarification. Thank you for your time in review.

Sincerely,



Todd Strouse, P.E.
Project Manager
KIMLEY-HORN AND ASSOCIATES, INC.

Attachments

1. Anna CCN Application_Page 2
2. Anna CCN Application_Page 4
3. Sewer Exhibit – 1
4. Sewer Exhibit – 2
5. Anna CCN Application_Page 11
6. Rattan Request for Service
7. Anna Sewer CCN_Question 1-2
8. Anna Sewer CCN_Question 1-7

Application Summary

Applicant: City of Anna

CCN No. to be amended: 20898

or ☐ Obtain NEW CCN ☐ Water ☒ Sewer

County(ies) affected by this application: Collin County

Dual CCN requested with: _____

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

Decertification of CCN for: _____

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 type="checkbox"/>	Franchise, Permit, or Consent letter	Part B: Question 7
<input type="checkbox"/>	Existing Infrastructure Map	Part B: Question 8
<input checked="" type="checkbox"/>	Customer Requests For Service in requested area	Part B: Question 9
<input type="checkbox"/>	Population Growth Report or Market Study	Part B: Question 10
<input 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 type="checkbox"/>	Enforcement Action Correspondence	Part C: Question 16
<input checked="" 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 type="checkbox"/>	Tariff/Rate Schedule	Part E: Question 29
<input 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 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 type="checkbox"/>	Digital Mapping Data	Part F: Question 32
<input type="checkbox"/>	Signed & Notarized Affidavit	Page 12

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.

The existing land use is agricultural land.

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: _____ District: _____

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

Requested area is currently not certified.

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

To be able to extend the current CCN so that the city of Anna is able to service and utilize this area as the city continues to grow.

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

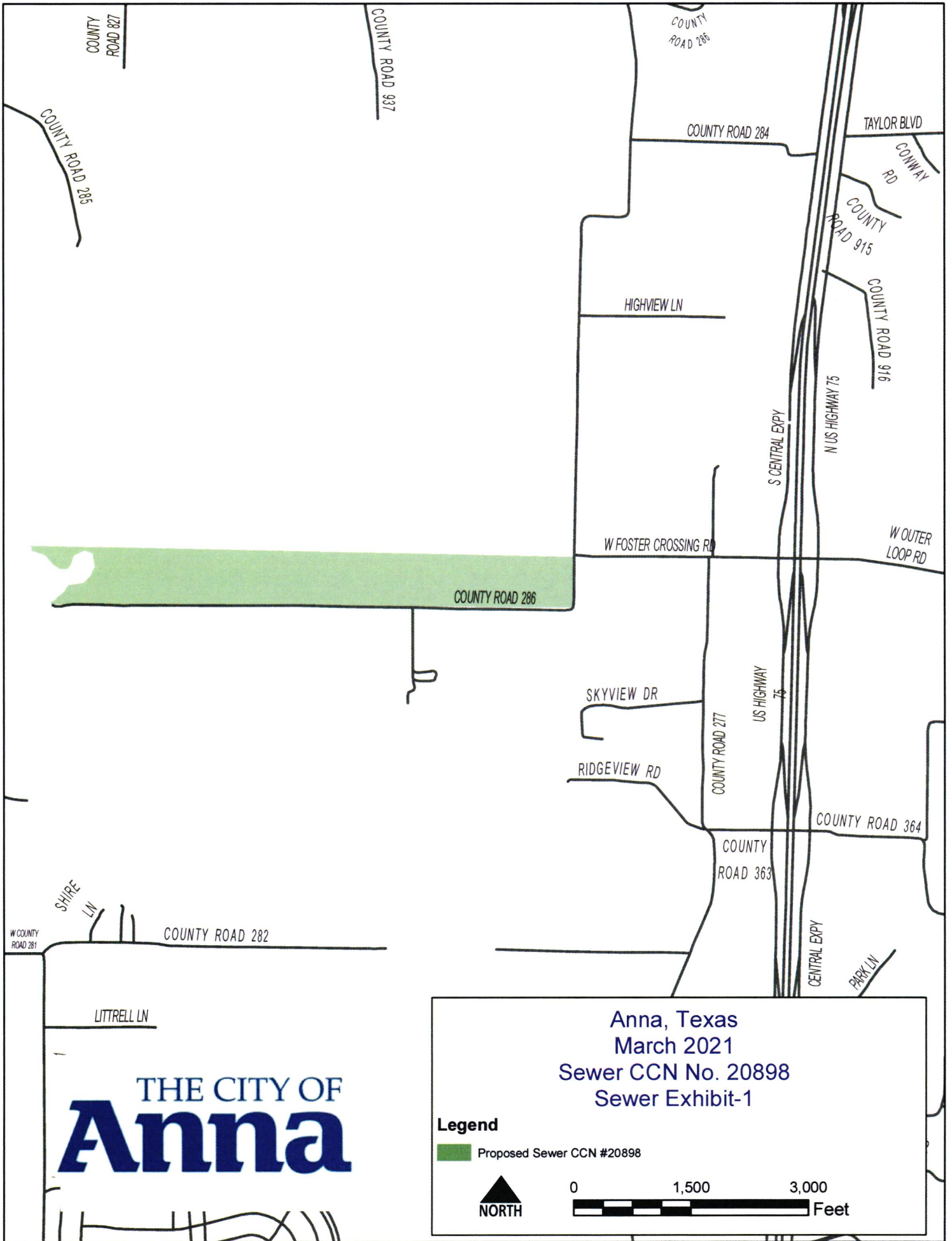
10. Is there existing or anticipated growth in the requested area?

☐ 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: _____




Anna, Texas
March 2021
Sewer CCN No. 20898
Sewer Exhibit-1

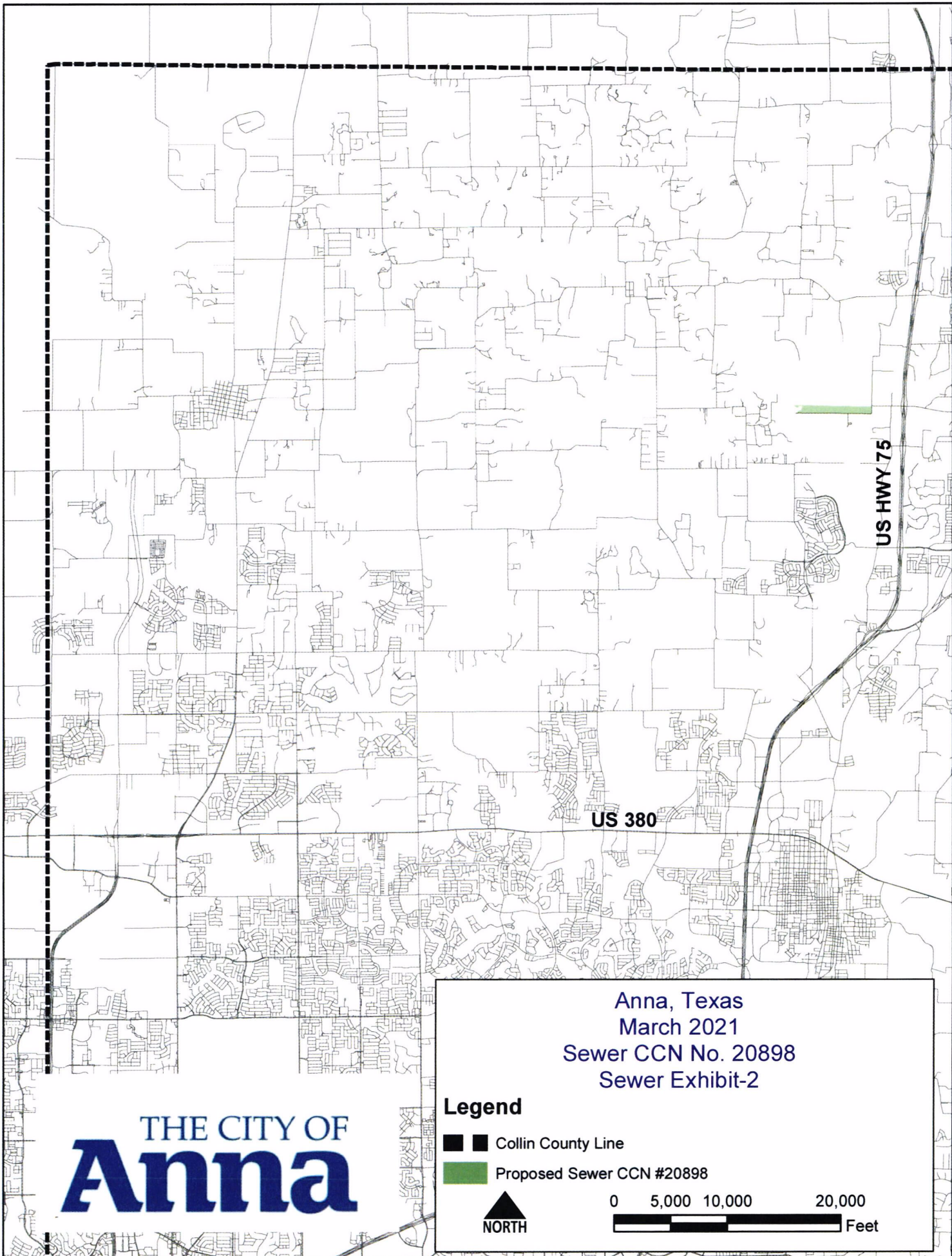
Legend

 Proposed Sewer CCN #20898



0 1,500 3,000
 Feet

THE CITY OF
Anna



THE CITY OF
Anna

Anna, Texas
March 2021
Sewer CCN No. 20898
Sewer Exhibit-2

Legend

- Collin County Line
- Proposed Sewer CCN #20898



0 5,000 10,000 20,000
Feet

- 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: 105

Number of customer connections in the requested area: 0

The closest city or town: Anna, TX

Approximate mileage to closest city or town center: 5

Direction to closest city or town: North

The requested area is generally bounded on the North by: Property Owned by John Rattan

on the East by: CR 286

on the South by: CR 286

on the West by: East Fork Trinity River

34. A copy of the proposed map will be available at 3223 North Powell Parkway, Anna, TX 75409

John H. Rattan
700 N. McDonald Street
McKinney, Texas 75069

March 17, 2021

Mr. Greg Peters
Director of Public Works
City of Anna
Anna, Texas

Re: CCN's related to property owned by John Rattan located on the north side of County Road 286, in the ETJ of Anna, Texas, and further located in Collin County, Texas

Dear Mr. Peters,

Attached is an exhibit showing a portion of property owned by John Rattan, said property in question is highlighted in red and cross hatched on the exhibit. Mr. Rattan would like for the water and sewer in this area to be provided by the City of Anna and for the CCN's for this area to be included in those held by the City of Anna. This would be consistent with remainder of the adjacent Rattan property, which is approximately 834 acres in total. It makes sense that all of the contiguous Rattan property would then be served as it relates to water and sewer by one entity, that being the City of Anna.

I have included the exhibit with this letter showing the area in question.

Thanking you in advance for your attention to this request and please contact me with any questions.

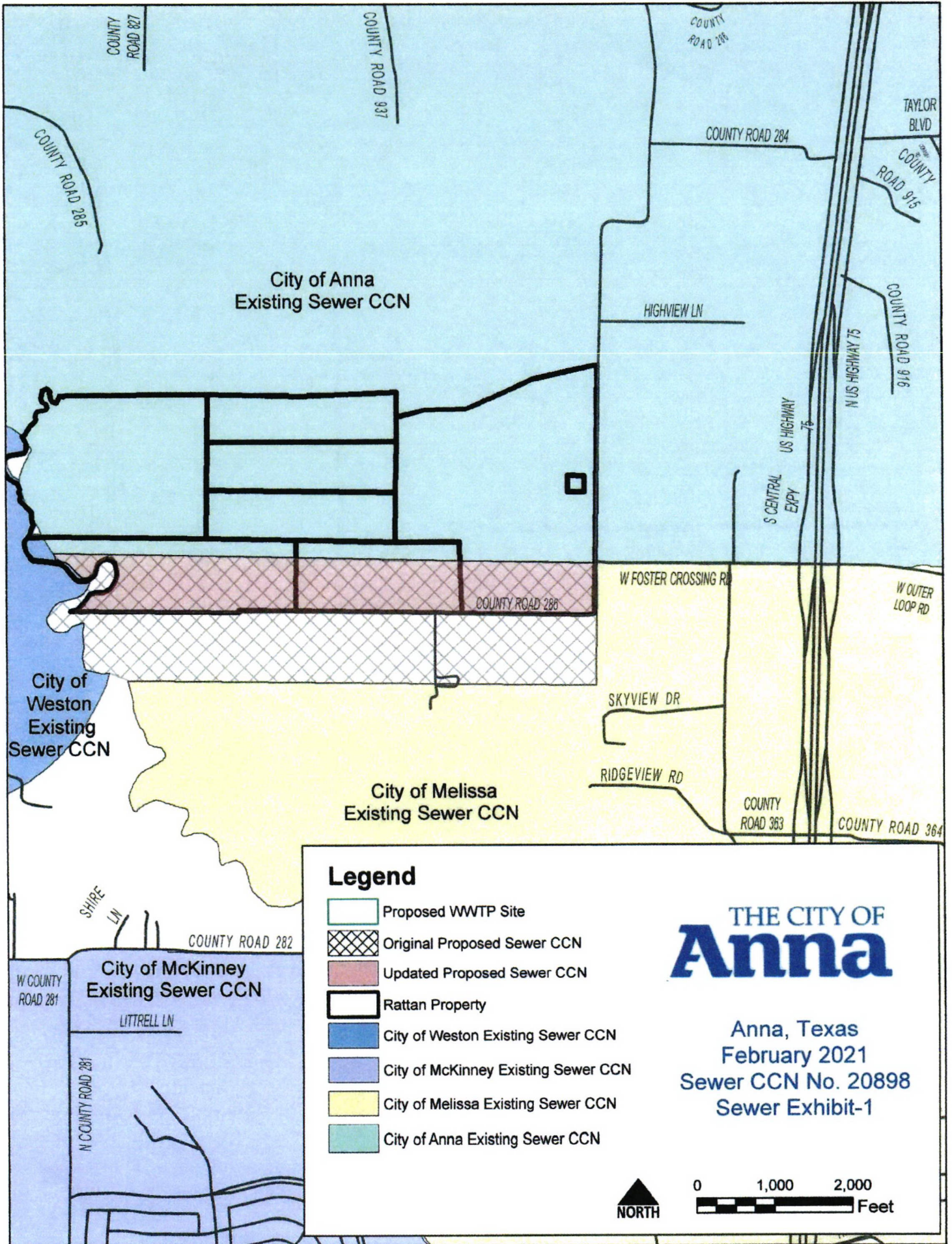
Sincerely,

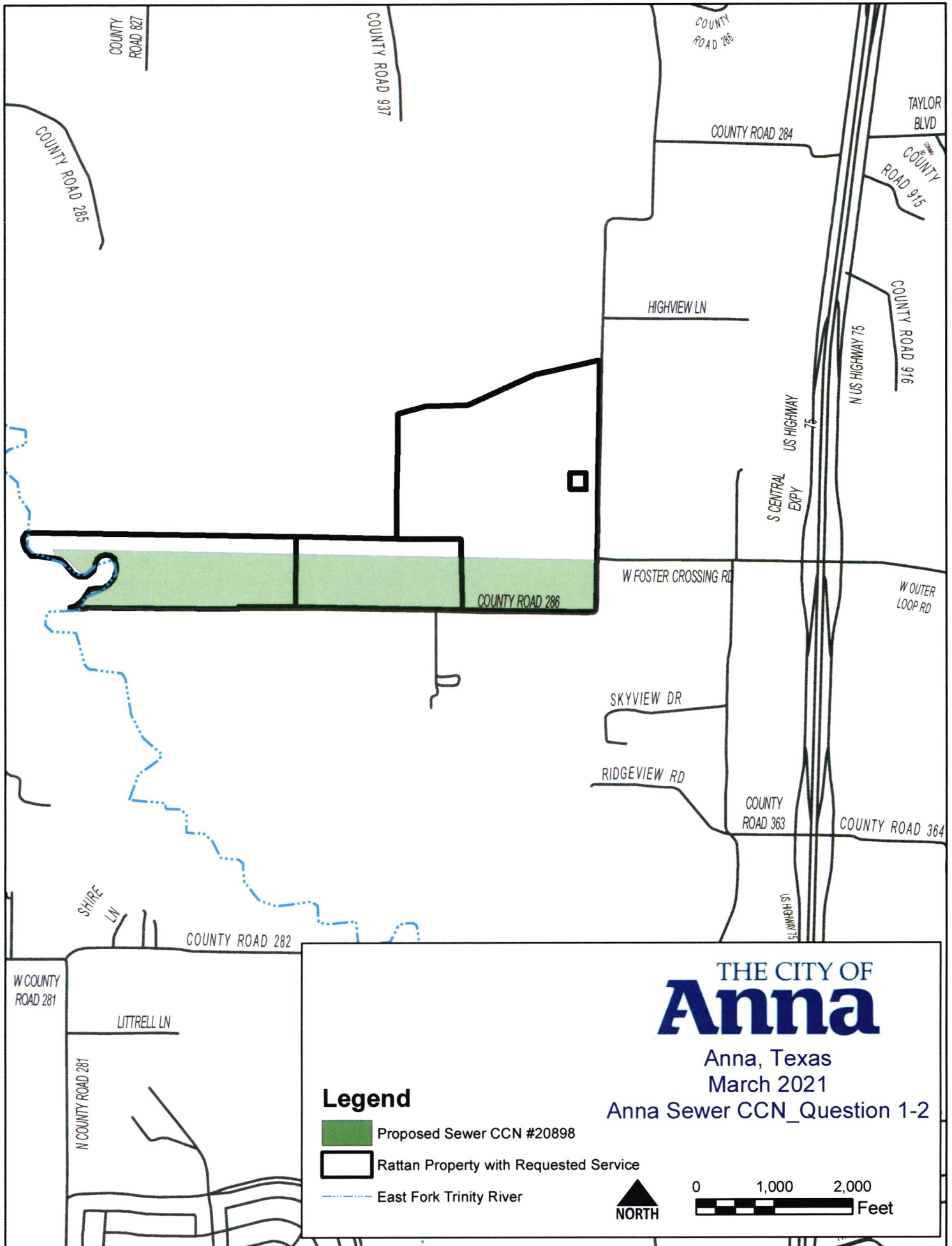


John H. Rattan
214-212-0884
john@jhrcorp.com

Attachment: Sewer CCN Exhibit, City of Anna

Rattan Request Letter Exhibit








THE CITY OF
Anna

Anna, Texas
March 2021

Anna Sewer CCN_Question 1-2

Legend

-  Proposed Sewer CCN #20898
-  Rattan Property with Requested Service
-  East Fork Trinity River







0 1,000 2,000
Feet

THE CITY OF Anna

	Area within Proposed Sewer CCN	Number of Connections within Proposed Sewer CCN
Anna City Limits	0 ac	0
Anna ETJ Boundary	105 ac	0
Outside Anna ETJ & City Limits	0 ac	0

Legend

-  Collin County Line
-  Proposed Sewer CCN #20898
-  Anna City Limits
-  Anna ETJ Boundary



0 5,000 10,000 20,000
Feet

Anna, Texas
March 2021
Anna Sewer CCN_Question 1-7