



Control Number: 51856



Item Number: 309

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Bryan W. Shaw, Ph D , *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Mark R. Vickery, P G , *Executive Director*



SAP 4654 CO

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 17, 2012

Mr. James Maclin  
Mid America Communities  
6584 Poplar Avenue Suite 300  
Memphis, TX 38138

Re: Request for Approval to Change Billing Method for the following;

1. **Venue at Stonebridge Ranch, Registration No. S5211: CN601549181, RN104965876**
2. **Cascade at Fall Creek, Registration No. S5685: CN601702715, RN105692768**
3. **Legacy Pines, Registration No. S4654: CN601702715, RN103997581**
4. **La Valencia at Starwood, Not Registered**
5. **Alamo Ranch, Not Registered**

Dear Mr. Maclin & Mr. Whitmire:

The requests you have submitted on behalf of **Venue at Stonebridge Ranch, Cascade at Fall Creek, Legacy Pines, La Valencia at Starwood, and Alamo Ranch** apartments to change from submetered to allocated billing are approved. These approvals are based on the facts stated in your letters of **March 16, 2012**. Thank you for completing the TCEQ-10363 and TCEQ-10400 forms. A copy of this approval letter will remain on file for each request you submitted for the above apartments. For a description and explanation of submetered and allocated utility billing, please visit the following website:

<http://www.tceq.texas.gov/utilities/submeter.html>

If you have any questions, please contact Debbie Reyes Tamayo at 512/239-4683. Via e-mail to [debbie.reyes-tamayo@tceq.texas.gov](mailto:debbie.reyes-tamayo@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "Tammy Benter".

Tammy Benter, Manager  
Utilities & Districts Section  
Water Supply Division

TB/DRT/mmg

309



March 16, 2012

TCEQ  
Utilities & Districts Section, MC-153  
PO Box 13087  
Austin, TX 78711-3087

MAA  
6584 Poplar Ave  
Memphis, TN 38138

RE: Legacy Pines Apartments  
11100 Louetta Road, Houston, TX 77070

RECEIVED  
WATER UTILITIES  
2012 MAR 21 PM 3:47

Dear Sir or Madam,

The purpose of this letter is to request permission for a change in billing method for Alamo Ranch Apartments from sub-metered billing to RUBs allocation. Included with this letter are the following:

- TCEQ Core Data Form
- TCEQ Registration Form
- Repair proposal to repair the known meter issues at the property
- A meter repair report where some meter work has already been performed.
- A comparison between the average submetered charges and the estimated RUBs charges.

Brandon Whitmire  
901-248-4162  
brandon.whitmire@maac.com

Thanks you for your time and attention to this matter.

Respectfully,

James Maclin  
SVP, Director of Corporate Services  
MAA

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**Registration of Submetered  
or Allocated Utility Service*Changed from Substo Allocated*

This Box for TCEQ Use Only

Registration No. S **4654**Date: **4-17-12** By: **Dei**

This Box for TCEQ Use Only

**CUSTOMER REFERENCE NUMBER**

CN(9 digits)

**REGULATED ENTITY REFERENCE NUMBER**

RN(9 digits)

I Send a completed *Core Data Form* (TCEQB10400) with this registration.**PROPERTY OWNER** (A Customer@ on TCEQ-10400)Name **MAA**I Do not enter the name of the owner's contract manager, management company, or billing company.**NAME AND TYPE OF PROPERTY WHERE UTILITY SERVICE IS PROVIDED**

(A Regulated Entity@ on TCEQ-10400)

Name **Legacy Pines Apartments**☒ Apartment Complex☐ Condominium☐ Manufactured Home Rental Community☐ Multiple-Use Facility

I If applicable, describe the A multiple use facility@ here:

**INFORMATION ON UTILITY SERVICE**

Tenants are billed for

☐ Water☐ Wastewater☒

Both these bills are

☐ Submetered☒

Allocated \*\*

Name of utility providing water/wastewater **Malcomson Road Utility District**Date submetered or allocated billing begins (or began) **5/1/2012**

I Required

**METHOD USED TO OFFSET CHARGES FOR COMMON AREAS**

I Check one line only.

☐ Not applicable, because☐ Bills are based on the tenant=s actual submetered consumption☐ There are neither common areas nor an installed irrigation system.**OR**☐ All common areas and the irrigation system(s) are metered or submetered. We deduct the actual utility charges for water and wastewater to these areas then allocate the remaining charges among our tenants.☒ This property has an installed irrigation system that is not separately metered or submetered. We deduct **25** percent (which is equal to or greater than 25 percent) of the utility=s total charges for water and wastewater consumption, then allocate the remaining charges among our tenants☐ This property has an installed irrigation system(s) that is/are separately metered or submetered. We deduct the actual utility charges associated with the irrigation system(s), then deduct at least 5 percent of the utility=s total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.☐ This property does not have an installed irrigation system. We deduct at least 5 percent of the retail public utility's total charges for water and wastewater consumption, then allocate the remaining charges among our tenants.**\*\* IF UTILITY SERVICES ARE ALLOCATED,  
YOU MUST ALSO COMPLETE PAGE 2 OF THIS FORM**I Send BOTH this form and the  
TCEQ Core Data Form by fax  
to: **512/239B6972****OR**by mail  
to:**Utilities & Districts Section, MCB153  
TCEQ  
PO Box 13087  
Austin, TX 78711B3087**

I If you need help completing this form, call TCEQ=s Utilities &amp; Districts Section at 512/239B4691. Additional information about submetered and allocated billing is available at the following site:

[http://www.tceq.state.tx.us/permitting/water\\_supply/ud/submeter.html](http://www.tceq.state.tx.us/permitting/water_supply/ud/submeter.html)I If you need help completing the TCEQ=s *Core Data Form*, call our Central Registry Program at 512/239B5175.You can also find instructions for completing this form at the following page:[http://www.tceq.state.tx.us/permitting/central\\_registry/guidance.html](http://www.tceq.state.tx.us/permitting/central_registry/guidance.html)

DET 4-3-12 OK by [Signature]

# METHOD USED TO ALLOCATE UTILITY CHARGES

Check the box or boxes that describe the allocation method used to bill tenants.

☒ **Occupancy method:** The number of occupants in the tenants dwelling unit is divided by the total number of occupants in all dwelling units at the beginning of the month for which bills are being rendered.

	Number of Occupants	Number of Occupants for Billing Purposes
<input type="checkbox"/> <b>Ratio occupancy method:</b> The number of occupants in the Tenant's dwelling unit is adjusted as shown in the table to the right. This adjusted value is divided by the total of these values for all dwelling units occupied at the beginning of the retail public utility's billing period.	1	1.0
	2	1.6
	3	2.2
	>3	2.2 + 0.4 for each additional occupant

	Number of Bedrooms	Number of Occupants for Billing Purposes
<input type="checkbox"/> <b>Estimated occupancy method:</b> The estimated occupancy for each unit is based on the number of bedrooms as shown in the table to the right. The estimated occupancy in the tenant's dwelling unit is divided by the total estimated occupancy in all dwelling units regardless of the actual number of occupants or occupied units.	0 (Efficiency)	1
	1	1.6
	2	2.8
	3	4.0
	>3	4.0 + 1.2 for each additional bedroom

☒ **Occupancy and size of rental unit:**  percent (which is equal to or greater than 50%) of the utility bill for water/ wastewater consumption is allocated using the occupancy method checked above. The remainder is allocated according to either:  
 ! the size of the tenant's dwelling unit divided by the total size of all dwelling units, OR  
 ! the size of the space rented by the tenant of a manufactured home divided by the size of all rental spaces.

☐ **Submetered hot water:** The individually submetered hot water used in the tenant's dwelling unit is divided by all submetered hot water used in all dwelling units.

☐ **Submetered cold water is used to allocate charges for hot water provided through a central system:** The individually submetered cold water used in the tenant's dwelling unit is divided by all submetered cold water used in all dwelling units.

☐ **As outlined in the condominium contract.** | Describe.

☐ **Size of manufactured home rental space:** The size of the area rented by the tenant divided by the total area of all rental spaces.

☐ **Size of the rented space in a multiuse facility:** The square footage of the space rented by the tenant divided by the total square footage of all rental spaces.



TCEQ Use Only

# TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

## SECTION I: General Information

<b>1. Reason for Submission</b> (If other is checked please describe in space provided)			
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application)			
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other	
<b>2. Attachments</b> Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.)			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>3. Customer Reference Number (if issued)</b>		<b>4. Regulated Entity Reference Number (if issued)</b>	
CN		RN	

## SECTION II: Customer Information

<b>5. Effective Date for Customer Information Updates (mm/dd/yyyy)</b>		3/16/2012	
<b>6. Customer Role</b> (Proposed or Actual) – as it relates to the <u>Regulated Entity</u> listed on this form. Please check only <u>one</u> of the following:			
<input type="checkbox"/> Owner	<input type="checkbox"/> Operator	<input checked="" type="checkbox"/> Owner & Operator	
<input type="checkbox"/> Occupational Licensee	<input type="checkbox"/> Responsible Party	<input type="checkbox"/> Voluntary Cleanup Applicant	<input type="checkbox"/> Other: _____
<b>7. General Customer Information</b>			
<input type="checkbox"/> New Customer		<input checked="" type="checkbox"/> Update to Customer Information	<input type="checkbox"/> Change in Regulated Entity Ownership
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State)		<input type="checkbox"/> No Change**	
<b>**If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.</b>			
<b>8. Type of Customer:</b>			
<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship- D.B.A	
<input type="checkbox"/> City Government	<input type="checkbox"/> County Government	<input type="checkbox"/> Federal Government	
<input type="checkbox"/> State Government	<input type="checkbox"/> Other Government	<input type="checkbox"/> General Partnership	
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Other: _____		
<b>9. Customer Legal Name</b> (If an individual, print last name first: ex: Doe, John)		<b>If new Customer, enter previous Customer below</b>	
Mid-America Apartment Communities d.b.a MAA		<b>End Date:</b>	
<b>10. Mailing Address:</b>			
6584 Poplar Avenue			
City	Memphis	State	TN
ZIP	38138	ZIP + 4	
<b>11. Country Mailing Information</b> (if outside USA)		<b>12. E-Mail Address</b> (if applicable)	
		brandon.whitmire@maac.com	
<b>13. Telephone Number</b>		<b>14. Extension or Code</b>	
( 901 ) 248-4162			
<b>15. Fax Number</b> (if applicable)			
( 901 ) 435-5437			
<b>16. Federal Tax ID</b> (9 digits)		<b>17. TX State Franchise Tax ID</b> (11 digits)	
621543816			
<b>18. DUNS Number</b> (if applicable)		<b>19. TX SOS Filing Number</b> (if applicable)	
<b>20. Number of Employees</b>		<b>21. Independently Owned and Operated?</b>	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input checked="" type="checkbox"/> 501 and higher		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## SECTION III: Regulated Entity Information

<b>22. General Regulated Entity Information</b> (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)			
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information <input checked="" type="checkbox"/> No Change** (See below)			
<b>**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.</b>			
<b>23. Regulated Entity Name</b> (name of the site where the regulated action is taking place)			
Legacy Pines Apartments			

24. Street Address of the Regulated Entity: (No P.O. Boxes)	11100 Louetta Road							
	City	Houston	State	TX	ZIP	77070	ZIP + 4	
25. Mailing Address:	11100 Louetta Road							
	City	Houston	State	TX	ZIP	77070	ZIP + 4	
26. E-Mail Address:								
27. Telephone Number			28. Extension or Code		29. Fax Number (if applicable)			
( 281 ) 655-4800					( 281 ) 655-4888			
30. Primary SIC Code (4 digits)		31. Secondary SIC Code (4 digits)		32. Primary NAICS Code (5 or 6 digits)		33. Secondary NAICS Code (5 or 6 digits)		
34. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description.)								
Apartment community								

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:							
36. Nearest City		County		State		Nearest ZIP Code	
37. Latitude (N) In Decimal:				38. Longitude (W) In Decimal:			
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Industrial Hazardous Waste	<input type="checkbox"/> Municipal Solid Waste
<input type="checkbox"/> New Source Review – Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS	<input type="checkbox"/> Sludge
<input type="checkbox"/> Stormwater	<input type="checkbox"/> Title V – Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil	<input type="checkbox"/> Utilities
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

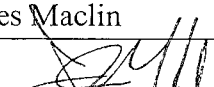
#### SECTION IV: Preparer Information

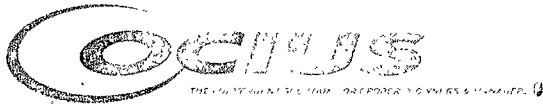
40. Name:	Brandon Whitmire		41. Title:	Utility Analyst
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address	
( 901 ) 248-4162		( 901 ) 435-5437	brandon.whitmire@maac.com	

#### SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	MAA	Job Title:	SVP Director of Corporate Services	
Name (In Print):	James Maclin	Phone:	( 901 ) 248-4134	
Signature:			Date:	3/16/2012



# Meter Repair Proposal

651 W. Washington Blvd  
Suite 200  
Chicago, IL 60661  
T (866)850-3500 x231  
F (312)275-7747

Proposal Date: 11/8/2011

Proposal #: 1175

## Bill To:

Mid-America Communities  
Attn: James MacIn  
6584 Poplar Avenue  
Suite 300  
Memphis, TN 38138

Description	Est. Hours/Qty.	Rate	Total
Meter Repair Service Cost - Legacy Pines	20	93.75	1,875.00
Replacement Meter Cost - Legacy Pines	9	97.50	877.50
Replacement Transmitter Cost - Legacy Pines	10	87.75	877.50
Replacement Battery Cost - Legacy Pines	36	15.00	540.00

**Total \$4,170.00**

This is the ESTIMATED cost for equipment, labor and travel.

If indicated above, this proposal includes shipping and sales tax but does not include other taxes, permits, or fees.

There will be a \$300.00 trip charge if Ocius arrives and can not enter units to perform work due to failure to notice or rescheduling beyond the control of Ocius

There will be a \$50.00 trip charge and a \$30.00 per unit if Ocius has to return after last scheduled day of project to complete units that were not accessible during original schedule

## ACCEPTANCE OF PROPOSAL & PAYMENT TERMS

The above prices and conditions are satisfactory and are hereby accepted. You are authorized to begin repairs as proposed. Balance of the contract is payable within 10 days after delivery.

Note: This proposal may be withdrawn if not accepted within 30 Days. Any variation in the assumptions on which this proposal is based that result in additional costs will become an extra charge over and above the amounts in this proposal. Ocius is not responsible for delays due to strikes, accidents, or delays beyond our control.

Date \_\_\_\_\_ Accepted By \_\_\_\_\_ Title \_\_\_\_\_





## Meter Repair Report

Property: Legacy Pines  
 Contact: Nancy Frost / Brandon Whitmire  
 Service Date: 10/28/2010

Read System: Inovonics  
 Meter Type: Ista Meters

Service:

<u>UNIT #</u>	<u>Problem</u>	<u>Work Performed / Comments</u>
Office	No connection to collector	Ocius technician pulled reads and checked collector

<u>Quantity</u>	<u>Service/Equipment</u>	<u>Cost</u>
2	Meter Repair Service	\$ 93.75
	<b>Total</b>	<b>\$ 187.50</b>

Property	Utility	Submetered Average Charge	Estimated RUBs Average Charge	Inc/(Dec)
Legacy Pines	Water	\$ 22.77		
Legacy Pines	Wastewater	\$ 15.00		
	Total:	\$ 37.77	\$ 30.69	\$ (7.08)