



Control Number: 51856



Item Number: 384

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



SAP 1171 CO

RECEIVED

2021 AUG -3 AM 8:00

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 17, 2009

Ms. Sabrina C. Patterson
ConService
5482 Complex Street, Suite 108
San Diego, California 92123

Re: Request for approval to change billing method
Rancho Mirage Apartments, Registration No. S1171
CN: 600686323 RN: 102673571

Dear:

The request you submitted on behalf of Rancho Mirage Apartments to change from submetered to allocated billing is approved. This approval is based on the facts stated in your letter of July 15, 2009. Please complete the attached forms and return them along with a copy of this letter. You may do so via facsimile at: 512-239-6190.

If you have any questions, please contact me at 512-239-6403, via e-mail at mtaunton@tceq.state.tx.us, or by fax at 512-239-6190.

Sincerely,

Margot Taunton

Margot Taunton, Program Specialist
Utilities & Districts Section
Water Supply Division

MT/In

Attachments (TCEQ-10363 and TCEQ-10400)

384

CONSERVICE®

utility management & billing

5482 Complex Street, Suite 108
San Diego, CA 92123

www.conservice.com
Phone: 866-947-7379
Fax: 858-541-2208
Direct Dial: 858-695-1900

July 15, 2009

SENT VIA E-MAIL

Texas Commission on Environmental Quality
Utilities & Districts Section
Attn. Ms. Margot Taunton
Water Supply Division
P.O. Box 13087
Austin, TX 78711-3087

RE: Request for Approval to Change Billing Method

Rancho Mirage Apartments, Registration No. S1171
CN: 600686323 RN: 102673571

Dear Ms. Taunton:

Our company serves as the utility billing provider for the above-referenced property, upon whose behalf and authorization we send this letter. The purpose of this correspondence is to formally request that the Texas Commission on Environmental Quality ("TCEQ") approve this property to transition from submetered to allocated billing due to numerous submetering problems and equipment failures that cannot feasibly be corrected or repaired.

We understand that the Texas Administrative Code §291.123 permits owners to switch from submetered to allocated billing upon a showing of good cause and approval by the TCEQ. For the following reason, we believe that Rancho Mirage Apartments ("Rancho Mirage") meets the good cause requirements outlined in the Code, and we respectfully ask that the TCEQ approve this request.

Rancho Mirage utilizes point of use submeters which were not originally installed by Conservice. Over the past several months, numerous submeter issues have arisen, prompting the property management and owner to engage in discussions to address and correct these irregularities. The widespread equipment failures include erratic and flawed readings, and in some cases no readings whatsoever – which have resulted in the system being rendered generally unreliable.



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

This Box for TCEQ Use Only

Registration No. S 1171

Date By 2021 AUG -3 AM 8:00

This Box for TCEQ Use Only

CUSTOMER REFERENCE NUMBER

CN (9 digits) 600688323

REGULATED ENTITY REFERENCE NUMBER

RN (9 digits) 102673671

Send a completed Core Data Form (TCEQB10400) with this registration

PROPERTY OWNER (A Customer on TCEQ-10400)

Name

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 Rancho Mirage

☒ Apartment Complex
 ☐ Condominium
 ☐ Manufactured Home Rental Community
 ☐ Multiple-Use Facility

If applicable, describe the 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 Irving Water Utilities

Date submetered or allocated billing begins (or began)

Required

METHOD USED TO OFFSET CHARGES FOR COMMON AREAS 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.

Send BOTH this form and the TCEQ Core Data Form by fax to 612/23986190 OR by mail to Utilities & Districts Section, MCa153 TCEQ PO Box 13087 Austin, TX 78711-3087

If you need help completing this form, call TCEQ's Utilities & Districts Section at 612/23984691. You can find additional information about submetered and allocated billing at www.tceq.state.tx.us/permitting/waterperm/ud/submeter.htm

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 www.tceq.state.tx.us/permitting/projects/cr/10400-inst.pdf

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 tenant's 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.

☐ **Ratio occupancy method:** 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.

Number of Occupants	Number of Occupants for Billing Purposes
1	1.0
2	1.6
3	2.2
>3	2.2 + 0.4 for each additional occupant

☐ **Estimated occupancy method:** 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.

Number of Bedrooms	Number of Occupants for Billing Purposes
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** 50 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 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

1. Reason for Submission (If other is checked please describe in space provided)			
<input 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 checked="" type="checkbox"/> Other	changed from submetered to allocation	
2. Attachments: Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.)			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Registration Form 10363		
3. Customer Reference Number (If issued)		4. Regulated Entity Reference Number (If issued)	
CN 600686323		RN 102673571	

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy)				7.15.09			
6. Customer Role (Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check only one of the following:							
<input checked="" type="checkbox"/> Owner		<input type="checkbox"/> Operator		<input type="checkbox"/> Owner & Operator			
<input type="checkbox"/> Occupational Licensee		<input type="checkbox"/> Responsible Party		<input type="checkbox"/> Voluntary Cleanup Applicant		<input type="checkbox"/> Other	
7. General Customer Information							
<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**			
**If "No Change" and Section I is complete, skip to Section III - Regulated Entity Information.							
8. Type of Customer:		<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	
9. Customer Legal Name (If an individual, print last name first: ex: Doe, John)				If new Customer, enter previous Customer below		End Date	
WW Ranch Holdings, LLC							
2918 W. Park Row Drive							
10. Mailing Address:		City		State		ZIP	
		Pantego		TX		76013	
11. Country Mailing Information (if outside USA)				12. E-Mail Address (if applicable)			
13. Telephone Number		14. Extension or Code		15. Fax Number (if applicable)			
(817) 795-4900				(817) 795-4900			
16. Federal Tax ID (9 digits)		17. TX State Franchise Tax ID (11 digits)		18. DUNS Number (if applicable)		19. TX SOS Filing Number (if applicable)	
26-4832950							
20. Number of Employees				21. Independently Owned and Operated?			
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input checked="" type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

SECTION III: Regulated Entity Information

22. General Regulated Entity Information (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 checked="" type="checkbox"/> Update to Regulated Entity Information <input type="checkbox"/> No Change** (See below)			
**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.			
23. Regulated Entity Name (name of the site where the regulated action is taking place)			

Rancho Mirage					
24. Street Address of the Regulated Entity: (No P.O. Boxes)		1200 Hidden Ridge			
City	Irving	State	TX	ZIP	75038
25. Mailing Address:		1200 Hidden Ridge			
City	Irving	State	TX	ZIP	75038
26. E-Mail Address: <u>rancho Mirage@Olympus Property, CA</u>					
27. Telephone Number		28. Extension or Code		29. Fax Number (if applicable)	
(972) 518-1288				(972) 714-0124	
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 Complex					

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

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

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 checked="" 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: <u>Reggie Roberts</u>		41. Title: <u>Property Manager</u>	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(972) 518-1288		(972) 714-0124	

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:	<u>Rancho Mirage</u>	Job Title:	<u>Property Manager</u>
Name (in Print):	<u>Reggie Roberts</u>	Phone:	<u>(972) 518-1288</u>
Signature:	<u>Reggie Roberts</u>	Date:	<u>8.12.09</u>