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Texas Commission Environmental Quality

INTEROFFICE MEMORANDUM

TO: Tariff Coordinator
Utilities Financial Review

THRU: Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division

FROM: Elsie N. Pascua, Staff Auditor
Utilities & Districts Section
Water Supply Division

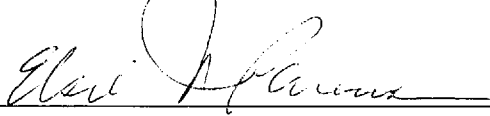
SUBJECT: Request for Tariff Approval Stamp
Utility Name: **William A. Swinney dba High Sierra Water System**
CCN Number: **12855**
Application/Docket Number: **35752-S**

Date: January 20, 2010 ✓
- order signed 2/11/10 ✓
Note: CCO incorrectly
referenced Pertron
Woodhouse
1/20/10

Attached, please find:

- A. A tariff for a utility reflecting the results of a rate case approved by the Commission (contested).
- B. A tariff for a utility reflecting rates effective by Operation of Law i.e. no protests received nor hearing requested (uncontested).
- C. A tariff for a utility with minor tariff changes allowed under TNRCC Rule 291.21(b)(2).
- D. A utility tariff submitted in a CCN application.
- E. A tariff for a utility submitted in a report of sale and/or transfer of CCN application.
- F. Other:
- G. Comments regarding any of the above or any related tariff on file: Obsolete tariff for the above application. CCN 12855 was canceled and the PWS was transferred to CCN 13083, Ricky T. Rowe dba Sunset Water Utilities

I have reviewed the above tariff and I recommend it be stamped APPROVED. Date of tariff approval: January 20, 2010


(Signature)

Texas Commission Environmental Quality

INTEROFFICE MEMORANDUM

stamped on 1/26/10
Date: January 20, 2010

TO: Tariff Coordinator
Utilities Financial Review

THRU: Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division

FROM: Elsie N. Pascua, Staff Auditor
Utilities & Districts Section
Water Supply Division

SUBJECT: Request for Tariff Approval Stamp
Utility Name: Ricky L. Rowe dba Sunset Water Utilities
CCN Number: 13083
Application/Docket Number: 35752-S

— order signed 2/11/10
✓ 9/9/10

Attached, please find:

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- D. A utility tariff submitted in a CCN application.
- E. A tariff for a utility submitted in a report of sale and/or transfer of CCN application.
- F. Other: Obsolete William A. Swinney dba High Sierra Water System's tariff. CCN 12855 was transferred and canceled under the above referenced application.
- G. Comments regarding any of the above or any related tariff on file:

I have reviewed the above tariff and I recommend it be stamped APPROVED. Date of tariff approval: January 20, 2010



(Signature)

TEXAS COMM. ON ENVIRONMENTAL QUALITY
35752-S, CCN 13083, JANUARY 20, 2010
APPROVED TARIFF BY _____

RATES LISTED ARE EFFECTIVE ONLY
IF THIS PAGE HAS TCEQ APPROVAL STAMP

Texas Commission Environmental Quality

INTEROFFICE MEMORANDUM

TO: Tariff Coordinator
Utilities Financial Review

Date: January 20, 2010

THRU: Doug Holcomb, P.E., Section Manager
Utilities & Districts Section
Water Supply Division

FROM: Elsie N. Pascua, Staff Auditor
Utilities & Districts Section
Water Supply Division

SUBJECT: Request for Tariff Approval Stamp
Utility Name: Ricky L. Rowe dba Sunset Water Utilities
CCN Number: 13083
Application/Docket Number: 35752-S

Attached, please find:

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I have reviewed the above tariff and I recommend it be stamped APPROVED. Date of tariff approval: January 20, 2010

(Signature)

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TEXAS COMM. ON ENVIRONMENTAL QUALITY
35752-S, CCN 13083, JANUARY 20, 2010
APPROVED TARIFF BY _____

**WATER UTILITY TARIFF
FOR**

Ricky L. Rowe dba Sunset Water Utilities
(Utility Name)

950 Sunset Water Utilities
(Business Address)

Marble Falls, Texas 78654
(City, State, Zip Code)

(830) 598-8379
(Area Code/Telephone)

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

13083

This tariff is effective in the following county(ies):

Burnet

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

None

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

Bertram Woods Subdivision: PWS # 0270114

High Sierra Water System: PWS # 0270113

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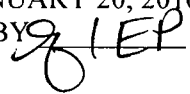
The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION 1.0 -- RATE SCHEDULE.....	2
SECTION 2.0 -- SERVICE RULES AND POLICIES	4
SECTION 3.0 -- EXTENSION POLICY	11
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN	15

APPENDIX A -- SAMPLE SERVICE AGREEMENT

APPENDIX B -- APPLICATION FOR SERVICE

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TEXAS COMM. ON ENVIRONMENTAL QUALITY
35752-S, CCN 13083, JANUARY 20, 2010
APPROVED TARIFF BY 

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge</u>
5/8" or 3/4"	\$56.00 (Includes 0 gallons)	\$2.25 for each additional 1,000 gallons
1"	\$140.00	
1 1/2 "	\$280.00	
2"	\$448.00	
3"	\$840.00	

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

Cash X, Check X, Money Order X, Credit Card _____, Other (specify) _____

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 ASSESSMENT 1.0%
TCEQ RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.

Section 1.02 - Miscellaneous Fees

TAP FEE \$500.00
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.

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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) Non payment of bill (Maximum \$25.00)..... \$25.00
- b) Customer's request that service be disconnected \$25.00

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

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

TCEQ 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 TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [30 TAC 291.21(K)(2)]

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.

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



APPLICATION NO. 35752-S

IN THE MATTER OF THE APPLICATION
OF RICKY L. ROWE CERTIFICATE OF
CONVENIENCE AND NECESSITY (CCN)
NO. 13083, TO TRANSFER FACILITIES
AND CANCEL CERTIFICATE OF
CONVENIENCE AND NECESSITY NO.
12855 FROM HIGH SIERRA WATER
SYSTEM, IN BURNET COUNTY, TEXAS

§
§
§
§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

On **FEB 11 2010**, the Executive Director of the Texas Commission on Environmental Quality pursuant to Chapters 5 and 13 of the Texas Water Code considered the application of Ricky L. Rowe Certificate of Convenience and Necessity (CCN) No. 13083, to transfer facilities and cancel Certificate of Convenience and Necessity No. 12855 from William A. Swinney in Burnet County, Texas.

No person has requested a public hearing on the application;

Notice of the application was given to all affected and interested parties;

The criteria set forth in *Texas Water Code* Sections 13.246(c), 13.254, and 13.301 have been considered; and

The certificate transfer requested in this application is necessary for the service, accommodation, convenience, and safety of the public.

Now, therefore, be it ordered by the Texas Commission on Environmental Quality that the application is granted and Certificate of Convenience and Necessity No. 12855 be canceled in accordance with the terms and conditions set forth herein and in the certificate.

IT IS FURTHER ORDERED that Ricky L. Rowe shall serve every customer and applicant for service within the area certified under Certificate of Convenience and Necessity No. 13083 and that such service shall be continuous and adequate.

Issued date: **FEB 11 2010**

Texas Commission on Environmental Quality

A handwritten signature in black ink that reads "Mark Viley". The signature is written in a cursive style with a large loop at the end.

For the Commission

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
February 22, 2010

Mr. Ricky L. Rowe
Sunset Water Utilities
950 Sunset Dr.
Marble Falls, Texas 78654

Re: Application No. 35752-S, Application of Ricky L. Rowe, Convenience and Necessity (CCN) No. 13083, to Transfer and Cancel Convenience and Necessity (CCN) No. 12855 from William A. Swinney dba High Sierra Water System in Burnet County, Texas

CN: 601759202; RN: 104711122 (Ricky L. Rowe dba Sunset Water Utilities) (buyer)
CN: 600672356; RN: 104607379 (William A. Swinney dba High Sierra Water System) (seller)

Dear Mr. Rowe:

Enclosed are the following documents issued by the Commission in the above referenced application:

- certified copy of the order
- certified copy of the map
- copy of the CCN

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

You are now authorized to provide utility service in accordance with your approved tariff and the rules and regulations of the Commission. Your last step is to file a certified copy of the CCN map along with a written description of the CCN service area in the county clerk's office pursuant to Texas Water Code, Chapter 13.257 (r) and (s).

If you have any questions, please contact Ms. Elsie N. Pascua by phone at 512/239-5367, by fax at 512/239-6972, or if by correspondence, include MC 153 in the letterhead address.

Sincerely,

A handwritten signature in black ink that reads "Kathy Rain".

Todd Chenoweth, Director
Water Supply Division

TC/ENP/lm

Enclosures

cc: mailing list

MAILING LIST FOR APPLICATION NO. 35752-S

Mr. Ricky L. Rowe
Sunset Water Utilities
950 Sunset Dr.
Marble Falls, Texas 78654

Mr. Bret W. Fenner, P.E., Receiver
William A. Swinney dba High Sierra Water System
P.O. Box 500264
Austin, Texas 78750

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
February 22, 2010

Ricky L. Rowe
Sunset Water Utilities
950 Sunset Drive
Marble Falls, Texas 78654

Bret W. Fenner, P.E., Receiver
William A. Swinney dba High Sierra Water System
P.O. Box 500264
Austin, Texas 78750

RE: Ricky L. Rowe
Certificate of Convenience and Necessity Nos. 12855 and 13083

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has issued final approval of the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the approval became effective on the date the ED signed the permit or other approval. A copy of the final approval is enclosed and cites the effective date.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ executive director's approval of the application. Any motion must explain why the commission should review the TCEQ executive director's action. According to 30 TAC Section 50.139 an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the chief clerk in person or by mail. The Chief Clerk's mailing address is Office of the Chief Clerk (MC 105), TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. On the same day the motion is transmitted to the chief clerk, please provide copies to Robert Martinez, Environmental Law Division Director (MC 173), and Blas Coy, Public Interest Counsel (MC 103), both at the same TCEQ address listed above. If a motion is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's approval. According to Texas Water Code Section 5.351 a person affected by the ED's approval must file a petition appealing the ED's approval in Travis County district court within 30 days after the effective date of the approval. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Individual members of the public may seek further information by calling the TCEQ Office of Public Assistance, toll free, at 1-800-687-4040.

Sincerely,

A handwritten signature in black ink, appearing to read "LaDonna Castañuela".

LaDonna Castañuela
Chief Clerk

LDC/ms

cc: Blas Coy, TCEQ Public Interest Counsel (MC 103)