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**WATER UTILITY TARIFF
FOR**

Camilla Coves Lot Owners Association, Inc.
(Utility Name)

P.O. Box 1001
(Business Address)

Coldspring, Texas 77331
(City, State, Zip Code)

(936) 653-3232
(Area Code/Telephone)

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

11364

This tariff is effective in the following county:

San Jacinto

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

None

This tariff is effective in the following subdivisions or systems:

Camilla Coves Lot Owners Association, Inc. (PWS #2040040)

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SECTION 1.0--RATE SCHEDULE

Section 1.01--Rates

METER SIZE	Monthly Minimum Charge including <u>Zero</u> gallons	Gallonge Charge	
5/8" or 3/4"	\$ <u>20.00</u> per month	\$ <u>1.00</u> per	N
1"	\$ _____ per month	1000 gallons	
1 1/2"	\$ _____ per month		
2"	\$ _____ per month	SAME FOR ALL SIZES	
3"	\$ _____ per month		
4"	\$ _____ per month		
Convenience Tap	7 .50 per month	\$ 1 .00 per 1000 gallons	N

Section 1.2--Miscellaneous Fees

TAP FEE.....\$ 125.00 N
 Tap fee is limited to the average of the Utility's actual costs for materials and labor for standard residential connections of 5/8" or 3/4" meter

RECONNECTION FEE.....\$ 75.00 N
 The reconnect fee will be charged before service can be restored to a customer who has been disconnected at a) the customer's request, b) reasons listed under Section 2.0 of this tariff, or c) reasons listed in the Commission's Substantive Rules.

LATE CHARGE
 A one-time penalty of \$1.00 or 5.0% whichever is larger may be made on delinquent bills. The penalty on delinquent bills may not be applied to any balance to which the penalty was applied in a previous billing.

RETURNED CHECK CHARGE.....\$ 15.00 N

CUSTOMER DEPOSIT (Maximum \$50).....\$ none

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 DATE 7/25/88 DOCKET 7288-S
 FILE 11364 BY LPS
 TARIFF CLERK *ph*

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Key to Codes

C--Regulation Change D--Discontinued I--Increase N--New
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SECTION 2.0--SERVICE RULES AND REGULATIONS

Section 2.01--Application for Service

All applications for service will be made on the utility's standard application or contract form (attached in Appendix A to this tariff) and will be signed by the applicant before water service is provided by the utility. A separate application or contract will be made for each service at each separate location.

Section 2.02--Water Installation

After the applicant has met all the requirements, conditions and regulations for service, the utility will install a tap, meter and cut-off valve and/or take all necessary actions to initiate service. The utility shall serve each qualified applicant for service within its certified area as rapidly as is practical after accepting a completed application. The utility shall provide service in a timely manner on a non-discriminatory basis.

Service requests not involving line extensions, construction or new facilities shall be filled no later than fourteen (14) working days after a completed application has been accepted. If construction is required which cannot be completed within thirty (30) days, the utility shall provide a written explanation of the construction required and an expected date of service. Service shall be provided within thirty (30) days of the expected date, but no later than 180 days after a completed application was accepted. Failure to provide service within this time frame shall constitute refusal to serve.

Section 2.03--Refusal of Service

The utility may decline to serve an applicant until such applicant has complied with both state and municipal regulations, the approved rules and regulations of the utility on file with the Commission and for the following reasons:

1. the applicant's installation or equipment is known to be inadequate or of such character that satisfactory service cannot be given;
2. the applicant is indebted to any utility for the same kind of service as that applied for, provided, however, that in the event the indebtedness of the applicant is in dispute, the applicant shall be served upon complying with the deposit requirement of the utility; or,
3. refusal to make a deposit, if applicant is required to make a deposit by the utility.

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SECTION 2.0--SERVICE RULES AND REGULATIONS (CONT.)

Section 2.03--Refusal of Service (cont.)

In the event that the utility shall refuse to serve an applicant, the utility must inform the applicant of the basis of its refusal. The utility is also required to inform the applicant and file a complaint with the Commission.

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Section 2.04--Customer Deposits

if the residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit that does not exceed \$50.00 for water utility service.

The utility must keep a record of each deposit, issue a receipt for it, and pay annual interest at a rate set each calendar year by the Commission. The utility shall maintain all funds received as customer deposits in a separate, federally insured, interest bearing account and shall use such funds only for the purpose of payment of unpaid bills guaranteed by such deposits, payment of interest to depositors and refund of deposits to depositors.

The utility must automatically refund the deposit plus accrued interest:

1. if service is not connected;
2. after disconnection of service if the deposit or portion of the deposit exceeds any unpaid bills; or,
3. to any residential customer who has paid service bills for 12 consecutive months without being disconnected for nonpayment and without more than two occasions in which a bill was delinquent. The refund need not be made if payment on the current bill is delinquent.

Non-residential applicants, if unable to establish satisfactory credit, may be required to make a deposit not to exceed one-sixth (1/6) of the estimated annual billings.

Section 2.05--Meter Requirements, Readings, and Testing

All water sold by the utility shall be billed based on meter measurements. The utility shall provide, install, own and maintain meters to measure amounts of water consumed by its customers. No meter shall be placed in service unless its accuracy has been established.

One meter is required for each residential, commercial or industrial facility. An apartment building or a trailer or mobile home park may be considered to be a single commercial facility.

SECTION 2.0 SERVICE RULES AND REGULATIONS (CONT.)

Section 2.05--Meter Requirements, Readings, and Testing

Service meters shall be read at monthly intervals and as nearly as possible on the corresponding day of each monthly meter reading period. If the circumstances warrant, meters may be read at other than monthly intervals.

Upon request, a customer may have his meter tested, without charge, in his presence or in that of his authorized representative, at a convenient time to the customer, but during the utility's normal working hours. A charge not to exceed \$15.00 may be assessed for an additional requested test within two years of the first test, if the additional test shows the meter to be accurate.

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Section 2.06--Billing

Bills from the utility shall be rendered monthly unless otherwise authorized by the Commission. Payment is considered late if not received at the utility's office or postal address within sixteen (16) days of the billing date. The postmark on the envelope of the bill or the recorded date of mailing by the utility, if there is no postmark on the envelope, shall constitute proof of the date of issuance.

A one-time penalty of \$1.00 or 5.0%, whichever is larger, may be made on delinquent bills. However, no such penalty may be collected unless a record of the date of mailing is made at the time of the mailing and maintained at the principal office of the utility.

Each bill shall show the following information (if applicable):

1. the date and reading of the meter at the beginning and at the end of the period for which the bill is rendered;
2. the number and kind of units metered;
3. the applicable rate schedule, title, or code;
4. the total amount due for water service;
5. the due date of the bill;
6. the date by which customers must pay the bill in order to avoid addition of a penalty;
7. the total amount due as penalty for nonpayment within a designated period;
8. a distinct marking to identify an estimated bill; and
9. any conversions from meter reading units to billing units from recording or other devices, or any other factors used in determining the bill.

The information required in items 1-9 above shall be arranged to allow the customer to readily compute his bill with a copy of the utility's rate schedule which shall be provided by the utility at the request of the customer.

SECTION 2.0 SERVICE RULES AND REGULATIONS (CONT.)

Section 2.06--Billing (cont.)

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility shall conduct an investigation and report the results to the customer. If the dispute is not resolved, the utility shall inform the customer that a complaint may be filed with the Commission.

CUSTOMER WATER COMMISSION	
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Section 2.07--Service Disconnection

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 has been given.

Proper notice shall consist of a separate mailing or hand delivery at least ten (10) days prior to a stated date of disconnection, with the words "termination notice" or similar language prominently displayed on the notice. The notice must also list the past due balance.

Utility service may be disconnected after proper notice for any of the following reasons:

1. failure to pay a delinquent account or to comply with a deferred payment agreement;
2. willful violation of a utility usage rule when that violation interferes with another customer's service; or,
3. failure to comply with valid deposit or guarantee arrangements.

Service may only be disconnected without notice:

1. when a known dangerous condition exists, for as long as the condition exists;
2. when service is established through meter bypassing, an unauthorized connection or unauthorized reconnection; and,
3. in instances of tampering with the utility company's meter or equipment.

A utility may not disconnect any customer for failure to pay for merchandise or service unrelated to utility service, even if the utility provides that merchandise or those services. A utility may not disconnect any customer for a previous occupant's failure to pay.

Utility personnel must be available to make collections and to reconnect service on the day of and the day after any disconnection of service unless service was disconnected at the customer's request or because of a hazardous condition.

SECTION 2.0 SERVICE RULES AND REGULATIONS (CONT.)

Section 2.08--Service Interruptions

The utility shall make all reasonable efforts to prevent interruptions of service. When interruptions occur, the utility shall re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, each utility shall keep a complete record of all interruptions, both emergency and scheduled.

The Commission shall be notified in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice shall also state the cause of such interruptions.

Section 2.09--Termination of Utility Service

No utility may abandon any customer or any portion of its service area without prior written notice to affected customers and neighboring utilities and prior Commission approval.

Section 2.10--Quality of Service

Each utility must 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. Minimum residual pressure at the consumer's meter shall be at least 20 psi during periods of peak usage and 35 psi during normal operating conditions.

The water system quantity requirements of the Texas Department of Health shall be the minimum standards for determining the sufficiency of production, treatment, storage, transmission and distribution facilities of water utilities for household usage. Additional capacity shall be provided to meet the reasonable local demand characteristics of the service area.

Each utility shall furnish water which has been approved by the Texas Department of Health. The application of Commission rules shall not relieve the utility from complying with the requirements of the laws and regulations of the State, local Department of Health, local ordinances and all other regulatory agencies having jurisdiction over such matters.

TEXAS WATER COMMISSION	
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Camilla Coves Lot Owners Association, Inc.
(Water Utility Name)

Water Tariff Page No. 7
Revision No. 0

SECTION 2.20 SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

This section contains specific utility service rules in addition to the standard rules previously listed under Section 2.0. It must be reviewed and approved by the Texas Water Commission to be effective.

-----NONE-----

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SECTION 3.0--EXTENSION POLICY

Section 3.01--Standard Extension Requirements

Contributions in aid of construction shall not be required of individual residential customers for production, storage, treatment or transmission facilities.

The utility will bear the cost of the first 200 feet of water main necessary to extend service to an individual residential customer. The utility shall bear the full cost of any oversizing of water mains to serve other residential customers in the area. If the specific utility extension policy stated in Section 3.20 of this tariff requires, residential customers may be required to pay for additional main beyond the first 200 feet.

The extension policy may not be applied to requests for service where the utility already has a line in place, even though the line may be overloaded.

Individual residential customers who place a unique or non-standard service demand on the system may be charged the actual costs of any additional transmission or storage facilities required over and above the standard requirements.

If specifically stated in Section 3.20 of this tariff, developers may be required to provide contributions in aid of construction in amounts to furnish the system with facilities compliant with Texas Department of Health minimum design criteria for facilities used in the production, transmission, pumping, storage or treatment of water.

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Camilla Coves Lot Owners Association, Inc.
(Water Utility Name)

Water Tariff Page No. 9
Revision No. 0

SECTION 3.20--SPECIFIC UTILITY EXTENSION POLICY

This section contain a specific extension policy in addition to the standard policy already stated under Section 3.0. It must be reviewed by the Texas Water Commission to be effective.

====None====

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SECTION 4.0 -- DROUGHT CONTINGENCY PLAN
(Utility must attach copy of TCEQ approved Drought Contingency Plan)

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DROUGHT CONTINGENCY PLAN

Camilla Coves Lot Owners Association

(Name of Utility)

P. O. Box 1001, Coldspring, Texas 77331

(Address, City, Zip Code)

11364

(CCN#)

2040040

(PWS #s)

April 18, 2005


(Date)

Section 1 Declaration of Policy, Purpose, and Intent

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit non-essential water usage. The purpose of the Drought Contingency Plan is to encourage customer conservation in order to maintain supply, storage, or pressure or to comply with the requirements of a court, government agency or other authority.

Please note: Water restriction is not a legitimate alternative if a water system does not meet the Texas Commission on Environmental Quality's (TCEQ) capacity requirements under normal conditions or if the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

I, Kenneth R. Janik (print name), being the responsible official for Camilla Coves Lot Owners Association request a minor tariff amendment to include the enclosed Drought Contingency Plan.


(Signature)

April 18, 2005
(Date)

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Section 2 Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by:
(check at least one of the following)

scheduling and providing public notice of a public meeting to accept input on the Plan.

The meeting took place at:

Date: April 19, 2005 Time: 10 A.M. Location: President's Residence

mailed survey with summary of results (attach survey and results)

bill insert inviting comment (attach bill insert)

other method Board Members

Section 3 Public Education

The Camilla Coves Lot Owners Association (name of utility) will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage.

Drought plan information will be provided by:
(check at least one of the following)

public meeting

press releases

utility bill inserts

other Posted on Community Bulletin Boards

Section 4 Coordination with Regional Water Planning Groups

The service area of the Camilla Coves Lot Owners Association (name of your utility) is located within Regional Water Planning Group (RWPG) H.

Camilla Coves Lot Owners Association (name of your utility) has mailed a copy of this Plan to the RWPG.

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Section 5 Notice Requirements

Written notice will be provided to each customer **prior to implementation or termination of each stage of the water restriction program**. Mailed notice must be given to each customer 72 hours prior to the start of water restriction. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

1. the date restrictions will begin,
2. the circumstances that triggered the restrictions,
3. the stages of response and explanation of the restrictions to be implemented, and,
4. an explanation of the consequences for violations.

The utility must notify the TCEQ by telephone at (512) 239-4691, or electronic mail at watermon@tceq.state.tx.us prior to implementing Stage III and must notify in writing the Public Drinking Water Section at MC -155, P.O. Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the utility's restriction notice. The utility must file a status report of its restriction program with the TCEQ at the initiation and termination of mandatory water use restrictions (i.e., Stages III and IV).

Section 6 Violations

1. First violation -The customer will be notified by written notice of their specific violation.
2. Subsequent violations:
 - a. After written notice, the utility may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed \$50.00.
 - b. After written notice, the utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the utility will apply for restoration of service.

Section 7 Exemptions or Variances

The utility may grant any customer an exemption or variance from the drought contingency plan for good cause **upon written request**. A customer who is refused an exemption or variance may appeal such action of the utility in writing to the Texas Commission on Environmental Quality. The utility will treat all customers equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances. No exemption or variance shall be retroactive, or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section 8 Response Stages

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the utility will initially declare Stage I restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage II may be implemented with Stage III to follow if necessary.

STAGE I -CUSTOMER AWARENESS

Stage I will begin:

Every April 1st, the utility will mail a public announcement to its customers. No notice to TCEQ required.

Stage I will end:

Every September 30th, the utility will mail a public announcement to it's customers. No notice to TCEQ required.

Utility Measures:

This announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water. A copy of the current public announcement on water conservation awareness shall be kept on file available for inspection by the TCEQ.

Voluntary Water Use Restrictions:

Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

STAGE II -VOLUNTARY WATER CONSERVATION:

Target: Achieve a 30% percent reduction in Total Water Usage .

The water utility will implement Stage II when any one of the selected triggers is reached:

Supply-Based Triggers: (check at least one and fill in the appropriate value)

- Well level reaches _____ ft. mean sea level (m.s.l.)
- Overnight recovery rate reaches _____ ft.
- Reservoir elevation reaches _____ ft. (m.s.l.)
- Stream flow reaches _____ cfs at USGS gage # _____
- Wholesale supplier's drought Stage II

- Annual water use equals _____ % of well permit/Water Right/purchased water contract amount
- Other Wells GPM Drops by 10%

Demand-or Capacity-Based Triggers: (check at least one and fill in the appropriate value)

- Drinking water treatment as % of capacity _____ %
- Total daily demand as % of pumping capacity _____ %
- Total daily demand as % of storage capacity _____ %
- Pump hours per day _____ hrs.
- Production or distribution limitations.
- Other Total Demand Exceeds 1,000,000 Gallons Per Month

Upon initiation and termination of Stage II, the utility will mail a public announcement to its customers. No notice to TCEQ required.

Requirements for Termination:

Stage II of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage II, Stage I becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a daily basis. Monthly review of customer use records and follow-up on any that have unusually high usage.

The second water source for Camilla Coves Lot Owners Association (name of utility) is: (check one)

- Other well
 - Interconnection with other system
 - Purchased water
 - Other
-

Voluntary Water Use Restrictions:

1. Restricted Hours: Outside watering is allowed on selected days, but only during periods specifically described in the customer notice, or

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2. Part I, all permanent resident water customers shall do outdoor watering only during the week, Monday thru Friday, from the hours of 6 AM to 10AM and 6 PM to 10 PM. Part 2, all weekenders shall do outdoor watering only on Saturday and Sunday from the hours of 6 AM to 10 AM and 6 PM to 10 PM, but while on vacation only Monday thru Friday from the hours of 6 AM to 10 AM and 6 PM to 10 PM. A Voluntary Water Conservation sign will be placed at the entrance to Camilla Coves while the Voluntary Water Conservation plan is in effect, or
3. Other uses that waste water such as water running down the gutter. Use of water to fill or add to any indoor or outdoor swimming pools, wading pools, or "jacuzzi" type pool are permitted on designated watering days between the hours of 6 AM and 10 AM and 6 PM and 10 PM.

STAGE III -MANDATORY WATER USE RESTRICTIONS:

Target: Achieve a 60% percent reduction in Total Water Usage.

The water utility will implement Stage III when any one of the selected triggers is reached:

Supply-Based Triggers (check at least one and fill in the appropriate value)

- Well level reaches _____ ft. (m.s.l.)
- Overnight recovery rate reaches _____ ft.
- Reservoir elevation reaches _____ ft. (m.s.l.)
- Stream flow reaches _____ cfs at USGS gage # _____
- Wholesale supplier's drought Stage III
- Annual water use equals _____ % of well permit/Water Right/purchased water contract amount.
- Other **Wells GPM Drops by 20%**

Demand-or Capacity-Based Triggers (check at least one and fill in the appropriate value)

- Drinking water treatment as % of capacity _____ %
- Total daily demand as % of pumping capacity _____ %
- Total daily demand as % of storage capacity _____ %
- Pump hours per day _____ hrs.
- Production or distribution limitations.
- Other **Total Demand Exceeds 750,000 Gallons Per Month**

Upon initiation and termination of Stage III, the utility will mail a public announcement to its customers. Notice to TCEQ required.

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Requirements for Termination:

Stage III of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage III, Stage II becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a regular basis. Flushing is prohibited except for dead end mains.

Monthly flushing of dead-end lines will be limited from 10 minute duration flush to 5 minute duration flush.

Mandatory Water Use Restrictions:

The following water use restrictions shall apply to all customers.

1. Restricted Days/Hours: Water customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are requested to limit outdoor water use to **Mondays for water customers with odd street addresses and only from the hours of 6 AM to 10 AM.** Customers are requested to limit outdoor water use to **Wednesdays with even street addresses and only from the hours of 6 AM to 10 AM,** or
2. Use of water to wash any motor vehicle, motor bike, boat, trailer, or other vehicle is prohibited except on designated watering days **between the hours of 6 AM and 10 AM.** Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.
3. Use of water to only add to any indoor or outdoor swimming pools, wading pools, or "jacuzzi" type pool are permitted on designated watering days **between the hours of 6 AM and 10 AM.**

4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
5. Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
6. The following uses of water are defined as non-essential and are prohibited:
 - a. wash down of any sidewalks, walkways, driveways or other hard-surfaced areas;
 - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - c. use of water for dust control;
 - d. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
 - e. any waste of water.

STAGE IV -CRITICAL WATER USE RESTRICTIONS:

Target: Achieve a 75% percent reduction in Total Water Usage. (example: total water use, daily water demand, etc.)

The water utility will implement Stage IV when any one of the selected triggers is reached:

Supply-Based Triggers: (check at least one and fill in the appropriate value)

- Well level reaches _____ ft. (m.s.l.)
- Overnight recovery rate reaches _____ ft.
- Reservoir elevation reaches _____ ft. (m.s.l.)
- Stream flow reaches _____ cfs at USGS gage # _____
- Wholesale supplier's drought Stage IV
- _____
- Annual water use equals _____ % of well permit/Water Right/purchased water contract amount
- Supply contamination
- Other **Wells GPM Drops by 40%**
-

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Demand-or Capacity-Based Triggers: (check at least one and fill in the appropriate value)

- Drinking water treatment as % of capacity _____ %
- Total daily demand as % of pumping capacity _____ %
- Total daily demand as % of storage capacity _____ %
- Pump hours per day _____ hrs
- Production or distribution limitations
- System outage
- Other **Total Demand Exceeds 300,000 Gallons Per Month**

Upon initiation and termination of Stage IV, the utility will mail a public announcement to its customers. Notice to TCEQ required.

Requirements for Termination:

Stage IV of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage IV, Stage III becomes operative.

Operational Measures:

The utility shall visually inspect lines and repair leaks on a daily basis. Flushing is prohibited except for dead end mains and only **between the hours of 10 PM and 3 AM**. Emergency interconnects or alternative supply arrangements shall be initiated. All meters shall be read as often as necessary to insure compliance with this program for the benefit of all the customers.

Mandatory Water Use Restrictions: (all outdoor use of water is prohibited)

1. Irrigation of landscaped areas is absolutely prohibited.
2. Use of water to wash any motor vehicle, motor bike, boat, trailer, or other vehicle is absolutely prohibited.

SYSTEM OUTAGE or SUPPLY CONTAMINATION

Notify TCEQ Regional Office immediately.

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 21, 2005

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WATER RIGHTS PERMITTING

Failure to Submit Required Drought Contingency Plan

This is a second reminder that in effective on October 7, 2004, the Texas Commission on Environmental Quality (TCEQ) adopted revisions to Title 30, Texas Administrative Code (TAC), Chapter 288 - Water Conservation Plans, Drought Contingency Plans, Guidelines and Requirements.

Title 30 TAC Chapter 288.30(5)(B) states: **For all the retail public water suppliers, the drought contingency plan must be prepared and adopted not later than May 1, 2005 and must be available for inspection by the executive director upon request.**

Title 30 TAC Chapter 288.20(a)(2) states: **Privately-owned water utilities shall prepare a drought contingency plan in accordance with this section and incorporate such plan into their tariff.**

Privately-owned water utilities that sell water to the public are also considered to be retail public water suppliers.

A retail public water supplier must submit a drought contingency plan to include **specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought** to the TCEQ by May 1, 2005. Please note that this is a new requirement.

The TCEQ records indicate that your system is an Investor-Owned Utility (privately-owned utility), however, we did not receive your drought contingency plan with the new requirements by the May 1, 2005 deadline. Please submit a drought contingency plan for municipal uses by public water suppliers to meet the Chapter 288 requirements as soon as possible. The TCEQ has prepared a model drought contingency plan for Investor-Owned Utilities. The model plan and Title 30 TAC Chapter 288 are available at our website at www.tceq.state.tx.us. The plan should be mailed to the Texas Commission on Environmental Quality, Resource Protection Team, P.O. Box 13087 MC-160, Austin, TX 78711-3087.

Please be aware that failure to respond to this request is a violation of Title 30 TAC Chapter 288. If you submit the required information in a timely manner, we will not pursue further action for the alleged violation at this time. However, please note that if you fail to adequately respond, the TCEQ will consider exercising the enforcement powers granted by the Texas Legislature to carry out its mission to protect human health and the environment.

The TCEQ recognizes that the great majority of the regulated community wants to comply with environmental laws. The TCEQ looks forward to working with you to resolve this matter. Should you have any questions, please contact the water conservation staff of the Resource Protection Team at (512) 239-4691.

Mail Code 160