

Filing Receipt

Received - 2022-02-18 11:02:25 AM Control Number - 53243 ItemNumber - 1



# Application for Sale, Transfer, or Merger of a Retail Public Utility

Pursuant to Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.239

#### Sale, Transfer, or Merger (STM) Application Instructions

- I. **COMPLETE**: In order for the Commission to find the application sufficient for filing, the Applicant should:
  - i. Provide an answer to every question and submit any required attachment applicable to the STM request (i.e., agreements or contracts).
  - ii. Use attachments or additional pages to answer questions as necessary. If you use attachments or additional pages, reference their inclusion in the form.
  - iii. Provide all mapping information as detailed in Part G: Mapping & Affidavits.
- II. **FILE**: Seven (7) copies of the completed application with numbered attachments. One copy should be filed with no permanent binding, staples, tabs, or separators; and 7 copies of the portable electronic storage medium containing the digital mapping data.
  - i. <u>SEND TO</u>: Public Utility Commission of Texas, Attention: Filing Clerk, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 (NOTE: Electronic documents may be sent in advance of the paper copy, however they will not be processed and added to the Commission's on-line Interchange until the paper copy is received and file-stamped in Central Records).
- III. The application will be assigned a docket number, and an administrative law judge (ALJ) will issue an order requiring Commission Staff to file a recommendation on whether the application is sufficient. The ALJ will issue an order after Staff's recommendation has been filed:
  - i. <u>DEFICIENT (Administratively Incomplete):</u> Applicants will be ordered to provide information to cure the deficiencies by a certain date, usually 30 days from ALJ's order. *Application is not accepted for filing*.
  - ii. <u>SUFFICIENT (Administratively Complete):</u> Applicants will be ordered by the ALJ to give appropriate notice of the application using the notice prepared by Commission Staff. *Application is accepted for filing*.
- IV. Once the Applicants issue notice, a copy of the actual notice sent and an affidavit attesting to notice should be filed in the docket assigned to the application. Recipients of notice may request a hearing on the merits.

**HEARING ON THE MERITS:** An affected party may request a hearing within 30 days of notice. In this event, the application may be referred to the State Office of Administrative Hearings (SOAH) to complete this request.

- V. **TRANSACTION TO PROCEED**: at any time following the provision of notice, or prior to 120 days from the last date that proper notice was given, Commission Staff will file a recommendation for the transaction to proceed as proposed or recommend that the STM be referred to SOAH for further investigation. The Applicants will be required to file an <u>update in the docket to the ALJ every 30 days</u> following the approval of the transaction. The <u>transaction must be completed within six (6) months from the ALJ's order</u> (Note: The Applicants may request an extension to the 6 month provision for good cause).
- VI. **FILE**: Seven (7) copies of completed transaction documents and documentation addressing the transfer or disposition of any outstanding deposits. After receiving all required documents from the Applicants, the application will be granted a procedural schedule for final processing. The Applicants are requested to consent in writing to the proposed maps and certificates, or tariff if applicable.
- VII. **FINAL ORDER:** The ALJ will issue a final order issuing or amending the applicable CCNs.

#### FAQ:

Who can use this form?

Any retail public utility that provides water or wastewater service in Texas.

Who is required to use this form?

A retail public utility that is an investor owned utility (IOU) or a water supply corporation (WSC) prior to any STM of a water or sewer system, or utility, or prior to the transfer of a portion of a certificated service area.

**Terms** 

<u>Transferor</u>: Seller <u>Transferee</u>: Purchaser

**CCN**: Certificate of Convenience and Necessity

<u>STM</u>: Sale, Transfer, or Merger <u>IOU</u>: Investor Owned Utility

|  |   |   | Application   | Summary   |                     |                              |
|--|---|---|---|---|---------------------|------------------------------|
| Transferor: (selling entity)   |   | ater Ltd.   |   |   |                     |                              |
| CCN No.s:  | 12917<br>Sale   | Transfer  | Merger  | Consolidation   | Lease/Rental        |                              |
|  |   | ப<br>yche dba Crest V   |   |   |                     |                              |
| (acquiring entity)   |   | yone and orest v  | vater company   |   |                     |                              |
| CCN No.s:  | 12037   |   |   |   |                     |                              |
| X  | Water   | Sewer   | All CCN   | Portion CCN   | Facilities transfer |                              |
| County(ies):   | Johnson   |   |   |   |                     |                              |
|  |   |   | Table of 0  | `ontents  |                     |                              |
| Part B: Transfer<br>Part C: Transfer<br>Part D: Propose<br>Part E: CCN Obt<br>Part F: TCEQ Pu<br>Part G: Mappin<br>Part H: Notice I<br>Appendix A: His | ror Informa<br>ree Informa<br>ed Transacti<br>tain or Ame<br>Iblic Water<br>g & Affidav<br>nformation<br>storical Fina  | tion<br>ntion<br>ion Details<br>end Criteria Con<br>System or Sewe<br>its   | siderationser (Wastewater) In   | formation<br>and Income Schedule).  |                     | 3<br>6<br>8<br>9<br>10<br>12 |
| Certificate of A Financial Aud Application A Disclosure of A Capital Impro List of Assets Developer Con Enforcement A TCEQ Compli                      | se, Purchase, on grate Schedumer Deposits greement corporation and Account Status it ttachment A & Affiliated Intervement Plan to be Transferntribution Confection Correspondince Correspondince Corresponding Approvater Supply or a scale) Mapion (small scaling Data | or Sale Agreement ule  d By-Laws (WSC) s  t B rests  red attracts or Agreemen condence condence als Treatment Agreeme | Part B: 0 Part B: 0 Part C: 0 Part D: 1 Part E: 0 Part E: 0 Part E: 0 Part F: 0 Part F: 0 Part F: 0 Part G: 0 Part C: 0 | Question 18 (Part D: Q12) Question 22 Question 24 Question 26 Question 29 Question 29 Question 29 Question 29 |                     |                              |

|            | Part A: General Information  |
|------------|--|
| 1.         | Describe the proposed transaction, including the effect on all CCNs involved, and provide details on the existing or expected land use in the area affected by the proposed transaction. Attach all supporting documentation, such as a contract, a lease, or proposed purchase agreements:  |
|            | The transaction involves the complete transfer of all assets of Transferor to Transferee of an existing system. Not change in land use, which is residential housing, is expected. No other CCN holder will be impacted by the transfer of the system.   |
| 2.         | The proposed transaction will require (check all applicable):  |
|            | For Transferee (Purchaser) CCN: For Transferor (Seller) CCN:   |
|            | Obtaining a NEW CCN for Purchaser  |
|            | Transfer all CCN into Purchaser's CCN (Merger)  Transfer of a Portion of Seller's CCN to Purchaser   |
|            | Transfer Portion of CCN into Purchaser's CCN  Transfer all CCN to Purchaser and retain Seller CCN  Only Transfer of Facilities, No CCN or Customers Only Transfer of Customers, No CCN or Facilities   |
|            | Uncertificated area added to Purchaser's CCN  Only Transfer CCN Area, No Customers or Facilities   |
|            | Part B: Transferor Information   |
|            | Questions 3 through 5 apply only to the transferor (current service provider or seller)  |
| 3.         | A. Name: Mauka Water Ltd.  |
| <i>J</i> . | (individual, corporation, or other legal entity)   |
|            | Individual Corporation WSC Other:  |
|            | B. Mailing Address: PO Box 613, Mansfield, TX 76063-0613   |
|            |  |
|            | Phone: (817) 473-6080 Email:   |
|            | C. <u>Contact Person</u> . Please provide information about the person to be contacted regarding this application. Indicate if   |
|            | this person is the owner, operator, engineer, attorney, accountant, or other title.  |
|            | Name: Scott Neely Title: President   |
|            | Mailing Address: PO Box 100428, Fort Worth, TX 76185   |
|            | Phone: (817) 875-0383 Email: scottneely@mac.com  |
|            | ICAL WILL AS IN A SECOND IN THE SECOND INVESTMENT OF THE SECOND IN THE S |
| 4.         | If the utility to be transferred is an Investor Owned Utility (IOU), for the most recent rate change, attach a copy of the current tariff and complete A through B:  |
|            | A. Effective date for most recent rates: May 27, 2007  |
|            | <b>B.</b> Was notice of this increase provided to the Public Utility Commission of Texas (Commission) or a predecessor regulatory authority?   |
|            | No Yes Application or Docket Number:   |
|            | If the transferor is a Water Supply or Sewer Service Corporation, provide a copy of the current tariff.  |

| 5. | For the customers that will be transferred                                     | ed following the approval of                   | f the proposed transaction, check all that ap   | ply:      |
|----|--|--|---|-----------|
|    | There are <u>no</u> customers that will be                                     | transferred                                    |   |           |
|    | # of customers without deposits hel  | d by the transferor                            | 339   |           |
|    | # of customers with deposits held b  | y the transferor*                              | 0   |           |
|    |  |  | a that have deposits held, and include a custo<br>of each deposit, and any unpaid interest on |           |
|    |  | Part C: Transferee Info                        | ormation  |           |
|    | Questions 6 through 10 app   | y only to the <i>transferee</i> (p             | ourchaser or proposed service provider)   |           |
| 6. | A. Name: James A Dyche dba Cres  |  |   |           |
|    | Individual   | (individual, corporation, or other Corporation | WSC Other:  |           |
|    | B. Mailing Address: PO Box 460, P  | Keene, TX 76059-460                            |   |           |
|    |  |  |   |           |
|    | Phone: (817) 645-5493  | Email: _r                                      | nldyche@gmail.com   |           |
|    | C. <u>Contact Person</u> . Provide informat person is the owner, operator, eng | -  | contacted regarding this application. Indicat, or other title.                                | e if this |
|    | Name: James A. Dyche   |  | Title: Owner  |           |
|    | Address: PO Box 460, Keene, Tx 76059-46  | 60   |   |           |
|    | Phone: (817) 645-5493  | Email: _r                                      | nldyche@gmail.com   |           |
|    | <b>D.</b> If the transferee is someone other (RAF) with the Texas Commissio    |  | transferee current on the Regulatory Assessing (TCEQ)?  | ment Fees |
|    | ☐ No ☐ Yes ☐ N/A   |  |   |           |
|    | E. If the transferee is an IOU, is the t                                       | ransferee current on the Ar                    | nnual Report filings with the Commission?   |           |
|    | ☐ No ☐ Yes ☐ N/A   |  |   |           |
| 7. | The legal status of the transferee is:  Individual or sole proprietorship      |  |   |           |
| Γ  | Partnership or limited partnership (atta                                       | <i>ch</i> Partnership agreement)               |   |           |
|    | Corporation  | 1 5  |   |           |
|    | Charter number (as recorded with th  | e Texas Secretary of State)                    | :   |           |
|    | Sewer Service Corporation, incorporate Charter number (as recorded with the    | ed under TWC Chapter 67]                       |   |           |
|    | Municipally-owned utility  | - `  |   |           |
| Γ  | District (MUD, SUD, WCID, FWSD, e  | etc.)  |   |           |
| _  |  | •  |   |           |

| County         |  |  |  |  |  |  |  |  |
|----------------|--|--|--|--|--|--|--|--|
| Affected       | Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)  |  |  |  |  |  |  |  |
| Other (ple     | ease explain):   |  |  |  |  |  |  |  |
| 8. If the tran | sferee operates under any d/b/a, provide the name below:   |  |  |  |  |  |  |  |
|                |  |  |  |  |  |  |  |  |
| Name. <u>C</u> | Crest Water Company  |  |  |  |  |  |  |  |
| members,       | sferee's legal status is anything other than an individual, provide the following information regarding the officers, or partners of the legal entity applying for the transfer: |  |  |  |  |  |  |  |
| Position:      | Position: Ownership % (if applicable): 0.00%   |  |  |  |  |  |  |  |
| Address:       |  |  |  |  |  |  |  |  |
| Phone:         | Email:   |  |  |  |  |  |  |  |
| Name:          |  |  |  |  |  |  |  |  |
| Position:      | Ownership % (if applicable): 0.00%   |  |  |  |  |  |  |  |
| Address:       |  |  |  |  |  |  |  |  |
| Phone:         | Email:   |  |  |  |  |  |  |  |
| Name:          |  |  |  |  |  |  |  |  |
| Position:      | Ownership % (if applicable): 0.00%   |  |  |  |  |  |  |  |
|                |  |  |  |  |  |  |  |  |
| Phone:         | Email:   |  |  |  |  |  |  |  |
| Name:          | 0 1: 0/ (12 11 11 22 22 22 22 22 22 22 22 22 22 2  |  |  |  |  |  |  |  |
| Position:      | Ownership % (if applicable): 0.00%   |  |  |  |  |  |  |  |
| Address:       |  |  |  |  |  |  |  |  |
| Phone:         | Email:   |  |  |  |  |  |  |  |
|                |  |  |  |  |  |  |  |  |
|                |  |  |  |  |  |  |  |  |

#### 10. Financial Information

The transferee Applicant must provide accounting information typically included within a balance sheet, income statement, and statement of cash flows. If the Applicant is an existing retail public utility, this must include historical financial information and projected financial information. However, projected financial information is only required if the Applicant proposes new service connections and new investment in plant, or if requested by Staff. If the Applicant is a new market entrant and does not have its own historical balance sheet, income statement, and statement of cash flows information, then the Applicant should establish a five-year projection taking the historical information of the transferor Applicant into consideration when establishing the projections.

*Historical Financial Information* may be shown by providing any combination of the following that includes necessary information found in a balance sheet, income statement, and statement of cash flows:

- 1. Completed Appendix A;
- 2. Documentation that includes all of the information required in Appendix A in a concise format; or
- 3. Audited financial statements issued within 18 months of the application filing date. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

|     | <u>Pr</u> | cojected Financial Information may be shown by providing any of the following:  |
|-----|-----------|---|
|     |           | 1. Completed Appendix B;  |
|     |           | 2. Documentation that includes all of the information required in Appendix B in a concise format;   |
|     |           | 3. A detailed budget or capital improvement plan, which indicates sources and uses of funds required, including   |
|     |           | improvements to the system being transferred; or  |
|     |           | 4. A recent budget and capital improvements plan that includes information needed for analysis of the operations  |
|     |           | test (16 Tex. Admin. Code § 24.11(e)(3)) for the system being transferred and any operations combined with the  |
|     |           | system. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website  |
|     |           | portal.   |
|     |           | Part D: Proposed Transaction Details  |
| 11. | A.        | Proposed Purchase Price: \$\\$400,000.00  |
|     | If th     | ne transferee Applicant is an investor owned utility (IOU) provide answers to B through D.  |
|     | B.        | Transferee has a copy of an inventory list of assets to be transferred (attach):  |
|     |           | No Yes N/A  |
|     |           | Total Original Cost of Plant in Service:\$  |
|     |           | Accumulated Depreciation: \$  |
|     |           | Net Book Value:\$   |
|     | C.        | <u>Customer contributions in aid of construction (CIAC):</u> Have the customers been billed for any surcharges approved by the Commission or TCEQ to fund any assets currently used and useful in providing utility service? Identify which assets were funded, or are being funded, by surcharges on the list of assets.                         |
|     |           | ∑ No   ☐ Yes  |
|     |           | Total Customer CIAC: _\$  |
|     |           | Accumulated Amortization: _\$   |
|     | D.        | <u>Developer CIAC:</u> Did the transferor receive any developer contributions to pay for the assets proposed to be transferred in this application? If so, identify which assets were funded by developer contributions on the list of assets and provide any applicable developer agreements.  |
|     |           | No Yes  |
|     |           | Total developer CIAC: \$ Accumulated Amortization: \$   |
| 12. | A.        | Are any improvements or construction required to meet the minimum requirements of the TCEQ or Commission and to ensure continuous and adequate service to the requested area to be transferred plus any area currently certificated to the transferee Applicant? Attach supporting documentation and any necessary TCEQ approvals, if applicable. |
|     |           | No Yes  |
|     |           |   |
|     |           |   |

|     | planned or required improvements:   |        |                                   |   |
|-----|---|--------|-----------------------------------|---|
|     |   |        |                                   |   |
| 13. | Provide any other information concerning the nature   | of the | e transaction you believe s       | should be given consideration:                      |
|     |   |        |                                   |   |
| 14. | Complete the following proposed entries (listed bel acquisition. Debits (positive numbers) should equal a zero. Additional entries may be made; the following a | credit | s (negative numbers) so t         | hat all line items added together equal             |
|     | Utility Plant in Service:   | \$     | 700,000.00                        |   |
|     | Accumulated Depreciation of Plant:  | \$     | 300,000.00                        |   |
|     | Cash:   | \$     |                                   |   |
|     | Notes Payable:  | \$     |                                   |   |
|     | Mortgage Payable:   | \$     |                                   |   |
|     | (Proposed) Acquisition Adjustment*:   | \$     |                                   | e subject to review under 16 TAC § 24.41(d) and (e) |
|     | Other (NARUC account name & No.):   |        | * Acquisition Adjustments will be | e subject to review under 16 TAC § 24.41(d) and (e) |
|     | Other (NARUC account name & No.):   |        |                                   |   |
| 15. | A. Explain any proposed billing change (NOTE: If charged to the customers through this STM app change application.)   |        |                                   |   |
|     | Rates will be the same as other Crest Water (of the Texas Water Code.   | Com    | pany customers in ac              | cordance with Section 13.3011                       |
|     | B. If transferee is an IOU, state whether or not the municipal regulatory authority, an application to transaction within the next twelve months. If so,        | chai   | nge rates for some or all or      |   |
|     | Transferee may file in the future an application CCN-wide rate.   | n to   | change rates for all c            | of its customers so that there is a                 |

|     | Part E: CCN Obtain or Amend Criteria Considerations   |
|-----|---|
| 16. | Describe, in detail, the anticipated impact or changes in the quality of retail public utility service in the requested area as a result of the proposed transaction:   |
|     | Service should improve within the existing CCN area, as Transferee has the financial, managerial, and technical expertise to operate the system in a proper manner.   |
| 17. | Describe the transferee's experience and qualifications in providing continuous and adequate service. This should include, but is not limited to: other CCN numbers, water and wastewater systems details, and any corresponding compliance history for all operations.   |
|     | Transferee has operated this water system for apprximately 3 years and has 40 years of experience owning and operating Crest Water Company.   |
| 18. | Has the transferee been under an enforcement action by the Commission, TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG), or the Environmental Protection Agency (EPA) in the past five (5) years for non-compliance with rules, orders, or state statutes? Attach copies of any correspondence with the applicable regulatory agency(ies)  No Yes |
| 19. | Explain how the environmental integrity or the land will be impacted or disrupted as a result of the proposed transaction:  |
|     | This transfer of an existing system will have no impact on the environmental intergrity or the land served. Service will continue as currently provided.  |
| 20. | How will the proposed transaction serve the public interest?  |
|     | The public interest is served by having a utility provide service that meets or exceeds PUC requirements for finances, management, and technical expertise.   |
| 21. | List all neighboring water or sewer utilities, cities, districts (including ground water conservation districts), counties, or other political subdivisions (including river authorities) providing the same service within <a href="two">two (2) miles</a> from the outer boundary of the requested area affected by the proposed transaction:                                   |
|     | None.   |

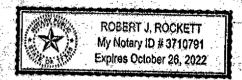
|     | Dart E                          | · TCEO Bublic M           | lator System or Sou   | or (\Ms       | astewater) Information      |                         |
|-----|---------------------------------|---------------------------|---|---------------|-----------------------------|-------------------------|
| C   | omplete Part F for <u>EAC</u>   | H Public Water            | or Sewer system to b  | oe trans      | sferred subject to approv   |                         |
|     | Attach a separate sneet         | with this inform          | iation if you need mo   | re spac       | ce for additional systems   | being transferred.      |
| 22. | A. For Public Water             | System (PWS):             |   |               |                             |                         |
|     |                                 | TCEQ PW                   | S Identification Number   | ber: TX       | 1260123                     | (7 digit ID)            |
|     |                                 |                           | Name of PV  | WS: Ma        | nuka                        |                         |
|     |                                 | Date of last TCE          | Q compliance inspecti   | ion: Ma       | arch 12, 2020               | (attach TCEQ letter)    |
|     |                                 |                           | Subdivisions serv   | <br>√ed: Hill | ls of Springwood            |                         |
|     | <b>B.</b> For Sewer service     | e:                        |   |               |                             |                         |
|     | TCEO Wate                       | r Quality (WQ) D          | ischarge Permit Numl  | ber: W        | VQ -                        | (8 digit ID)            |
|     | 1024 11410                      |                           |   |               |                             |                         |
|     |                                 | 1 Vediti                  |   |               |                             |                         |
|     |                                 | Date of last TCE          |   |               |                             | (attach TCEQ letter)    |
|     |                                 |                           |   |               |                             |                         |
|     | Date of applica                 | tion to transfer ne       |   |               |                             |                         |
|     | Date of applica                 | tion to transfer pe       | inni <u>suomittea</u> to 1 Ci                                       |               |                             |                         |
| 23. | List the number of <i>exist</i> | <i>ing</i> connections, b | by meter/connection ty  | ype, to b     | be affected by the proposed | d transaction:          |
|     | Water                           |                           |   | S             | ewer                        |                         |
|     | Non-metered                     |                           | 2"  |               | Residential                 |                         |
|     | 5/8" or 3/4"                    | 339                       | 3"  |               | Commercial                  |                         |
|     | 1"                              |                           | 4"  |               | Industrial                  |                         |
|     | 1 1/2"                          |                           | Other   |               | Other                       |                         |
|     | I otal wa                       | ter Connections:          |   | 339           | Total Sewer Connection      | ns:                     |
| 24. | No No S                         | Yes<br>n each required m  | meet TCEQ or Comn<br>ajor capital improvem<br>engineering reports o | nent nec      | essary to correct deficienc | ies to meet the TCEQ or |
|     | Description of                  | f the Capital Imp         | provement:  | Estim         | nated Completion Date:      | Estimated Cost:         |
|     | •                               | ,                         |   |               | •                           |                         |
|     |                                 |                           |   |               |                             |                         |
|     |                                 |                           |   |               |                             |                         |
|     | C. Is there a                   | moratorium on ne          | w connections?  |               |                             |                         |
|     | No No                           | Yes:                      |   |               |                             |                         |
| 25. | Does the system being to        | ransferred operate        | within the corporate  | bounda        | ries of a municipality?     |                         |
|     | X  No                           |                           | <b>F</b>  |               |                             | (name of municipality)  |
|     |                                 |                           |   |               |                             | <u> </u>                |
|     |                                 | 13                        | •   |               | customers within the muni   | -                       |
|     |                                 |                           | Water:  |               | Sewer:                      |                         |
|     |                                 |                           |   |               |                             |                         |

| 26. | A.             | Does the system being tra  | ınsferred pı | ırchase water or                       | sewer treatment capac                              | ity from another source?                 |       |
|-----|----------------|--|--------------|--|--|--|-------|
|     |                | No Yes:  | If yes, atta | ach a copy of pur                      | rchase agreement or co                             | ntract.                                  |       |
|     | Capacit        | y is purchased from:   |              |  |  |  |       |
|     | -              |  | Water:       |  |  |  |       |
|     |                |  | Sewer:       |  |  |  |       |
|     | _              |  |              |  |  |  |       |
|     | В.             | Is the PWS required to pu  | irchase wat  | er to meet capac                       | ity requirements or dri                            | nking water standards?                   |       |
|     |                | No Yes   |              |  |  |  |       |
|     | C.             | What is the amount of wa<br>the percent of overall den             |              |  |  | greement or contract? What ent (if any)? | is    |
|     |                |  | Amount       | t in Gallons                           | Percent of de                                      | nand                                     |       |
|     |                | Water:   |              |  | 0.00%  |  |       |
|     |                | Sewer:   |              |  | 0.00%  |  |       |
|     | D.             | Will the purchase agreem   | ent or cont  | ract be transferre                     | ed to the Transferee?                              |  |       |
|     |                | No Yes:  |              |  |  |  |       |
| 27. | Does the area? | PWS or sewer treatment plant  No Yes:                              | have adequ   | nate capacity to 1                     | meet the current and pr                            | ojected demands in the requ              | ested |
| 28. |                | ame, class, and TCEQ license lity service:                         | number of    | the operator that                      | will be responsible fo                             | r the operations of the water            | or    |
|     | Na             | me (as it appears on license)                                      | Class        | License No.                            |  | Water or Sewer                           |       |
|     | James A. Dy    | che  | В            |  | WG0001237  | water                                    |       |
|     | David E. Cra   |  | C            |  | WG0011110  | water                                    |       |
|     | Charles E. E.  | vans   | В            |  | WG0002769  | water                                    |       |
|     |                |  |              |  |  |  |       |
|     |                |  | Part G: N    | /lapping & Affi                        | davits   |  |       |
|     | <u>ALI</u>     | applications require mappi<br>Read question 29 A and B             | _            |  | · ·  |  |       |
| 29. |                | r applications requesting to tra<br>apping information with each o |              |  |  | ustment, provide the follow              | ing   |
|     |                |  |              |  | g the requested area in<br>se should be adhered to | reference to the nearest cou             | nty   |
|     |                |  |              | equests to transf<br>t be provided for |  | areas for both water and sev             | ver,  |
|     |                |  |              | p, graphic, or og document.            | diagram of the reques                              | ted area is not considered               | an    |
|     |                |  |              |  |  |  |       |

- To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
- 2. A detailed (large scale) map identifying the requested area in reference to verifiable man-made and natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
  - i. The map must be clearly labeled and the outer boundary of the requested area should be marked in reference to the verifiable man-made or natural landmarks. These verifiable man-made or natural landmarks must be labeled and marked on the map as well.
  - ii. If the application requests an amendment for both water and sewer certificated service area, separate maps need to be provided for each.
  - To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
  - iv. The outer boundary of the requested area should not be covered by any labels, roads, city limits or extraterritorial jurisdiction (ETJ) boundaries.
- **B.** For applications that are requesting to include area not currently within a CCN, or for applications that require a CCN amendment (any change in a CCN boundary), such as the transfer of only a portion of a certificated service area, provide the following mapping information with each of the seven (7) copies of the application:
  - 1. A general location (small scale) map identifying the requested area with enough detail to locate the requested area in reference to the nearest county boundary, city, or town. Please refer to the mapping guidance in part A 1 (above).
  - 2. A detailed (large scale) map identifying the requested area with enough detail to accurately locate the requested area in reference to verifiable man-made or natural landmarks such as roads, rivers, or railroads. Please refer to the mapping guidance in part A 2 (above).
  - 3. One of the following identifying the requested area:
    - i. A metes and bounds survey sealed or embossed by either a licensed state land surveyor or a registered professional land surveyor. Please refer to the mapping guidance in part A 2 (above);
    - 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 A 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 drive), clearly labeled, and filed with Central Records. Seven (7) copies of the digital mapping data is also required.

|     | Part H: Notice Information  |
|-----|---|
|     | The following information will be used to generate the proposed notice for the application. <b>DO NOT provide notice</b> of the application until it is found sufficient and the Applicants are ordered to provide notice.  |
| 30. | Complete the following using verifiable man-made 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: 340.00  |
|     | Number of customer connections in the requested area: 339   |
|     | Affected subdivision: Hills of Springwood   |
|     | The closest city or town: Venus   |
|     | Approximate mileage to closest city or town center: 3   |
|     | Direction to closest city or town: southeast  |
|     | The requested area is generally bounded on the North by: County Road 510  |
|     | on the East by: Farm-to-Market Road 157   |
|     | on the South by: Farm-to-Market Road 157 and County Road 507  |
|     | on the West by: County Road 616   |
| 31. | A copy of the proposed map will be available at: 840 N. FM-2280 Keene, Tx 76059   |
| 32. | What effect will the proposed transaction have on an average bill to be charged to the affected customers? Take into consideration the average consumption of the requested area, as well as any other factors that would increase or decrease a customer's monthly bill. |
|     | All of the customers will be charged the same rates they were charged before the transaction.   |
|     | All of the customers will be charged different rates than they were charged before the transaction.   |
|     | higher monthly bill lower monthly bill  |
|     | Some customers will be charged different rates than they were charged before (i.e. inside city limit customers)  higher monthly bill lower monthly bill   |
|     |   |

### Outh for Transferor (Transferring Entity) TEXAS STATE OF COUNTY OF A STATE OF TARING being duly sworn, file this application for sale. Scott Neelv transfer, merger, consolidation, acquisition, lease, or President, Mauka Water LP rental, as (owner, member of parinership, title as officer of corporation, or authorized representative) Fattest that, in such capacity. I am qualified and authorized to file and verify such application, am personally formiliar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I forther state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission. further state that I have been provided with a copy of the 16 TAC \$ 24,239 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney Ciencral which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply. (Utility's Authorized Representative) If the Affiant to this form is any person other than the solo owner, partner, officer of the Applicant, or its tionies, a properly verified Power of Attorney must be enclosed. SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas this day the 27th of January 20



NOCARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINT OR TYPE NAME OF NOTARY

My commission expires:

### Oath for Transferee (Acquiring Entity) STATE OF **TEXAS** COUNTY OF JOHNSON I, James A. Dyche merger, consolidation, acquisition, lease, or rental, as being duly sworn, file this application for sale, transfer, (owner, member of partnership, title as officer of corporation, or authorized representative) I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with

the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further state that I have been provided with a copy of the 16 TAC § 24.239 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.

(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas
this day the 18 of 5eptember, 2011

ARCELA BORLAND Notary ID #10992116 Ay Commission Expires August 2, 2023

OTARY PUBLIC IN AND FOR THE

PUCT Sale, Transfer, Merger Page 14 of 20 (September 2019)



<u>James A. Dyche dba Crest Water Company</u> (Utility Name)

PO Box 460, 840 Betsy Road (Business Address)

Keene, Texas 76049 (City, State, Zip Code)

(817) 645-5493 (Area Code/Telephone)

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

#### 12037

This tariff is effective in the following counties:

#### Ellis, Hill, Johnson, Sommervell

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

#### None

This tariff is effective in the following subdivisions or systems:

#### See Attached List

#### TABLE OF CONTENTS

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.             | 3   |
|--|-----|
| SECTION 2.0 – SERVICE RULES AND POLICIES |     |
| SECTION 2.20 - SPECIFIC EXTENSION POLICY | .10 |

#### APPENDIX A - DROUGHT CONTINGENCY PLAN

PUBLIC UTILITY COMMISSION OF TEXAS
APPROVED

JAN 0 1 17 C 4 6 6 0 0

CONTROL

#### List of Subdivisions/Systems

| SUBDIVISION                         | PWS ID NUMBER | COUNTY    |
|-------------------------------------|---------------|-----------|
| Buffalo Hills Water System          | 0700070       | Ellis     |
| Chisholm Trail Retreat              | 1090042       | Hill (    |
| Cahill Country Water System         | 1260073       | Johnson   |
| Fisherman's Paradise                | 1260056       | Johnson   |
| Granda Vista                        | 1260120       | Johnson   |
| Mansfield South                     | 1260066       | Johnson   |
| Northcrest Addition                 | 1260034       | Johnson   |
| Oak Leaf Trail                      | 1260104       | Johnson   |
| Oakridge Mobile Home<br>Subdivision | 1260124       | Johnson   |
| Oak River Ranch                     | 2130031       | Somervell |
| Rolling Oaks Subdivision            | 1260064       | Johnson   |
| Sunset Canyon                       | NA            | Johnson   |
| Sunshine Country Acres              | 1260069       | Johnson   |
| Thomas Acres                        | 1260068       | Johnson   |
| Westover Hills                      | 1260128       | Johnson   |
| Woodland Oaks Estates               | 1260070       | Johnson   |

UBLIC UTILITY COMMISSION OF TEXAS
APPROVED

JAN 0 1 '17 C 4 6 6 0 0
E
CONTROL#

James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 3

### SECTION 1.0 -- RATE SCHEDULE

### Section 1.01 - Rates

| Meter Size   | Monthly Minimum Charge  | Gallonage Charge   |  |
|--|---|--|--|
| 5/8" or 3/4" 1" 2"   | (Includes <u>0</u> gallons all meters)<br>\$39.00<br>\$97.50<br>\$195.00                      | \$4.60 per 1,000 gallons for 0 – 10,000 gallons<br>\$4.85 per 1,000 gallons for 10,001 – 20,000 gallons<br>\$5.10 per 1,000 gallons for 20,001 – 30,000 gallons  |  |
| 3"   | <u>\$312.00</u>   | \$5.35 per 1,000 gallons for 30,001 – 40,000 gallons<br>\$5.60 per 1,000 gallons for 40,001–50,000 gallons<br>\$5.85 per 1,000 gallons for 50,001 – 60,000 gallons<br>\$6.10 per 1,000 gallons for 60,001 – 70,000 gallons |  |
| Purchased Water  | Fee: (Tariff Control No. 46600)   | \$6.35 per 1,000 gallons for 70,001 + gallons  |  |
|  |   | \$0.023 per each 1,000 gallons   |  |
| FORM OF PAYMENT: The utility will accept the following forms of payment:  Cash X, Check X, Money Order X, MasterCard X, Visa X, Electronic Fund Transfer X  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. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.  |   |  |  |
| Section 1.02 – Miscellaneous Fees  |   |  |  |
| REGULATORY ASSESSMENT  |   |  |  |
| TAP FEE C<br>STANDARD  | OVERS THE UTILITY'S COSTS F   | OR MATERIALS AND LABOR TO INSTALL A AN ADDITIONAL FEE TO COVER UNIQUE COSTS  |  |
| TAP FEE (Uniqu<br>FOR EXAME<br>AREAS.  | e costs)<br>PLE, A ROAD BORE FOR CUSTOMER   |  |  |
| TAP FEE (Large TAP FEE IS TO   | meter)<br>HE UTILITY'S ACTUAL COST FOR MAT  | ERIALS AND LABOR FOR METER SIZE INSTALLED.   |  |
| METER RELOCA<br>THIS FEE M   | TION FEE <u>A</u><br>AY BE CHARGED IF A CUSTOMER I  | Actual Relocation Cost, Not to Exceed Tap Fee REQUESTS THAT AN EXISTING METER BE   |  |
| THIS FEE W. REQUESTS A THAT THE M  | HICH SHOULD REFLECT THE UTILI<br>A SECOND METER TEST WITHIN A<br>METER IS RECORDING ACCURATEI | \$25.00 ITY=S COST MAY BE CHARGED IF A CUSTOMER TWO-YEAR PERIOD AND THE TEST INDICATES LY. THE FEE MAY NOT EXCEED \$25 ION OF TEXAS PUBLIC UTILITY COMMISSION OF TEXAS APPROVED  |  |
| The world fill the state of the |   |  |  |
|  |   | JAN 01 17 C 46600  |  |
|  |   | CONTROL #  |  |

James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 4

### SECTION 1.0 -- RATE SCHEDULE (Continued)

#### Section 1.02 – Miscellaneous Fees (continued)

CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

| 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)  |
| by Customer's request that service be disconnected  |
| TRANSFER FEE \$40.00  |
| 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)  |
| CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.  |
| RETURNED CHECK CHARGE   |
| RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY=S DOCUMENTABLE COST.  |
| CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50)   |
| 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 24.21(K)(2)] |
| LINE EXTENSION AND CONSTRUCTION CHARGES:  |
| REFER TO SECTION 3.0EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW  |

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED

JAN 0 1 '17 G

46600

CONTROL #\_\_\_\_

Water Utility Tariff Page No. 5

#### SECTION 1.0 -- RATE SCHEDULE (Continued)

#### PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE:

The utility's cost attributed to the water use pumping fees charged by Prairielands Groundwater Conservation District in Ellis County shall be passed through to all customers affected by such fees using the following calculations.

Fixed Charge:

Monthly Minimum Charge + (Annual Fee + Numbers of Customers Affected + 12 months)

Volume Charge:

Monthly Gallonage Charge per 1000 gallons + (Increase or Decrease in Pumpage Fee x 1.15)

To implement or modify the Pass through Adjustment Clause, the utility must comply with all notice requirements of 30 TAC §24.21(1).

Adjusted Gallonage Rate (AG) = G + [B / (1-L)], where:

AG = adjusted gallonage charge, rounded to the nearest one cent;

G = approved gallonage charge, per 1,000 gallons;

B = change in fee per 1,000 gallons;

L = water or sewer line loss for preceding 12 months, not to exceed 0.15 or 15%.

PUBLIC UTILITY COMMISSION OF TEXAS

JAN 0 1 17

46600

CONTROL #\_\_\_\_

James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 6

#### SECTION 2.0 -- SERVICE RULES AND POLICIES

The utility will have the most current Public Utility Commission of Texas (PUC or commission rules relating to Water and Wastewater Utility regulations, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or commission approved changes to the Rules supersede any rules or requirements in this tariff.

#### Section 2.01 — Application for Water Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff), 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 location.

#### Section 2.02 — Water installation

After the applicant has met all the requirements, conditions and regulations for service, the utility will install 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.

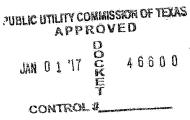
Service requests not involving line extensions, construction or new facilities shall be filled no later than fourteen (14) working days after a completed application has been accepted. If construction is required which cannot be completed within thirty (30) days, the utility shall provide a written explanation 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.

#### 2.03 — Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with both state and municipal regulations, the 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 the applicant is required to make a deposit by the utility.

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 that it may file a complaint with the Commission.



#### James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 7

#### SECTION 2.0 -- SERVICE RULES AND POLICIES (continued)

#### Section 2.04 — Customer Deposits

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit as provided for in Section 1.02 – Miscellaneous Fees of this tariff.

The utility must keep records of the deposit, issue a receipt for it, and credit interest in accordance with PUC Rules. 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 non-payment 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.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

#### Section 2.05 — Meter Requirements, Readings, and Testing

All water sold by the utility will 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 connection. An apartment building or a trailer or mobile home park may be considered to be a single commercial facility.

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 that specified in Section 1 of this tariff may be assessed for an additional test.

JAN 0 1 '17 E 4 6 6 0 0

James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 8

#### SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

#### 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 may be made on delinquent bills as specified in Section 1 of this tariff. 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.

In the event of a dispute between the 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.

#### 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.

JAN 01 17 C 46600

#### James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 9

#### SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

#### Section 2.07—Service Disconnection (continued)

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 as follows:

- 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; or,
- 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 2.08—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.

JAN 01'17 C 46600

CONTROL#

James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 10

SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

Section 2.10 — Quality of Service (continued)

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.

APPROVED D

JAN 0 1 '17 C 4 6 6 0 0

HELIC UTILITY COMMISSION OF TEXAS

James A. Dyche dba Crest Water Company

Water Utility Tariff Page No. 11

### 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 Commission to be effective.

NONE.

UBLIC UTILITY COMMISSION OF TEXAS

JAN 01717 C 46600

CONTROL#\_\_

APPENDIX A - DROUGHT CONTINGENCY PLAN

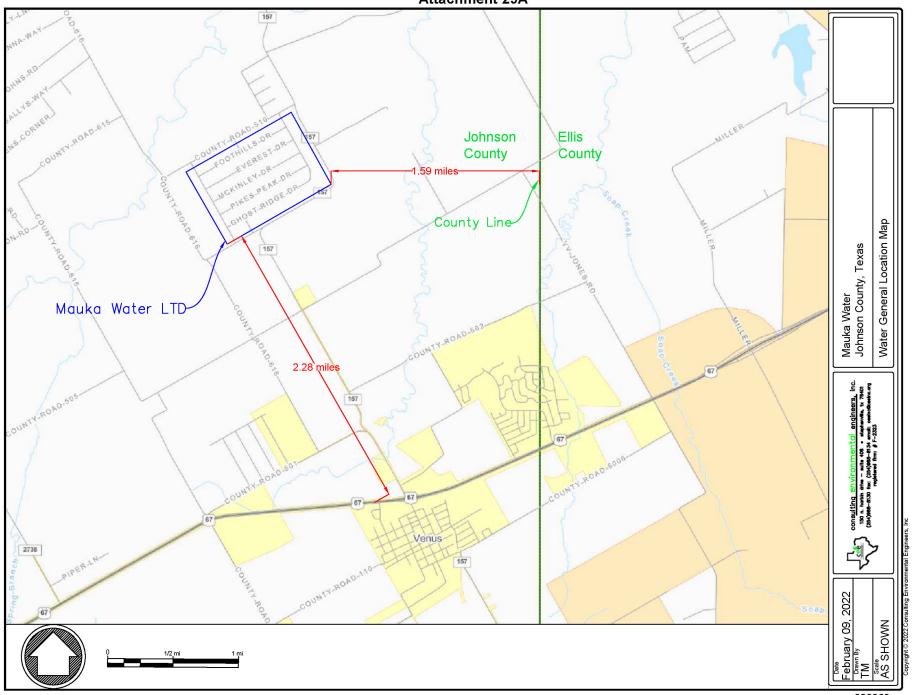
(This page incorporates by reference the utility's Drought Contingency Plan, as approved and periodically amended by the Texas Commission on Environmental Quality.)

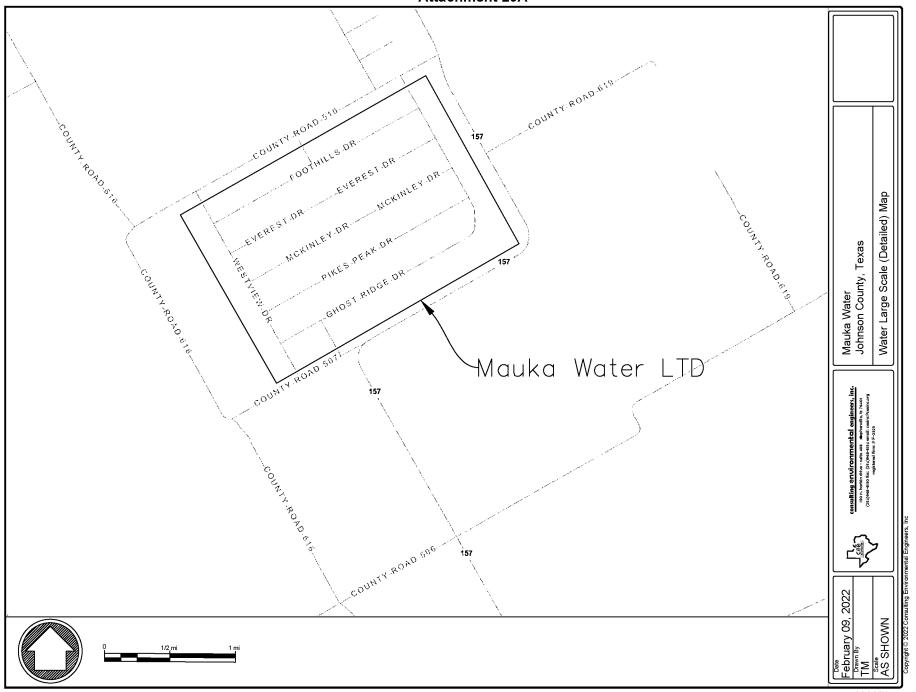
JAN 01'17 COMMISSION OF TEXAS

APPROVED

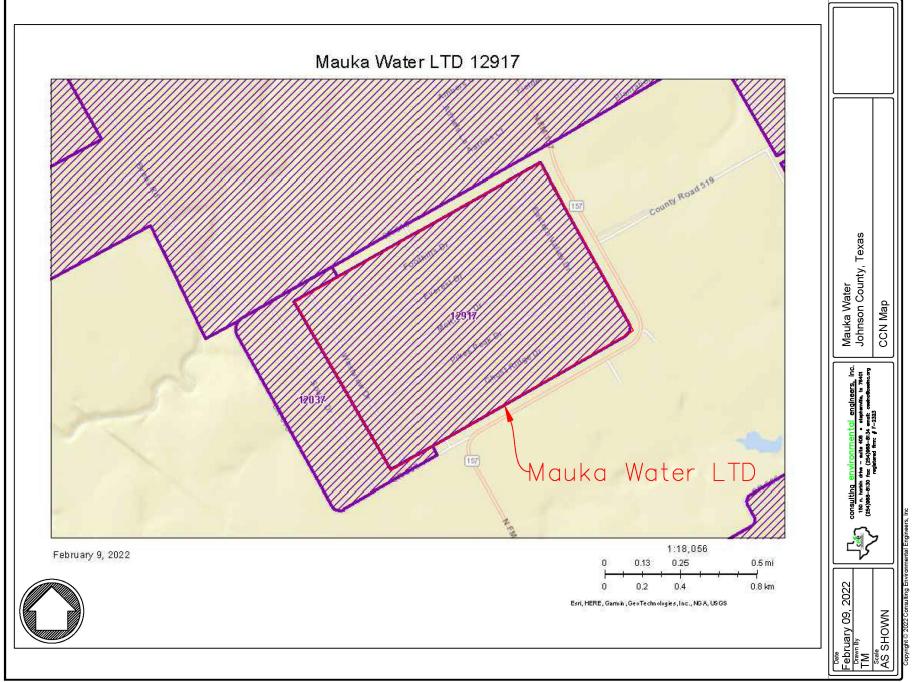
JAN 01'17 C 46600

E CONTROL#





000070



```
Warning 6: Normalized/laundered field name: 'description' to 'descriptio' Warning 6: Normalized/laundered field name: 'description' to 'descriptio' Warning 6: Normalized/laundered field name: 'description' to 'descriptio'
```

The following files are not convertible:

```
Mauka_Water_12917-polygon.cpg
Mauka_Water_12917-polygon.dbf
Mauka_Water_12917-polygon.prj
Mauka_Water_12917-polygon.shp
Mauka_Water_12917-polygon.shx
```

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact centralrecords@puc.texas.gov if you have any questions.