



## **Filing Receipt**

**Filing Date - 2024-05-11 11:46:40 AM**

**Control Number - 56520**

**Item Number - 3**

**DOCKET NO. 56520**

**COMPLAINT OF DANIEL DEWEBER  
AND PRAIRIE BRANCH PROPERTIES  
LLC AGAINST AMON CARTER LAKE  
WATER SUPPLY CORPORATION**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**ORDER NO 1.  
REQUIRED RESPONSES**

**1. The Commission's jurisdiction over this proceeding:**

The Texas PUC has appellate jurisdiction over customers living outside the city limits that receive retail water or sewer utility service from a city. Amon Carter Lake Water Supply Corporation purchases water from the City of Bowie, Tx.

**2. Allegations raised in the complaint:**

Refusal of service to a new 60 acre development to include the construction of 28 new homes.

**3. Applicable statutes, rules, orders, or tariffs that are subject of this complaint:**

Exhibit A Amon Carter Lake Water Supply Corporation service area map

Exhibit B Public Utility Commission PUC letter dated Tuesday, March 26, 2024

**4. Copies of any rates or tariffs that are subject of this complaint:**

PUC Control number 55685:55685 1 1337449.pdf ([texas.gov](https://www.texas.gov))

**5. Any other matters relevant to the complaint:**

I would like it to be known that prior to the receipt of this court order, we had reached out to the PUC on March 25th, 2024 and spoke with Celia Eaves at 512-936-7375.

At that time we reviewed our tariff and it was discovered that we had for years filed an IOU (Investor Operated Utility) tariff, accordingly, we set an appointment with the Financial & Managerial Assistance Program to come to our location and assist us in setting up a non-profit tariff.

On May 6, 2024, we reached out to the engineering company that originally installed our system in 1995. Our system was built to supply water to 147 water meters plus a 20% allowance for expansion. Today our system handles 310 water meters through a 4" main water meter set on TX FM 1125. We provide quality water service that passes all TCEQ standards and testing.

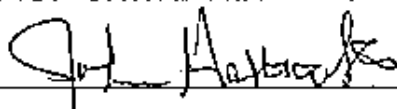
After the PUC contractors initial visit, we received the above mentioned court order. Our new non-profit tariff was voted on by the Board of Directors, on May 8, 2024 and transmitted to the PUC on May 9, 2024. During the long process of developing a new tariff, it was made quite clear we made a mistake in the refusal of service by not following the stated guidelines.

As a non-profit we provide high quality service with good water pressure to all our current customers. Our goal is to maintain our quality standards for our current customers while providing for our future customers.

Our engineer is currently working on solutions and cost estimates as well as anticipated expenses to be able to serve the new sub-division as we would very much like to resolve our conflict as soon as possible.

We would like to thank the PUC for the help provided through the Financial & Managerial Assistance Program as the program was a huge help in our understanding of our new tariff and future growth.

AMON CARTER LAKE WATER SUPPLY CORP

A handwritten signature in dark ink, appearing to read "John Halbrook", is written over a horizontal line.

JOHN HALBROOK, PRESIDENT

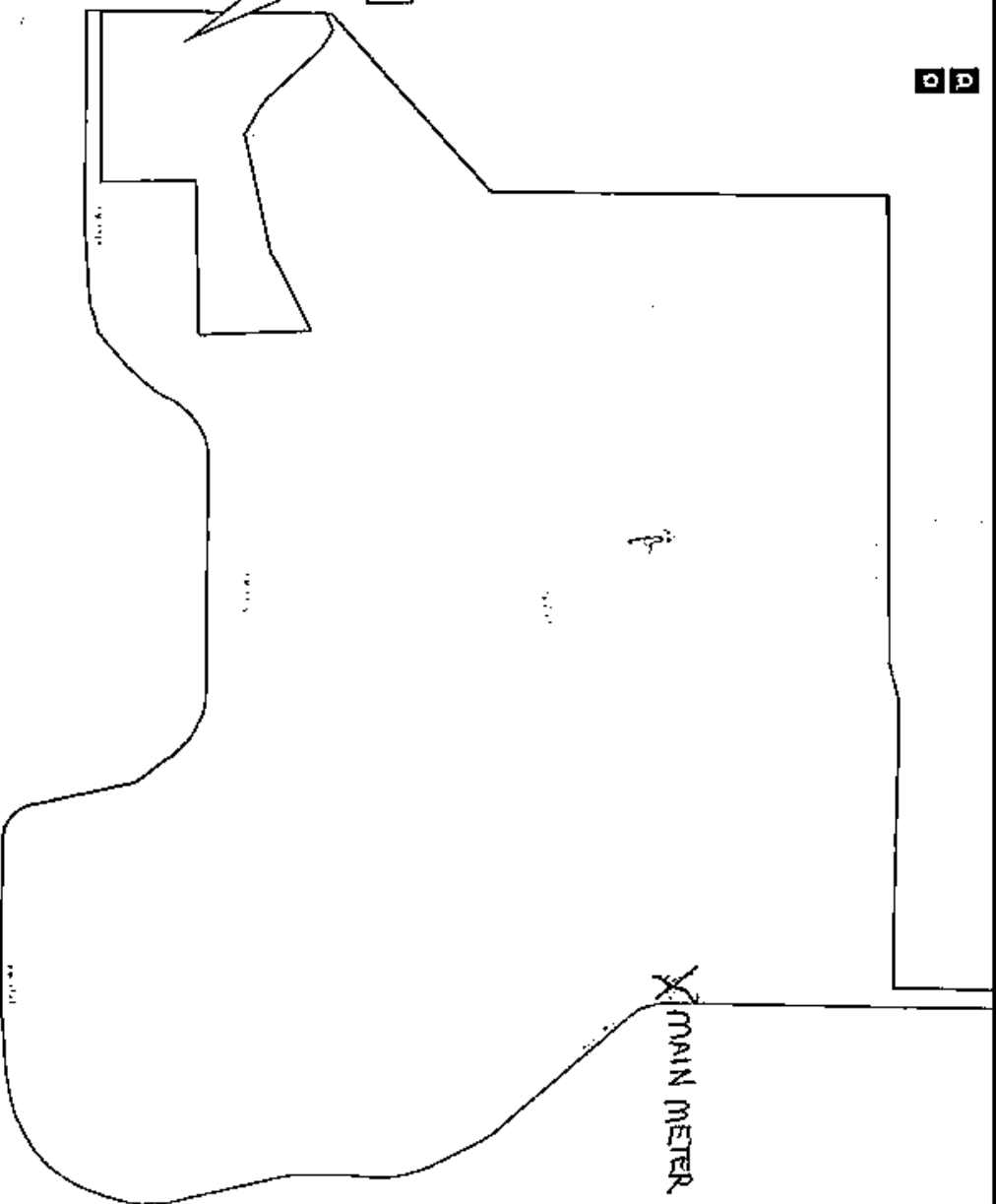
# EXHIBIT A

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Center Heights Subdivision



# EXHIBIT B

John Halbrook

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**From:** Celia Eaves <Celia.Eaves@puc.texas.gov>  
**Sent:** Tuesday, March 26, 2024 10:10 AM  
**To:** John Halbrook  
**Cc:** Lisa Fuentes  
**Subject:** RE: Complaint # CP2024021461

Hello Mr. Halbrook,

It was good speaking to you yesterday about the recent complaint and the requirements on responding to a request for service.

Regarding the proposed development and their request for fire flow and protection from the Amon Carter WSC, a CCN does not obligate a WSC to provide fire flow. There is a provision in Texas Health and Safety Code Section 341.0359 relating to fire hydrant flow standards in a residential area of systems operating in the city limits or ETJ of a municipality if the municipality adopts standards. Here is the link to that provision: <https://statutes.capitol.texas.gov/Docs/HS/htm/HS.341.htm#341.0359>

Here is also a section from TCEQ's rule §290.46(y) that also applies.  
[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=T&app=98&dir=F&p\\_rloc=183359&p\\_lloc=59750&p\\_ploc=44752&pg=5&p\\_tac=&ti=30&pt=1&cl=290&rl=46](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=T&app=98&dir=F&p_rloc=183359&p_lloc=59750&p_ploc=44752&pg=5&p_tac=&ti=30&pt=1&cl=290&rl=46)

You noted that the area does not fall within the corporate limits. You also noted that the proposed development is for approximately 28 homes. The requirements in the Texas Health and Safety Code Section 341.0359 and §290.46(y), would also only apply if the development met the definition of "residential area". "Residential area" is defined an area used principally for private residences that is improved with at least 100 single-family homes and has an average density of one home per half acre. The development that you described does not appear to meet the definition of "residential area".

Finally, I wanted to note again that a review of the tariff the PUC has on file for the Amon Carter WSC appears to the tariff template for private for profit investor owned utilities and not non-profit water supply corporations. Here is the link to the tariff filed under control number 55685: [55685\\_1\\_1337449.PDF \(texas.gov\)](#) The PUC has a free assistance program that can assist the WSC in developing a WSC specific tariff. If you are interested in this assistance, please let me know.

I hope this information is helpful. Please let us know if you have any other questions.

Thank you,  
Celia



**Celia Eaves**  
*Utility Outreach Administrator*  
*Division of Utility Outreach*  
Public Utility Commission of Texas  
W: 512.936.7375 | [celia.eaves@puc.texas.gov](mailto:celia.eaves@puc.texas.gov)

**From:** John Halbrook <j.halbrook1@gmail.com>  
**Sent:** Monday, March 25, 2024 10:23 AM