



Filing Receipt

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Item Number - 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 and 24.240

Sale, Transfer, or Merger (STM) Application Instructions

- I. **COMPLETE:** In order for the Commission to find the application sufficient for filing, the Applicant should:
- Provide an answer to every question and submit any required attachment applicable to the STM request (i.e., agreements or contracts).
 - Use attachments or additional pages to answer questions as necessary. If you use attachments or additional pages, reference their inclusion in the form.
 - 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.
- SEND TO:** 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:
- DEFICIENT (Administratively Incomplete):** 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.*
 - SUFFICIENT (Administratively Complete):** 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 update in the docket to the ALJ every 30 days following the approval of the transaction. The transaction must be completed within six (6) months from the ALJ's order (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

Transferor: Seller

Transferee: Purchaser

CCN: Certificate of Convenience and Necessity

STM: Sale, Transfer, or Merger

IOU: Investor Owned Utility

Application Summary

Transferor: Boling Municipal Water District (Boling MWD)
(selling entity)

CCN No.s: 10706 & 20302

☒ Sale ☐ Transfer ☐ Merger ☐ Consolidation ☐ Lease/Rental

Transferee: CSWR-Texas Utility Operating Company, LLC
(acquiring entity)

CCN No.s: 13290 & 21120

☐ Water ☐ Sewer ☒ All CCN ☐ Portion CCN ☐ Facilities transfer

County(ies): Wharton

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Please mark the items included in this filing

<input checked="" type="checkbox"/> Contract, Lease, Purchase, or Sale Agreement	Part A: Question 1
<input checked="" type="checkbox"/> Tariff including Rate Schedule	Part B: Question 4
<input checked="" type="checkbox"/> List of Customer Deposits	Part B: Question 5
<input type="checkbox"/> Partnership Agreement	Part C: Question 7
<input checked="" type="checkbox"/> Articles of Incorporation and By-Laws (WSC)	Part C: Question 7
<input checked="" type="checkbox"/> Certificate of Account Status	Part C: Question 7
<input checked="" type="checkbox"/> Financial Audit	Part C: Question 10
<input checked="" type="checkbox"/> Application Attachment A & B	Part C: Question 10
<input type="checkbox"/> Disclosure of Affiliated Interests	Part C: Question 10
<input checked="" type="checkbox"/> Capital Improvement Plan	Part C: Question 10
<input checked="" type="checkbox"/> List of Assets to be Transferred	Part D: 11.B
<input type="checkbox"/> Developer Contribution Contracts or Agreements	Part D: 11.D
<input type="checkbox"/> Enforcement Action Correspondence	Part E: Question 18 (Part D: Q12)
<input checked="" type="checkbox"/> TCEQ Compliance Correspondence	Part F: Question 22
<input type="checkbox"/> TCEQ Engineering Approvals	Part F: Question 24
<input type="checkbox"/> Purchased Water Supply or Treatment Agreement	Part F: Question 26
<input checked="" type="checkbox"/> Detailed (large scale) Map	Part G: Question 29
<input checked="" type="checkbox"/> General Location (small scale) Map	Part G: Question 29
<input checked="" type="checkbox"/> Digital Mapping Data	Part G: Question 29
<input checked="" type="checkbox"/> Signed & Notarized Oath	Page 13-14

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:

CSWR-Texas Utility Operating Company, LLC ("CSWR Texas") will purchase all utility assets owned by Boling Municipal Water District. ("Boling") for purposes of operating its water and/or wastewater system under CCN No. 10706 and 20302 as identified in Attachment A, which is a copy of the purchase agreement between CSWR Texas' affiliate, Central States Water Resources, Inc. ("Central States") and Boling. See Attachment B for a copy of the corporate organizational chart of CSWR Texas' upstream ownership.

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 Portion of CCN into Purchaser's CCN
☐ Transfer all CCN to Purchaser and retain Seller CCN
☐ Uncertificated area added to Purchaser's CCN

- ☒ Cancellation of Seller's CCN
☐ Transfer of a Portion of Seller's CCN to Purchaser
☐ Only Transfer of Facilities, No CCN or Customers
☐ Only Transfer of Customers, No CCN or Facilities
☐ 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: Boling Municipal Water District (Boling MWD)
(individual, corporation, or other legal entity)
☐ Individual ☐ Corporation ☐ WSC ☒ Other: Water District

B. Mailing Address: PO Box 307, Boling, TX, 77420

Phone: (979) 657-2106

Email: _____

- C. Contact Person. 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: Brett Glenn

Title: President

Mailing Address: PO Box 307, Boling, TX, 77420

Phone: (979) 657-2106

Email: _____

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: **See Attachment C**

A. Effective date for most recent rates: 2/21/2022

- 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: N/A

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 following the approval of the proposed transaction, check all that apply:
- ☐ There are no customers that will be transferred
- ☒ # of customers without deposits held by the transferor 272 See Attachment D
- ☒ # of customers with deposits held by the transferor* 109
- *Attach a list of all customers affected by the proposed transaction that have deposits held, and include a customer indicator (name or account number), date of each deposit, amount of each deposit, and any unpaid interest on each deposit.

Part C: Transferee Information

Questions 6 through 10 apply only to the transferee (purchaser or proposed service provider)

6. A. Name: CSWR-Texas Utility Operating Company, LLC
(individual, corporation, or other legal entity)
☐ Individual ☐ Corporation ☐ WSC ☒ Other: LLC
- B. Mailing Address: 1630 Des Peres Rd., Suite 140, St. Louis, Missouri 63131
- Phone: (314) 736-4672 Email: regulatory@cswrgroup.com
- C. **Contact Person.** 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: Creighton R. McMurray Title: Local Counsel
- Address: Spencer Fane LLP, 816 Congress Avenue, Suite 1200 Austin, TX 78701
- Phone: (512) 840-4550 Email: cmcmurray@spencerfane.com
- D. If the transferee is someone other than a municipality, is the transferee current on the Regulatory Assessment Fees (RAF) with the Texas Commission on Environmental Quality (TCEQ)?
- ☐ No ☒ Yes ☐ N/A
- E. If the transferee is an IOU, is the transferee current on the Annual Report filings with the Commission?
- ☐ No ☒ Yes ☐ N/A

7. The legal status of the transferee is:
- ☐ Individual or sole proprietorship
- ☐ Partnership or limited partnership (*attach* Partnership agreement)
- ☐ Corporation
 Charter number (as recorded with the Texas Secretary of State): _____
- ☐ Non-profit, member-owned, member controlled Cooperative Corporation [Article 1434(a) Water Supply or Sewer Service Corporation, incorporated under TWC Chapter 67]
 Charter number (as recorded with the Texas Secretary of State): _____
☐ Articles of Incorporation and By-Laws established (*attach*)
- ☐ Municipally-owned utility
- ☐ District (MUD, SUD, WCID, FWSD, etc.)

- ☐ County
- ☐ Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)
- ☒ Other (please explain): Limited Liability Company. A copy of the LLC Operating Agreement is attached. See Attachment E.

8. If the transferee operates under any d/b/a, provide the name below:

Name: The transferee does not operate under a d/b/a.

9. If the transferee's legal status is anything other than an individual, provide the following information regarding the officers, members, or partners of the legal entity applying for the transfer:

Name: CSWR-Texas Utility Operating Company, LLC (See Attachment B for a corporate organizational chart)

Position: Member Ownership % (if applicable): 100%

Address: 1630 Des Peres Rd., Suite 140, St. Louis, Missouri 63131

Phone: 314-736-4672 Email: regulatory@cswrgroup.com

Name: Josiah Cox

Position: President, CSWR, LLC Ownership % (if applicable): 0%

Address: 1630 Des Peres Rd., Suite 140, St. Louis, Missouri 63131

Phone: 314-736-4672 Email: jcox@cswrgroup.com

Name: _____

Position: _____ Ownership % (if applicable): 0%

Address: _____

Phone: _____ Email: _____

Name: _____

Position: _____ Ownership % (if applicable): 0%

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.

See Attachments F & G

Projected 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.

See Attachments F, G, H, I, & J

Part D: Proposed Transaction Details

11. A. Proposed Purchase Price: \$ _____ **See Attachment A**

If the 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

See Attachments K & K-1

Total Original Cost of Plant in Service: \$ _____

Accumulated Depreciation: \$ _____

Net Book Value: \$ _____

C. **Customer contributions in aid of construction (CIAC):** 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

See Attachment K-1

Total Customer CIAC: \$ _____

Accumulated Amortization: \$ _____

D. **Developer CIAC:** 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 **See Attachments H, I, I-1, & J**

B. If yes, describe the source and availability of funds and provide an estimated timeline for the construction of any planned or required improvements:

To the extent it is determined that improvements need to be made to the system, funds will be provided by a mix of equity and debt financing. Equity financing will be provided through an infusion from CSWR Texas' ultimate parent company CSWR, LLC ("CSWR"), of which Central States is the sole manager. A copy of the corporate organizational chart is provided as Attachment B. The source of debt financing will be determined after acquisition of the system. The exact timeline for construction has not yet been determined as approval from TCEQ will be sought as necessary following the acquisition, but CSWR Texas plans to move as quickly as possible to address any known issues on the system upon closing of the acquisition.

13. Provide any other information concerning the nature of the transaction you believe should be given consideration:

The acquired system is a distressed system and would benefit from the transition to a stable, long-term management team willing to make necessary investments to improve the system. See Responses to Questions Nos. 15, 16, 17 and 20 in Attachment K. For these reasons, the sale of assets promotes the interests of the public generally and benefits the transferring utility's customers.

14. Complete the following proposed entries (listed below) as shown in the books of the Transferee (purchaser) after the acquisition. Debits (positive numbers) should equal credits (negative numbers) so that all line items added together equal zero. Additional entries may be made; the following are suggested only, and not intended to pose descriptive limitations:

Utility Plant in Service:	\$ _____	See Attachment K-1
Accumulated Depreciation of Plant:	\$ _____	
Cash:	\$ _____	
Notes Payable:	\$ _____	
Mortgage Payable:	\$ _____	
(Proposed) Acquisition Adjustment*:	\$ _____	
Other (NARUC account name & No.):	_____	
Other (NARUC account name & No.):	_____	

*Acquisition Adjustments will be subject to review under 16 TAC § 24.41(d) and (e)

15. Explain any proposed billing change. If the Transferee is an Investor Owned Utility (IOU) and is requesting authorized acquisition rates under 16 TAC § 24.240 and TWC § 13.3011, the Transferee must also provide all items requested in 16 TAC § 24.240(d)(1)-(6).

See Attachment K.

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:

See Attachment K.

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.

See Attachment K.

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:

CSWR Texas will operate the system to ensure it is in compliance with all environmental regulations. CSWR Texas is not aware of any negative impacts or disruptions to the environment or land that would result from the transaction.

20. How will the proposed transaction serve the public interest?

See Attachment K.

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 two (2) miles from the outer boundary of the requested area affected by the proposed transaction:

H & L NEW GULF INC (CCN: 13127); AQUA TEXAS INC (CCN: 13203)

Part F: TCEQ Public Water System or Sewer (Wastewater) Information

Complete Part F for EACH Public Water or Sewer system to be transferred subject to approval of the transaction.
Attach a separate sheet with this information if you need more space for additional systems being transferred.

22. A. For Public Water System (PWS):

TCEQ PWS Identification Number: 410006 (7 digit ID)

Name of PWS: Boling MWD

Date of last TCEQ compliance inspection: 12/21/22 (attach TCEQ letter)

Subdivisions served: City of Boling

B. For Sewer service:

TCEQ Water Quality (WQ) Discharge Permit Number: WQ 001 - 16700001 (8 digit ID)

Name of Wastewater Facility: Boling MWD WWTP

Name of Permittee: Boling Municipal Water District

Date of last TCEQ compliance inspection: 12/14/23 (attach TCEQ letter)

Subdivisions served: City of Boling

Date of application to transfer permit submitted to TCEQ: See Attachment K

23. List the number of existing connections, by meter/connection type, to be affected by the proposed transaction:

Water				Sewer	
	Non-metered	6	2"	342	Residential
374	5/8" or 3/4"		3"	36	Commercial
1	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:		381	Total Sewer Connections: 378		

24. A. Are any improvements required to meet TCEQ or Commission standards?

☐ No ☒ Yes

B. Provide details on each required major capital improvement necessary to correct deficiencies to meet the TCEQ or Commission standards (attach any engineering reports or TCEQ approval letters):

Description of the Capital Improvement:	Estimated Completion Date:	Estimated Cost:
See Attachments H, I, and J		

C. Is there a moratorium on new connections?

☒ No ☐ Yes:

25. Does the system being transferred operate within the corporate boundaries of a municipality?

☐ No ☒ Yes: Boling Municipal Water District (name of municipality)

If yes, indicate the number of customers within the municipal boundary.

Water: 381 Sewer: 378

26. A. Does the system being transferred purchase water or sewer treatment capacity from another source?

☒ No ☐ Yes: If yes, attach a copy of purchase agreement or contract.

Capacity is purchased from: _____

Water: _____

Sewer: _____

B. Is the PWS required to purchase water to meet capacity requirements or drinking water standards?

☒ No ☐ Yes

C. What is the amount of water supply or sewer treatment purchased, per the agreement or contract? What is the percent of overall demand supplied by purchased water or sewer treatment (if any)?

	Amount in Gallons	Percent of demand
Water:		100.00%
Sewer:		100.00%

D. Will the purchase agreement or contract be transferred to the Transferee?

☒ No ☐ Yes:

27. Does the PWS or sewer treatment plant have adequate capacity to meet the current and projected demands in the requested area?

☐ No ☒ Yes: See Attachment J

28. List the name, class, and TCEQ license number of the operator that will be responsible for the operations of the water or sewer utility service:

Name (as it appears on license)	Class	License No.	Water or Sewer
Mark Patterson	B	WG0008889	Water
Mark Patterson	B	WW0036801	Sewer

Part G: Mapping & Affidavits

ALL applications require mapping information to be filed in conjunction with the STM application.
Read question 29 A and B to determine what information is required for your application.

29. A. For applications requesting to transfer an entire CCN, without a CCN boundary adjustment, 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 in reference to the nearest county boundary, city, or town. The following guidance should be adhered to:
 - i. If the application requests to transfer certificated service areas for both water and sewer, separate maps must be provided for each.
 - ii. A hand drawn map, graphic, or diagram of the requested area is not considered an acceptable mapping document.

- iii. 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.
 - iii. 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 scaled 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.

DO NOT provide notice 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: 497.43

Number of customer connections in the requested area: 381

Affected subdivision: City of Boling

The closest city or town: Boling-lago

Approximate mileage to closest city or town center: Boling Municipal Water District

Direction to closest city or town: Within

The requested area is generally bounded on the North by: County Road 162

on the East by: Gary Street

on the South by: County Road 187

on the West by: Ash Street

31. A copy of the proposed map will be available at: Spencer Fane LLP, 816 Congress Avenue, Suite 1200 Austin, TX 78

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

33. A Transferee requesting approval to charge authorized acquisition rates under 16 TAC § 24.240 must also include the following information as part of the notice required by 16 TAC §24.239. See 16 TAC § 24.240(e).

1. An explanation of how intervention differs from protesting a rate increase.
2. A rate schedule showing the existing rates and the authorized acquisition rates.
3. A billing comparison for usage of 5,000 and 10,000 gallons at existing rates and authorized acquisition rates.

Oath for Transferor (Transferring Entity)

STATE OF Texas

COUNTY OF Wharont

I, **Brett Glenn**

being duly sworn, file this application for sale,
transfer,

merger, consolidation, acquisition, lease, or
rental, as

Boling Municipal Water District

(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 provided to the purchaser or transferee a written disclosure statement about any contributed property as required under Texas Water Code § 13.301(j) and copies of any outstanding enforcement Orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas, or Attorney General and have also complied with the notice requirements in Texas Water Code § 13.301(k).

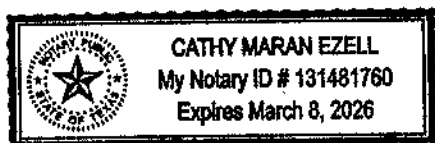

AFFIANT
(Utility's Authorized Representative)

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 10th of October, 2024

SEAL




NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

Cathy Maran Ezell
PRINT OR TYPE NAME OF NOTARY

My commission expires:

March 8, 2026

Oath for Transferee (Acquiring Entity)


STATE OF MISSOURI

COUNTY OF ST. LOUIS

I, Josiah Cox being duly sworn, file this application for sale, transfer, merger, consolidation, acquisition, lease, or rental, as Manager of CSWR-Texas Utility Operating Company, LLC
(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.

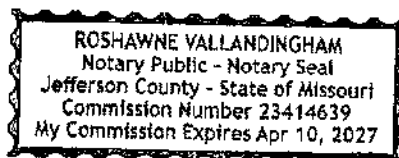


AFFIANT
(Utility's Authorized Representative)

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~~ MISSOURI
this day the 2 of May, 20 24

SEAL



Roshawne Vallandingham
NOTARY PUBLIC IN AND FOR THE
STATE OF ~~TEXAS~~ MISSOURI
Roshawne Vallandingham
PRINT OR TYPE NAME OF NOTARY

My commission expires: 04-10-2027

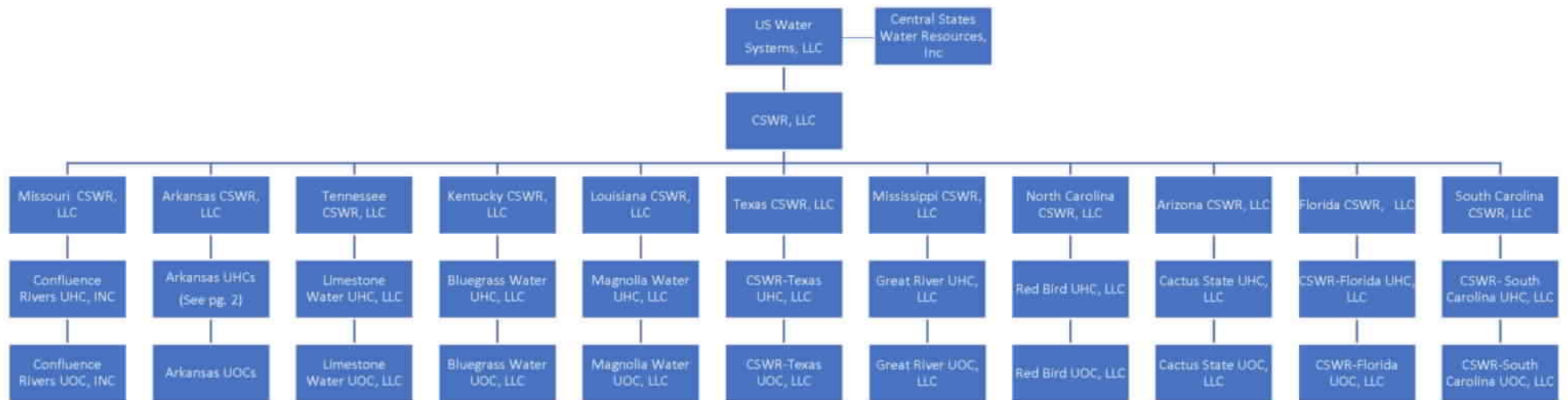
ATTACHMENT LIST

1. Attachment A – Executed Purchase Agreement (Confidential)
2. Attachment B – CSWR, LLC Corporate Organizational Chart
3. Attachment C – Boling MWD Current Tariff
4. Attachment C-1 – Filed Rated Doctrine - Rate Analysis Schedule
5. Attachment C-2 – Filed Rated Doctrine - Rate Analysis Schedule Comparison
6. Attachment C-3 – Water and Sewer Utility Tariffs in Docket No. 54565
7. Attachment D – List of Customer Deposits (Confidential)
8. Attachment E – CSWR-Texas Utility Operating Company, LLC Operating Agreement and Certificates of Account Status (Confidential)
9. Attachment F – Appendices A & B Historical and Projected Financial Information (Confidential)
10. Attachment G – Additional Supporting Financial Information (Highly Sensitive)
11. Attachment H – Capital Estimates or Capital Improvement Plan (Confidential)
12. Attachment I – TCEQ Compliance Investigation Report
13. Attachment I-1 – CSWR-Texas Correspondence re Compliance Issues (Confidential)
14. Attachment J – Engineering Memo (Confidential)
15. Attachment K – Responses to STM Questions
16. Attachment K-1 – Confidential Responses to STM Questions (Confidential)
17. Attachment L – Small Scale Map (General Location)
18. Attachment M – Large Scale Map (Detailed)
19. Attachment M-1 – Parcel Map and Parcel Map Sheet (Confidential, Native)
20. Attachment N – Digital Mapping (Native)
21. Attachment O – Statement of Confidentiality

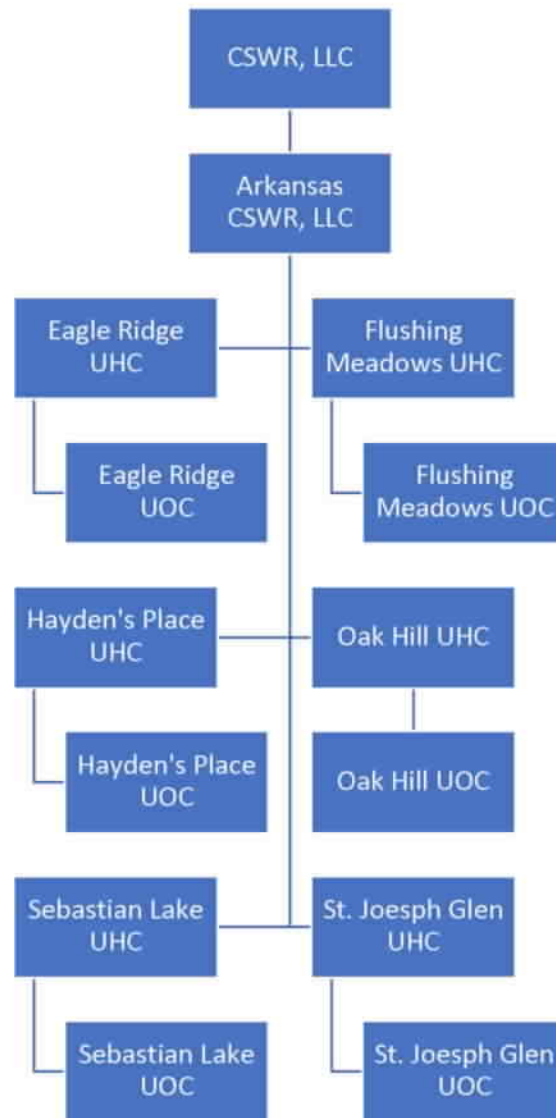
**Attachment A is Confidential and
will be provided pursuant to the
Protective Order**

Attachment B

Central States Water Resources Corporate Entity Organizational Chart



Arkansas CSWR Organizational Chart Detail



Attachment C

**ORDER AMENDING AND RESTATING RATE ORDER
AND RULES AND REGULATIONS**

STATE OF TEXAS
COUNTY OF WHARTON
BOLING MUNICIPAL WATER DISTRICT

§
§
§

WHEREAS, Boling Municipal Water District of Wharton County, Texas (the "District") owns a water and sewer system designed to serve present and future inhabitants within the District; and

WHEREAS, it is necessary that fees, charges, and conditions be established for service from the District's water and sewer system; and

WHEREAS, the Board of Directors (the "Board") of the District has carefully considered the matter and is of the opinion that the following conditions should be established for service from the District's water and sewer system; and

WHEREAS, pursuant to the provisions of the Texas Water Code, the Texas Commission on Environmental Quality (the "TCEQ") has jurisdiction over and adopts rules regulating water supply system of the District; and

WHEREAS, on January 13, 2022, the Board determined that its Rate Order should be amended as of February 1, 2022 and restated as set forth herein.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF BOLING MUNICIPAL WATER DISTRICT THAT:

ARTICLE I.
DEFINITIONS

The following words or phrases shall have the meanings indicated below:

A. "Commercial Customer" means a business, industrial user, multi-residential units, governmental entity, place of worship, school, or other non single-residential unit.

B. "Customer" means any user of the District's water and/or sewer system, including, but not limited to, residential, commercial establishments, apartments, churches, schools, recreational facilities, clubs and multi-family dwelling units.

ARTICLE II.
TAP FEES AND CONNECTION POLICY

Section 2.01 Tap Fees. Prior to any connection being made to the District's water system or sewer system, a tap fee shall be paid as set forth on the Rate Schedule, attached hereto as Appendix "A." All connections to the District's water system or sewer system shall be made under the supervision of a representative of the District.

Section 2.02 Application and Proof of Residency. Evidence of the Customer's residency within the District must be proved by a copy of the Customer's deed or rental agreement upon application for water and sewer service as part of the application process. New Customers are required to complete an application and present a Texas or United States photo identification at the time service is requested.

Section 2.03 Policies Governing Initial Connections.

- A. Certification of System. Connections shall not be made to the District's System or portions of the System until the District's Engineer, or any person or persons authorized and employed by the District to certify that the System or applicable portion thereof is operable and has sufficient capacity to serve additional connections.
- B. Approval of Plans and Specifications. Before any connection is made to the District's water or sewer system, or before any reconnection is made, the person requesting such connection shall submit to the District for review and approval, the water and sanitary sewer plans and specifications for the property for which the connection is sought. Such plans shall clearly show the estimated volumes of water and the proposed points of connection to the District's system. Any modification of such plans shall require reapproval by the District. The District reserves the right to require removal of any connection in violation of this Section.
- C. Availability of Access/Obstructions. Before service is begun to any Customer or, once begun but before reconnection is made, the person requesting such service shall grant an easement of ingress and egress to and from the meter for such maintenance and repairs as the District, in its judgment, may deem necessary. After a meter has been set, the Customer shall at all times keep the space occupied by the meter and the box free from rubbish or obstructions of any kind.
- D. Number of Connections. Each house, dwelling, or premises must have a separate meter and connection.
- E. Additional Costs with Installing Taps. Customers are responsible for the actual cost for main line extensions, boring under a street or pre-existing utility line, or any other additional costs necessary to install a water or sewer tap. All main line extensions will require the line to be extended the width of the property to the next adjacent property line unless a variance is issued. All main line extensions will require a written agreement between the District and the customer. Customers will be required to pay the District in advance for any additional cost associated with connecting to the District's main line based on the District's engineer's estimate for projected engineer and construction costs. Once the project is complete, the customer will either be billed or refunded the difference between the estimate and the actual cost.

Section 2.04 Connections. All connections to the District's water or sewer system shall be made in accordance with the District Rules and Regulations as the same may be amended from time to time. All connections shall be inspected by a representative of the District prior to being covered in the ground. In the event a connection is made and covered without such inspection, water service will be terminated until the line is uncovered and so inspected. Water service shall not commence until the connection has been installed in accordance with such Rules. A fee as set forth in the Rate Schedule, attached hereto as Appendix "A," shall be paid to the District to cover the cost of making said inspections.

Section 2.05 Customer Service Inspections. A customer service inspection is an examination of the private water distribution facilities for the purpose of providing or denying water service and is not a plumbing inspection as defined and regulated by the Texas State Board of Plumbing Examiners (TSBPE). A customer service inspector is not permitted to perform plumbing inspections. Only TSBPE licensed plumbing inspectors are permitted to perform plumbing inspections of all new plumbing and alternations or additions to existing plumbing. Notwithstanding any other provision of the Rate Order, a customer service inspection certification, substantially in the form as set out in Appendix "B" hereto, shall be completed and filed with the District prior to providing continuous water service to new construction, on any existing service when the District has reason to believe that cross-connections or other potential contaminant hazards or illegal lead material exist, or after any material improvement, correction, or addition to the private water distribution facilities. Such customer service inspection certifications shall be conducted by the District. Should the District's operator be asked to perform the customer service inspection, an inspection fee as follows shall be paid, in addition to any other fees required herein, prior to the initiation of service. Prior to the District initiating continuous service, a Customer shall provide a Customer Service Inspection Certification to the District. A plumbing inspection may only be performed by those individuals described below:

Individuals with the following credentials shall be recognized as capable of conducting a plumbing inspection:

1. Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners; and
2. Customer service inspectors who have completed a commission approved course, passed an examination administered by the TCEQ or its designated agent and hold current professional certification or endorsement as a customer service inspector.

Customer Service Inspection Certifications performed by the District's operator, the Customer must pay the District the Customer Service Inspection Fee prior to the operator performing the inspection and certification. The fee for this inspection will be as set forth in the Rate Schedule, attached hereto as Appendix "A." The cost of such customer service inspection will be the sole responsibility of the User. All customer service inspections shall be performed by the District's Operator and all fees relating to the customer service inspection shall be paid by the User prior to the inspection, and if the inspection is made in connection with new construction, the fee will be collected with the tap fee.

Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District's Operator and made available, upon request, for TCEQ review. Inspection certifications shall be retained for a minimum of ten (10) years. Failure to provide a Customer Service Inspection Certification in accordance with this Section shall constitute a violation of these Rules and Regulations and such violation shall be subject to the enforcement provisions set forth this Section of this Rate Order and TAC §290.46(j).

Section 2.06 Service to Out of District Customers. All requests for water and sewer service from parties located outside the boundaries of the District shall be considered on a case by case basis. The District's Board of Directors must approve any such request before service is permitted.

Section 2.07 Fees Subject to Change. All fees are subject to change and should be verified with the District office prior to payment.

ARTICLE III. **SERVICE RATES**

Section 3.01 Water and Sewer Service Rates. The District shall charge a rate per month, or any part thereof, to each customer for water and sewer service as set forth on the Rate Schedule attached hereto as Appendix "A." All sewer rates will be based on the monthly-metered water usage.

Section 3.02 Regulatory Assessment. Pursuant to Section 5.235, Texas Water Code, as amended, the District shall collect a regulatory assessment from each customer which shall be paid to the Texas Commission on Environmental Quality (the "TCEQ") annually in the amount required by law on the total charges for retail water and sewer service billed to its Customers.

Section 3.03 No Reduced Rates or Free Service. All Customers receiving water and/or sewer service from the District shall be subject to the provisions of this Order and shall be charged the rates established in this Order, and no reduced rate or free service shall be furnished to any Customer; provided, however, this provision shall not prohibit the District from establishing reasonable classifications of customers for which rates differing from the rates stated herein may be adopted.

ARTICLE IV. **SERVICE POLICY**

Section 4.01 Security Deposits. Security deposits shall be required as follows:

- A. Security Deposits for New and/or Reconnected Accounts. A security deposit shall be collected on all new connections or reconnections, except that public schools, counties and other governmental entities are not required to place a deposit. The deposit shall be refundable when ownership is transferred, contingent upon providing proof of payment of all bills owed to the District. Deposit amounts are set forth in the Rate Schedule, attached hereto as Appendix "A." An administrative fee set forth in the Rate Schedule, attached hereto as Appendix "A," shall be

assessed to a Customer for new services or a transfer of an account to another residence.

- B. Full Payment Required. All deposits shall be prepaid and water and sewer service shall not be provided until such time as payment of the deposit has been received. Letters of credit are not acceptable in lieu of cash for payment of deposits.
- C. Refund of Deposit. Following payment of the final bill and payment of all fees and charges, the balance of the security deposit, if any, shall be refunded by check mailed to the Customer. No interest shall be payable to the Customer on any security deposit and the District shall not be obligated to refund amounts less than \$5.00, unless specifically requested by the customer to do so.

Section 4.02 Billing Procedures. All accounts shall be billed in accordance with the following procedures:

- A. Billing Date and Delinquency. Charges for water and sewer service shall be billed monthly. All bills shall be payable on the due date listed on the bill. Unless payment is received on or before the due date listed on such statement, such account shall be considered delinquent and an administrative penalty fee of \$30.00 shall be assessed against the account. A delinquent notice shall be sent by first class United States Mail. The District shall charge the customer a Delinquent Letter fee as set forth in the Rate Schedule, attached hereto as Appendix "A," to offset the administrative cost of providing such notice.
- B. Termination of Service. The District may, in its discretion, disconnect service for failure to pay all charges by the 10th day after the date the delinquency letter is sent. The District is not responsible for delays in the mail. If service to a Customer is disconnected for any cause, there shall be charged a reconnection fee as set forth in the Rate Schedule, attached hereto as Appendix "A," before service is again commenced to such Customer. In the event of discontinuation of service, all amounts due to the District, including any penalties and fees, are required in full before reconnection of service.
- C. Returned Checks. Any account paid with a check returned unpaid shall be charged a returned check fee as set forth in the Rate Schedule, attached hereto as Appendix "A," in addition to any other charges and penalties.

Section 4.03 Method of Payment and Associated Fees.

- A. Payment may be made by cash, personal check, cashier's check or money order. The District may refuse to accept payment by personal check or similar instrument from any person who has had three or more payments to the District made by personal check or similar instrument dishonored.

Section 4.04 Temporary Water Service.

- A. Temporary Connections. The District may authorize a temporary connection for water service. Temporary water service is for water only and will not be extended for more than fourteen (14) consecutive days without a deposit or connection fee being made. The base rate must be paid at the time the service is requested with additional gallons being billed after the temporary service is disconnected. Such rates are set forth in the Rate Schedule, attached hereto as Appendix "A."

Section 4.05 Meter Title, Tampering, Maintenance, Setting.

- A. Title to all water meters and appurtenances, including the meter boxes enclosing same, shall vest in the District.
- B. No person other than a duly authorized agent of the District shall open the meter box or tamper or in any way interfere with the meter, meter box, service line, or other water and/or sewer system appurtenance. The District reserves the right to immediately and without notice remove the meter, lock the meter, or disconnect water service to any Consumer whose meter has been tampered with, and assess repair charges to such Consumer plus a damage fee as set forth in the Rate Schedule, attached hereto as Appendix "A," and to impose a penalty.
- C. The District will maintain, repair and replace all meters and appurtenances in connection therewith at its cost.
- D. All meters shall be set by employees or agents of the District.

Section 4.06 Maintenance and Repair. It shall be the responsibility of each Customer to maintain the water and sewer lines serving his premises from the point of connection to the District's water and sewer system to the building served.

**ARTICLE V.
QUALITY OF SEWAGE**

Section 5.01 Domestic Waste. Only ordinary liquid and water-carried waste from domestic activities that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged into the District's sanitary sewer lines. Waste resulting from any process of commerce or industry may not be discharged into the District's sanitary sewer lines except as authorized pursuant to Section 5.02 below.

Section 5.02 Commercial and Industrial Waste. All discharges other than waste described in Section 5.01 are prohibited unless the user has applied to and received written authorization from the District for such discharge. The applicant must file a statement with the District containing the following information:

- (1) Name and address of applicant;
- (2) Type of industry, business, activity, or other waste-creative process;
- (3) Quantity of waste to be discharged;
- (4) Typical analysis of the waste;
- (5) Type of pretreatment proposed; and
- (6) Such other information as the District may request in writing.

The District shall have the right to reject any application for discharge of non-domestic waste into the District's sanitary sewer lines if the District determines in its sole discretion that the proposed discharge may be harmful to the District's sanitary sewer system or the environment. The District also shall have the right in approving any application for the discharge of non-domestic waste to impose any limitations on such discharge that the District determines in its sole discretion to be necessary to protect the District's sanitary sewer system or the environment.

Section 5.03 National Categorical Pretreatment Standard. If a user is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the United States Environmental Protection Agency under Section 307 of the federal Clean Water Act, the user is prohibited from discharging pollutants into the District's sanitary sewer system in violation of applicable categorical pretreatment standards.

Section 5.04 District Testing; Pretreatment. The District shall have the right to sample and test any user's discharge at the discretion of the District, with no limit as to the frequency of the tests, and to charge the user for the District's cost of such sampling and testing. The District also shall have the right to require pretreatment, at the user's expense, of any discharge of non-domestic waste if the District determines in its sole discretion that pretreatment of such waste is necessary to protect the District's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to Section 5.03 above.

Section 5.05 Grease Trap Inspection. In order to assure the discharge of only ordinary domestic sewage into the District's system, the District may require that the discharge from any property be pre-treated or traps be installed. The District shall require the owner of any establishment that discharges certain types of waste to install an appropriate trap to filter the discharge prior to its entry into the system and a sampling well to allow for periodic sampling of the discharge from the establishment which enters the system to assure compliance with this Rate Order. Discharges requiring a trap and sampling well include, but are not limited to, grease, oil, sand, or flammable waste.

Any person responsible for a discharge requiring a trap and sampling well shall provide equipment and facilities of a type and capacity approved by the District, locate the trap in a manner that provides ready and easy access for cleaning and inspection, and maintain the trap in effective operating condition. For restaurants and similar developments, the District will require as a minimum one trap and one sampling well per restaurant. Each trap and sampling well required to be installed hereunder shall be subject to an inspection for a fee as set forth in the Rate Schedule, attached hereto as Appendix "A."

It shall be the responsibility of the owner of the property to maintain and service the trap(s). All traps shall be cleaned a minimum of once a month.

The District's operator shall inspect the traps and may take samples and flow measurements from the sampling wells with no limit as to the frequency of the tests. If a grease trap is found in violation of this Rate Order at any time, the District may, at its sole discretion, bill to the owner of the property charges as set forth in the Rate Schedule, attached hereto as Appendix "A."

The District has the right, in its sole discretion, to require the owner to pretreat the discharge at the owner's expense.

ARTICLE VI.

PLUMBING RULES AND REGULATION

Section 6.01 Plumbing Code. The District hereby adopts the provisions of the Uniform Plumbing Code relevant to municipal utility district operations and such provisions of such code are incorporated herein by reference.

Section 6.02 Unauthorized Practices.

- A. Potable water supply piping, water discharge outlets, backflow prevention devices or similar equipment shall not be located so as to make possible their submergence in any contaminated or polluted liquid or substance
- B. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use. No solder or flux which contains more than 0.20% lead may be used for the installation or repair of plumbing at any connection which provides water for human use. This requirement may only be waived for lead joints that are necessary for repairs to cast iron pipe.
- C. No direct connection between the District's water supply and a potential source of contamination shall be permitted to exist. Potential sources of contamination shall be isolated from the District's water system by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices shall be in compliance with state plumbing codes.
- D. No cross-connection between the District's water supply and a private water system shall be permitted to exist. Where an actual air gap is not maintained between the District's water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly shall be properly installed and a service agreement shall exist for annual inspection and testing by a certified backflow prevention device tester.
- E. No connection to the District's water supply shall be permitted which would allow the return of water used for condensing, cooling or industrial processes back to the District's water supply.

- F. No plumbing fixture shall be installed within the District which is not in compliance with a state approved plumbing code.
- G. The operator or other duly authorized representative of the District shall be authorized, after providing reasonable notice to the property in advance, to enter upon any property within the District to inspect individual water facilities prior to providing service and periodically thereafter to prevent unacceptable plumbing practices, including, but not limited to, possible cross-connections between the potable water system and any non-potable water, or to make necessary investigations to identify and locate unauthorized connections or taps, or conditions contributing to or causing contamination of the District's water supply, or unauthorized drainage into the District's sanitary sewer system.
- H. Continuous efforts shall be made by the District to locate unacceptable plumbing practices, unauthorized connections or taps and possible interconnections between privately owned water systems and the District's water system. As those undesirable practices and interconnections are located, they shall be eliminated so as to prevent possible contamination of the water supplied by the District's water facilities.
- I. The District may invoke the procedure described in Article IV of this Order to discontinue water service to a property in the event the owner of said property either (1) refuses to permit an inspection pursuant to this Section, or (2) fails, within a reasonable time after receiving written notice issued by the Board of Directors, to correct or remove any unacceptable practice or unauthorized connection or tap or any condition found to be contributing to or causing contamination of the District's water supply or to have the potential for contamination of the District's water supply, or contributing to unauthorized drainage into the District's sanitary sewer system.

ARTICLE VII.

ENFORCEMENT/CIVIL PENALTIES

Section 7.01 Enforcement/Civil Penalties. In accordance with Texas Water Code Section 49.004, as amended, the Board hereby imposes the following civil penalties for breach of any rule of the District: The violator shall pay the District twice the costs that the District has sustained due to the violation up to and not exceeding \$10,000 as set forth in the Texas Government Code Section 27.031, as amended. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.

Section 7.02 Remedies. Any and all of the following remedies may be employed by the District to abate and prevent any violation of the Rate Order or the District's Rules and Regulations.

- A. Discontinuance of Service. In addition to the right to terminate service for non-payment of any fees or charges, after hearing and upon finding that a violation of the District's rules and regulations have continued for three (3) days following notice to the customer that the violation has occurred and needs to be corrected, the Board of Directors or the General Manager may order the immediate termination of service to the violator.
- B. Civil Penalties. In addition to any fees set out herein, the Board hereby imposes the following civil penalties for breach of any rule or regulation of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to \$10,000 per occurrence. For continuing violations, each day that the violation continues shall be considered an additional occurrence. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.
- C. Liability for Costs. Any person violating any of the provisions of this Order and/or the Rules and Regulations of the District shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation, and enforcement thereof.

ARTICLE VIII.

MISCELLANEOUS

Section 8.01 Superseding Orders. This Order supersedes all prior orders, resolutions and other actions of the Board concerning fees, charges, rules and regulations for water and sewer services.

Appendix A
RATE SCHEDULE

TAP FEES

Water Taps

	Size of Tap	Tap Fee
a.	¾-inch T-off	Cost plus 10%
b.	¾-inch	Cost plus 10%
c.	1-inch	Cost plus 10%
d.	1½-inch	Cost plus 10%
e.	2-inch	Cost plus 10%

Tap fees for taps larger than two inches shall be determined and based on the cost to install plus cost of water meter plus 10% of total costs.

Sewer Taps

	Size of Tap	Tap Fee
a.	4-inch	Cost plus 10%
b.	6-inch	Cost plus 10%

WATER RATES*

<u>Type of Customer</u>	<u>Gallons Used</u>	<u>Charge</u>
District Customer	First 2,000 Gallons	\$ 17.06 (minimum)
	Next 33,000 Gallons	\$ 4.44 per 1,000 Gallons
	Next 50,000 Gallons	\$ 5.46 per 1,000 Gallons
	Next 50,000 Gallons	\$ 5.81 per 1,000 Gallons
	All over 135,000 Gallons	\$ 6.14 per 1,000 Gallons

Temporary Water Service
(7 day increments)

WATER RATES*

	First 8,000 Gallons for 7 days	\$ 42.00 (minimum)
	All over 8,000 Gallons	\$ 4.50 per 1,000 Gallons
Large Commercial		
	First 24,000 gallons	\$62.86
	24,001+	\$2.10 per 1,000 Gallons
Bulk Water		
Deposit:	\$50.00	
	Per 1,000 Gallons	\$ 15.00 per 1,000 Gallons

Out-of-District Residential Customer

Out-of-District Residential Customers will be charged the same rate as a District Customer for water and will be charged an additional \$15.00 per month for service.

Out-of-District Non-Residential Customers will be charged the same rate as a District Customer for water and will be charged an additional \$20.00 per month for service.

Out-of-District Commercial Customer

Out-of-District Commercial Customers will be charged the same rate as a District Customer for water and will be charged an additional \$20 per month for service.

SEWER RATES*

<u>Type of Customer</u>	<u>Water Used</u>	<u>Charge</u>
Customer	First 2,000 Gallons	\$ 23.89 (minimum)
	Next 33,000 Gallons	\$ 4.64 per 1,000 Gallons
	Next 50,000 Gallons	\$ 4.99 per 1,000 Gallons
	Next 50,000 Gallons	\$ 5.26 per 1,000 Gallons
	All over 135,000 Gallons	\$ 5.53 per 1,000 Gallons
Large Commercial		
	First 24,000 gallons	\$90.16
	24,001+	\$2.10 per 1,000 Gallons

SECURITY DEPOSIT RATE

<u>CUSTOMER</u>	<u>DEPOSIT</u>
Residential.....	\$ 150.00
Residential Senior Citizen..... (60 years or older)	\$ 100.00
Additional Deposit (if required).....	\$ 150.00
Service Fee – New Service	\$ 30.00
Transfer Fee	\$ 30.00
Commercial Customers** Estimate one month bill (\$ 100.00 minimum)	\$ 30.00
Governmental Entities (No deposit required)	

CUSTOMER SERVICE INSPECTION CHARGES

Inspection	\$100.00
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MISCELLANEOUS CHARGES

Reconnection Fee	\$30.00
Return Check Fee	\$30.00
Administrative Fee	\$30.00
Penalty Rate for Bills Paid After Due Date	10%
Grease Trap Inspection Fee	\$50.00
Grease Trap Violation Fee	\$100.00
Lock a meter or pull a meter	\$100.00
After Hours Meter Turn (off/on)	\$30.00
Repair or replace meters, meter boxes, or service line	\$100 plus cost

* Water and Sewer Rates include the Regulatory Assessment.

** Deposit will be based on the estimated one-month water and sewer charge. If the customer has a consumption history, the estimate will be based on a 12-month average. If the customer is a new customer with no consumption history, the estimate will be based on usage of a similar customer.

Appendix B **SERVICE INSPECTION CERTIFICATION**

Name of PWS _____
PWS I.D. # _____
Location of Service _____

Reason for Inspection: New construction.....☐
Existing service where contaminant hazards are
suspected..... ☐
Major renovation or expansion of distribution
facilities.....☐

I, _____, upon inspection of the private water distribution facilities connected
to the aforementioned public water supply do hereby certify that, to the best of my knowledge:

- | | | Compliance | Non- |
|-----|---|------------|------|
| (1) | No direct connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with Commission regulations.
<div style="text-align: center;"><input type="checkbox"/> <input type="checkbox"/></div> | | |
| (2) | No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention assembly tester. <input type="checkbox"/> <input type="checkbox"/> | | |
| (3) | No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply. <input type="checkbox"/> <input type="checkbox"/> | | |
| (4) | No pipe or pipe fitting which contains more than 0.25% lead exists in private water distribution facilities installed on or after January 31, 2014.
<div style="text-align: right;"><input type="checkbox"/>
<input type="checkbox"/></div> | | |
| (5) | No solder or flux which contains more than 0.20% lead exists in private water distribution facilities installed on or after July 1, 1988.
<div style="text-align: right;"><input type="checkbox"/>
<input type="checkbox"/></div> | | |

I further certify that the following materials were used in the installation of the private water distribution facilities:

Service lines	Lead	<input type="checkbox"/>	Copper	<input type="checkbox"/>	PVC	<input type="checkbox"/>	Other	<input type="checkbox"/>
Solder	Lead	<input type="checkbox"/>	Lead Free	<input type="checkbox"/>	Solvent Weld	<input type="checkbox"/>	Other	<input type="checkbox"/>

I recognize that this document shall become a permanent record of the aforementioned Public Water System and that I am legally responsible for the validity of the information I have provided.

Signature of Inspector

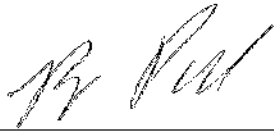
Registration Number

Title

Type of Registration

Date

SIGNED this the 13th day of January 13, 2022



James Pahmiyer
Secretary, Board of Directors
(DISTRICT SEAL)



Brett Glenn
President, Board of Directors

CERTIFICATE OF ORDER

THE STATE OF TEXAS
COUNTY OF WHARTON
BOLING MUNICIPAL WATER DISTRICT

§
§
§

We, the undersigned officers of the Board of Directors (the "Board") of Boling Municipal Water District (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on Thursday, January 13, 2022, at 6:30 p.m. at 7218 FM 442, Boling, Texas 77420, and the roll was called of the members of the Board, to-wit:

Brett Glenn	President
Bobby Charles	Vice President
James Pahmiyer	Secretary
Miguel Rodriguez	Director

All members of the Board were present, except Billy Morin, Treasurer, thus constituting a quorum. Whereupon other business, the following was transacted at such Meeting: A written

ORDER AMENDING AND RESTATING RATE ORDER AND RULES AND REGULATIONS

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and after full discussion, such motion, carrying with it the adoption of such Order prevailed, carried, and became effective by the following vote:

AYES: 4 NOES: 0

A true, full and correct copy of the aforesaid Order adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such Meeting for such purpose; and such Meeting was open to the public and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551 of the Texas Government Code and Section 49.063 of the Texas Water Code, as amended.

Attachment C-1



Rate Analysis Schedule

Facility Name	Dallas MPE
Rate Structure	Standard
County	Waco

Rate Schedule (Water)	CSWR Texas Proposed Rate	Dallas - District Customer	Dallas - Large Commercial			
Water Size						
Not on MPE	4	40.00	4	1.00	4	0.00
1"	3	120.00	3		3	
1.5"	4	150.00	4	-	4	-
2"	3	350.00	3		3	
2.5"	4	-	4	-	4	-
3"	3		3		3	
Unmetered	4	0.00	4	-	4	-
Usage Fee 1,000 Gallons						
1,001 - 1,000 through 10,000	4	5.00	4	4.00	4	-

Usage Comparison						
Basic Fee @ 1,000 Gallons						
Not on MPE	4	75.00	4	0.00	4	0.00
1"	3	120.00	3		3	
1.5"	4	150.00	4	-	4	-
2"	3	375.00	3		3	
Unmetered	4	0.00	4	-	4	-
Basic Fee @ 10,000 Gallons						
Not on MPE	3	120.00	3	00.00	3	00.00
1"	4	160.00	4	-	4	-
1.5"	3	270.00	3		3	
2"	4	420.00	4	-	4	-
Unmetered	3	0.00	3		3	

Projected Revenues						
Customer Count		960		970		2
Average Bill @ 5,000 Gallons	3	75.00	3	30.00	3	00.00
Projected Revenue	4	440,960.00	4	1,04,160.00	4	1,000.00

Rate Schedule (Storm)	CSWR Texas Proposed Rate (PLAT)	Dallas - District Customer	Dallas - Large Commercial
Less Than 2,000 Gallons	3	60.00 \$	33.00 \$ 90.00
2,000 through 4,000	4	00.00 \$	0.00 \$ -
4,001 through 10,000	3	60.00 \$	0.00 \$ 0.00

Usage Comparison						
Basic Fee @ 1,000 Gallons						
Not on MPE	3	60.00	3	0.00	3	00.00

Usage Fee @ 10,000 Gallons						
1,001 - 1,000 through 10,000	4	00.00	4	0.00	4	00.00

Projected Revenues						
Customer Count		270		370		2
Average Bill @ 5,000 Gallons	4	00.00	4	0.00	4	00.00
Projected Revenue	3	207,000.00	3	11,590.00	3	1,000.00

Attachment C-2



SAFE WATER, HEALTHY COMMUNITIES

Rate Analysis Schedule

Meter Assumption	5/8"
Service Type	Water/Wastewater

Company	Acquired Facility Name	County	Service Type	Current Rates
Rate Schedule				
CSWR-Texas Consolidated Rate			Water	\$49.89
CSWR-Texas Consolidated Rate			Wastewater	\$63.28
Patterson Water	Vacation Village	Denton	Wastewater	\$32.94
Patterson Water	Rocky Point Community	Denton	Water	\$21.00
Patterson Water	Vacation Village	Denton	Water	\$20.72
Patterson Water	Cooley Point	Tarrant	Water	\$42.00
Patterson Water	Hills of Briar Oaks	Wise	Water	\$42.00
Patterson Water	Crazy Horse Ranchos	Parker	Water	\$30.00
Patterson Water	Danielsdale	Dallas	Water	\$21.00
Franklin Water	Franklin Water System 1	Lubbock	Wastewater	\$5.00
Stillwater Interest Inc.	Oak Hills Estates	Harris	Water	\$32.39
Lincecum Water	Lincecum Water Powers Addition	Brazoria	Water	\$35.00
Ville Dalsace Water Supply, LLC	Ville Dalsace Water Supply	Medina	Water	\$43.50
RJR Water	Mountain River	Parker	Water	\$27.56
Douglas Utility	Fountainview Subdivision WWTP	Harris	Wastewater	\$14.50
Douglas Utility	Fountainview Subdivision	Harris	Water	\$10.35
Intermediary Solutions Holding LLC	North University Estates	Lubbock	Water	\$26.13
Valley Vista Homeowners Association, Inc	Valley Vista Homeowners Association, Inc	Uvalde	Water	\$25.00
Circle R Ranchettes Recreation & Community Corp.	Circle R Ranchettes	Tarrant	Water	\$15.00
Water Works (Cody Lewis)	Cassie Water System	Burnet	Water	\$17.25
Water Works (Cody Lewis)	Deer Springs Water Co.	Burnet	Water	\$36.25
Water Works (Cody Lewis)	Water Works 1 Floyd Acres	Llano	Water	\$41.00
Water Works (Cody Lewis)	Water Works 2 Island Lodges	Llano	Water	\$41.00
RBTQ, Inc	Southwest Garden Water	Lubbock	Water	\$24.50
CS Family Land Investments (Sidney Shores)	Sidney Shores Subdivision	Bandera	Water	\$70.00
Wood Trails Water Supply	Wood Trail Water Supply	Kerr	Water	\$36.75
Farrar Water Supply Corp.	Farrar WSC	Limestone	Water	\$48.69
Vineyard Ridge Water Supply, LLC	Vineyard Ridge Water	Gillespie	Water	\$25.25
Casey Homes Estates	Seven Estates	Lubbock	Water	\$18.50
PCS Development Company	Parkview Subdivision WWTP	Orange	Wastewater	\$30.75
PCS Development Company	Parkview Water Supply	Orange	Water	\$30.75
City of Quinlan	4 R Ranch Water 2	Hunt	Water	\$32.00
Cinda Kramer	Sky Harbor Ranchettes Water System	Kerr	Water	\$50.00
Hubert Watson	Hubert Watson Subdivision	Matagorda	Water	\$49.66
Hilco United Services Inc	Lake Whitney RV Park WWTF	Hill	Wastewater	\$35.00
Hilco United Services Inc	Chambers Meadow	Ellis	Water	\$17.50
Hilco United Services Inc	Lake Whitney RV Park WS	Hill	Water	\$35.00
Hilco United Services Inc	Lakeview PWS	Ellis	Water	\$35.00
Thompson Water Co., Inc	Thompson Water & Construction WWTF	Freestone	Wastewater	\$25.00
Thompson Water Co., Inc	Keechi Addition	Freestone	Water	\$33.60
Thompson Water Co., Inc	Lakewood Tanglewood	Freestone	Water	\$33.60
Thompson Water Co., Inc	Wildwood Water System	Freestone	Water	\$33.60
Thompson Water Co., Inc	Willow Creek Farms	Freestone	Water	\$33.60
Ranch Country	Lakeside Estates	Austin	Water	\$25.00

*The current rates only include the residential customer charges for each system. See Attachment C-3 for all outstanding tariffs for CSWR-Texas, which include all residential volumetric charges for each system and all rates for non-residential classes.

Attachment C-3



WATER UTILITY TARIFF

Docket Number: 54565

CSWR – Texas Utility Operating Company, LLC
(Utility Name)

1630 Des Peres Rd Suite 140
(Business Address)

St. Louis, MO 63131
(City, State, Zip Code)

(314) 380-8595
(Area Code/Telephone)

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

13290

This tariff is effective in the following counties:

Angelina, Aransas, Austin, Burleson, Burnet, Calhoun, Camp, Denton, Ellis, Erath, Gillespie, Guadalupe, Harris, Hays, Hidalgo, Hood, Jackson, Kerr, Limestone, Llano, Lubbock, McCulloch, Montague, Montgomery, Navarro, Orange, Parker, Polk, Robertson, Sabine, San Augustine, Victoria, Wilson, and Wood

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

City of Red Oak

Rates for the Red Oak Community Water Service subdivision (PWS #0700056), which is located within the City of Red Oak, are not included in this tariff and should be obtained from the City of Red Oak. (Docket No. 43175)

City of Granbury, City of Lubbock, and City of Rockport

The rates set or approved by a city for the systems entirely within its corporate boundary are not presented in this tariff. Those rates are not under the original jurisdiction of the PUC and will have to be obtained from the city or utility. This tariff applies to outside city customers of systems that provide service inside and outside of a city's corporate boundary.

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

See 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.....	2
SECTION 2.0 -- SERVICE RULES AND REGULATIONS	3
SECTION 3.0 -- EXTENSION POLICY	10
APPENDIX A -- DROUGHT CONTINGENCY PLAN	
APPENDIX B -- SERVICE AGREEMENT	

LIST OF SUBDIVISIONS AND SYSTEMS

SUBDIVISION	PWS	COUNTY	PAGE No.
Aero Valley Water Service	0610243	Denton	2
Amberwood Subdivision	1011920	Harris	2
Aransas Bay	0040018	Aransas	2
Arrowhead Water System	2470025	Wilson	2
Big Wood Springs Subdivision	2500019	Wood	2
Bois D'Arc	0040018	Aransas	2
Chaparral	0860010	Gillispie	2
Coleta Water Company	2350036	Victoria	2
Copano Cove Subdivision	0040003	Aransas	2
Copano Heights Unit 1 & 2, Water System	0040017	Aransas	2
Copano Ridge Subdivision	0040029	Aransas	2
Council Creek Village	0270014	Burnet	2
Country Squire Water & Sewer	1810060	Orange	2
Crystal Land Water System	1330153	Kerr	2
El Pinon Estates Water System	2030013	San Augustine	2
Emerald Forest	0700058	Ellis	2
Flag Creek Ranch	1500112	Llano	2
Forest Oak Unit 1 and 2	0940085	Guadalupe	2
Franklin Water Systems 1	1520224	Lubbock	2
Franklin Water Systems 3	1520080	Lubbock	2
Goose Island State Park	0040018	Aransas	2
Grande Casa Ranchitos	0700063	Ellis	2
Hickory Hill Water	2470018	Victoria	2
Hillside Estates Water System	0080049	Austin	2
Hilltop Home Addition	1840034	Parker	2
Hilltop Estates	1840034	Parker	2
Homestead @ Turtle Creek	1330153	Kerr	2
Indian Cove	0040018	Aransas	2
Laguna Tres	1110019	Hood	2

Laguna Vista	1110095	Hood	2
Lake Limestone Coves	1980020	Limestone & Robertson	2
Lakeview Ranchettes Estates	0700057	Ellis	2
La Playa Subdivision Water System	2030015	San Augustine	2
Live Oak Hills	1540012	McCulloch	2
Longford Place Water System	1810015	Orange	2
Meadowview Estates	0080051	Austin	2
Meadowview Estates II	0080059	Austin	2
Neptune Harbor	0040018	Aransas	2
North Victoria Utilities	2350049	Victoria	2
Oak Hill Ranch Estates, Oak Hill Ranchettes	0940085	Guadalupe	2
Oak Hollow Estates, Oak Hollow Park	2470019	Wilson	2
Palmetto Park Estates	0040018	Aransas	2
Pelican Isle Water System	1750036	Navarro	2
Quiet Village II Subdivision, Quiet Village II	1080221	Hidalgo	2
Settlers Crossing Water System	0080058	Austin	2
Settlers Crossing Water System 2	0080060	Austin	2
Settlers Estates Sec II	0080056	Austin	2
Settlers Meadows Water System	0080055	Austin	2
Shady Oaks Subdivision	2350036	Victoria	2
Shady Oaks Water Company	2470017	Wilson	2
Spanish Grant	0700064	Ellis	2
South Council Creek 1	0270079	Burnet	2
South Council Creek 2	0270080	Burnet	2
South Silver Creek I, II, III	0270041	Burnet	2
Tall Pines Utility	1010220	Harris	2
Texas Landing Utilities Deerwood	1700798	Montgomery	2
Texas Landing Utilities Goode City	1700744	Montgomery	2
Texas Landing Utilities	1870151	Polk	2
Thousand Oaks	0720054	Erath	2
Timberlane Water	2020054	Sabine	2

Treetops Phase 1	1840134	Parker	2
Tri County Point Water System 2	1200027	Jackson	2
Tri County Point Water System 3	1200028	Jackson	2
Tri County Point Water System 4	1200029	Calhoun & Jackson	2
Vista Verde Water Systems	1700694	Montgomery	2
Walnut Bend Water Supply	0030037	Angelina	2
WaterCo	1690028	Montague	2
The Woodlands Water System	1050139	Hays	2
Woodland Harbor	0320014	Camp	2
Woodlands West	0260043	Burleson	2

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonage Charge</u>
5/8" or 3/4"	<u>\$49.89</u> (Includes 0 gallons)	<u>\$5.20</u> per 1000 gallons
1"	<u>\$109.99</u> (Includes 0 gallons)	
1 1/2"	<u>\$219.99</u> (Includes 0 gallons)	
2"	<u>\$351.99</u> (Includes 0 gallons)	
Unmetered"	<u>\$81.09</u> (Includes 0 gallons)	

Surcharge for Rate Case Expense (Docket No. 54565)

To be collected through a monthly surcharge of \$1.60 per customer. The monthly surcharge will be collected for 24 months from the effective date of the rates approved by the Commission in Docket No. 54565 or until the full \$419,459 for rate-case expenses related to Docket No. 54565 is collected, whichever occurs first. This charge is applicable to customers of the systems identified in the application.

SECTION 1.0 - RATE SCHEDULE (CONTINUED)

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

Cash X Check X Money Order X Credit Card X Other (specify)
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

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

Section 1.02 - Miscellaneous Fees

TAP FEE Actual Cost
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED

TAP FEE (Unique costs) Actual Cost
 FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS. ON THIS TARIFF.

TAP FEE (Large meter) Actual Cost
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE Actual Cost to Relocate Meter, Not to Exceed Tap Fee
 THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED.

METER TEST FEE \$25.00
 THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

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

TRANSFER FEE \$10.00
 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) 10%
 A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$25.00
 RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

SECTION 1.0 - RATE SCHEDULE (CONTINUED)

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50).....\$50.00

COMMERCIAL & NON-RESIDENTIAL DEPOSIT 1/6TH OF ESTIMATED ANNUAL BILL

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE

WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [16 TAC § 24.25(b)(2)(G)]

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

Section 1.03 Purchased Water and Sewer Adjustment Clause

For Utilities subject to changes imposed by any non-affiliated provider of purchased water or sewer or a groundwater conservation district having jurisdiction over the Utility, these increases (decreases) shall be passed through as an adjustment to the gallonage charge according to the following formulae or at the following rates:

SECTION 1.0 - RATE SCHEDULE (CONTINUED)

Copano Heights Unit 1 & 2

The following fee is a purchased wholesale treated water fee charged by the City of Rockport, adjusted for water loss. The pass-through charge is \$7.35 per 1,000 gallons. (***Tariff Control No. 52722***).

The following formula is used to calculate these charges:

$$R = G / (1-L)$$

Where:

R = the proposed pass-through rate;

G = the new gallonage charge (per 1,000 gallons) by source supplier;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

Franklin Water Systems 1 and 3

The following fee is a purchased wholesale treated water fee charged by the City of Lubbock. The pass-through charge is \$0.57 per 1,000 gallons. (***Docket No. 54565***)

The following formula is used to calculate these charges:

$$R = (E/P) / (1-L)$$

Where:

R = the proposed pass-through rate;

E = the total purchased water expense for the preceding 12 months;

P = the total produced and purchased volumes for the system for the preceding 12 months;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

SECTION 1.0 - RATE SCHEDULE (CONTINUED)

Hilltop Home Addition and Hilltop Estates (Formerly Abraxas)

The following fee is a groundwater production fee charged by the Upper Trinity Groundwater Conservation District. The pass-through charge is \$0.23 per 1,000 gallons. **(Docket No. 54565)**

The following formula is used to calculate these charges:

$$R = G / (1-L)$$

Where:

R = the proposed pass-through rate;

G = the new gallonage charge (per 1,000 gallons) by source supplier;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

Laguna Tres, Laguna Vista

The following fee is a groundwater production fee charged by the Upper Trinity Groundwater Conservation District. The pass-through charge is \$0.25 per 1,000 gallons. **(Docket No. 54565)**

The following formula is used to calculate these charges:

$$R = G / (1-L)$$

Where:

R = the proposed pass-through rate;

G = the new gallonage charge (per 1,000 gallons) by source supplier;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

Treetops Phase I

The following fee is a groundwater production fee charged by the Upper Trinity Groundwater Conservation District. The pass-through charge is \$0.27 per 1,000 gallons. **(Docket No. 54565)**

The following formula is used to calculate these charges:

$$R = G / (1-L)$$

Where:

R = the proposed pass-through rate;

G = the new gallonage charge (per 1,000 gallons) by source supplier;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

SECTION 1.0 - RATE SCHEDULE (CONTINUED)

Laguna Vista and Laguna Tres

The following fee is a fee charged for an emergency water connection with Laguna Ocho M&I. The pass-through charge is \$1.90 per 1,000 gallons. **(Docket No. 54565)**

The following formula is used to calculate these charges:

$$R = (E/P) / (1-L)$$

Where:

R = the proposed pass-through rate;

E = the total purchased water expense for the preceding 12 months;

P = the total produced and purchased volumes for the system for the preceding 12 months;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

Lakeview Ranchettes, Emerald Forest, Grande Casa and Spanish Grant (formerly Carroll Water)

The following fee is a pass-through charge for purchased water by the Prairielands Groundwater Conservation District (PGCD). The pass-through charge \$0.24 per 1,000 gallons. **(Effective November 28, 2011)**

The following formula is used to calculate these charges:

$$R = G / (1-L)$$

Where:

R = the proposed pass-through rate;

G = the new gallonage charge (per 1,000 gallons) by source supplier;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

Oak Hills Ranch Estates and Oak Hill Ranchettes

The following fee is a fee charged for groundwater production fees with the Guadalupe County Groundwater Conservation District. The pass-through charge is \$0.10 per 1,000 gallons. **(Docket No. 54565)**

Quiet Village II

The following fee is a fee charged for purchased wholesale treated water with North Alamo Water Supply Corporation. The pass-through charge is \$1.32 per 1,000 gallons. **(Docket No. 54565)**

Water Co

The following fee is a fee charged for groundwater production fees with Upper Trinity Groundwater Conservation District. The pass-through charge is \$0.22 per 1,000 gallons. **(Docket No. 54565)**

Docket No. 54565

SECTION 1.0 - RATE SCHEDULE (CONTINUED)

Copano Cove and Copano Ridge

The following fee is a fee charged for purchased wholesale treated water with the City of Rockport. The pass-through charge is \$6.30 per 1,000 gallons. (*Docket No. 54565*)

Woodland Harbor (Formerly Alpha Utility)

The following fee is a fee charged for emergency purchased wholesale treated water with Bi-County Water Supply Corporation. The pass-through charge is \$4.55 per 1,000 gallons. (*Docket No. 54565*)

Tall Pines

The following fee is a groundwater production fee charged by North Harris County Regional Water Authority. The fee is \$5.41 (per 1,000 gallons) (*Tariff Control No. 52699*).

The following formula is used to calculate these charges:

$$R = G / (1 - L)$$

Where:

R = the proposed pass-through rate;

G = the new gallonage charge (per 1,000 gallons) by source supplier;

L = the actual line loss for the preceding 12 months, not to exceed 0.15

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, any required fees (deposits, reconnect, tap, extension fees, etc. as applicable) will be paid and easements, if required, will be granted before service is provided by the utility. A separate application or contract will be made for each service location.

Section 2.02 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the PUC Rules. In the event the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant that a complaint may be filed with the commission.

Section 2.03 - Fees and Charges and Easements Required Before Service Can Be Connected

(A) 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 will keep records of the deposit and credit interest in accordance with PUC Rules.

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

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.

Refund of deposit - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any customer who has paid 18 consecutive billings without being delinquent.

SECTION 2.0 - SERVICE RULES AND POLICIES (Continued)

(B) Tap or Reconnect Fees

A new customer requesting service at a location where service has not previously been provided must pay a tap fee as provided in Section 1. A customer requesting service where service has previously been provided must pay a reconnect fee as provided in Section 1. Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to request for payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall be informed of their right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Fees in addition to the regular tap fee may be charged to cover unique costs not normally incurred as permitted by 16 TAC § 24.163(a)(1)(C) if they are listed on this approved tariff. For example, a road bore for customers outside a subdivision or residential area could be considered a unique cost.

(C) Easement Requirement

Where recorded public utility easements on the service applicant's property do not exist or public road right-of-way easements are not available to access the applicant's property, the Utility may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant. Such easement(s) shall not be used for the construction of production, storage, transmission or pressure facilities unless they are needed for adequate service to that applicant.

Section 2.04 - Utility Response to Applications for Service

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Except for good cause where service has previously been provided, service will be reconnected within one working day after the applicant has met the requirements for reconnection.

Section 2.05 - Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers will not be allowed to use the utility's cutoff valve on the utility's side of the meter. Existing customers may install cutoff valves on their side of the meter and are encouraged to do so. All new customers must install and maintain a cutoff valve on their side of the meter.

SECTION 2.0 - SERVICE RULES AND POLICIES (Continued)

No direct connection between a public water supply system and any potential source of contamination or between a public water supply system and a private water source (ex. private well) will be allowed. A customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

Section 2.06 - Customer Service Inspections

Applicants for new service connections or facilities which have undergone extensive plumbing modifications are required to furnish the utility a completed customer service inspection certificate. The inspection certificate shall certify that the establishment is in compliance with the Texas Commission on Environmental Quality (TCEQ) Rules and Regulations for Public Water Systems, 30 TAC § 290.46(j). The utility is not required to perform these inspections for the applicant/customer but will assist the applicant/customer in locating and obtaining the services of a certified inspector.

Section 2.07 - Back Flow Prevention Devices

No water connection shall be allowed to any residence or establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination by either an approved air gap, backflow prevention assembly, or other approved device. The type of device or backflow prevention assembly required shall be determined by the specific potential hazard identified in 30 TAC § 290.47(f) Appendix F, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems.

The use of a backflow prevention assembly at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes. When a customer service inspection certificate indicates that an adequate internal cross-connection control program is in effect, backflow protection at the water service entrance or meter is not required.

At any residence or establishment where it has been determined by a customer service inspection, that there is no actual or potential contamination hazard, as referenced in 30 TAC § 290.47(f) Appendix F, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for Public Water Systems, then a backflow prevention assembly or device is not required. Outside hose bibs do require, at a minimum, the installation and maintenance of a working atmospheric vacuum breaker.

All backflow prevention assemblies or devices shall be tested upon installation by a TCEQ certified backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a certified backflow prevention assembly tester.

If the utility determines that a backflow prevention assembly or device is required, the utility will provide the customer or applicant with a list of TCEQ certified backflow prevention assembly testers. The customer will be responsible for the cost of installation and testing, if any, of backflow prevention assembly or device. The customer should contact several qualified installers to compare

SECTION 2.0 - SERVICE RULES AND POLICIES (Continued)

prices before installation. The customer must pay for any required maintenance and annual testing and must furnish a copy of the test results demonstrating that the assembly is functioning properly to the utility within 30 days after the anniversary date of the installation unless a different date is agreed upon.

Section 2.08 - Access to Customer's Premises

The utility will have the right of access to the customer's premises at all reasonable times for the purpose of installing, testing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow the utility and its personnel access to the customer's property to conduct any water quality tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours and the utility personnel will attempt to notify the customer that they will be working on the customer's property. The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

All customers or service applicants shall provide access to meters and utility cutoff valves at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply.

Section 2.09 - Meter Requirements, Readings, and Testing

One meter is required for each residential, commercial, or industrial connection. All water sold by the utility will be billed based on meter measurements. The utility will provide, install, own and maintain meters to measure amounts of water consumed by its customers.

Meters will be read at monthly intervals and as nearly as possible on the corresponding day of each monthly meter reading period unless otherwise authorized by the Commission.

Meter tests. The utility will, upon the request of a customer, and, if the customer so desires, in his or her presence or in that of his or her authorized representative, make without charge a test of the accuracy of the customer's meter. If the customer asks to observe the test, the test will be made during the utility's normal working hours at a time convenient to the customer. Whenever possible, the test will be made on the customer's premises, but may, at the utility's discretion, be made at the utility's testing facility. If within a period of two years the customer requests a new test, the utility will make the test, but if the meter is found to be within the accuracy standards established by the American Water Works Association, the utility will charge the customer a fee which reflects the cost to test the meter up to a maximum \$25 for a residential customer. Following the completion of any requested test, the utility will promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

SECTION 2.0 - SERVICE RULES AND POLICIES (Continued)

Section 2.10 - Billing(A) Regular Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance.

Payment for utility service is delinquent if full payment, including late fees and the regulatory assessment, is not received at the utility or the utility's authorized payment agency by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next workday after the due date.

(B) Late Fees

A late penalty of either \$5.00 or 10.0% will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

(C) Information on Bill

Each bill will provide all information required by the PUC Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a local or toll-free telephone number (or numbers) to which customers can direct questions about their utility service.

(D) Prorated Bills - If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

Section 2.11 - Payments

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve-month period, the customer shall be required to pay a deposit if one has not already been paid.

Section 2.12 - Service Disconnection(A) With Notice

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand

SECTION 2.0 - SERVICE RULES AND POLICIES (Continued)

delivered.

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 of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the PUC Rules.

(B) Without Notice

Utility service may also be disconnected without notice for reasons as described in the PUC Rules.

Section 2.13 - Reconnection of Service

Utility personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

Service will be reconnected within 24 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.

Section 2.14 - Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the Commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

Section 2.15 - Quality of Service

The utility will 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. Unless otherwise authorized by the PUC or TCEQ, the utility will maintain facilities as described in the TCEQ Rules and Regulations for Public Water Systems.

Section 2.16 - Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through the PUC complaint process.

SECTION 2.0 - SERVICE RULES AND POLICIES (Continued)

Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

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

Section 2.17 - Customer Liability

Customer shall be liable for any damage or injury to utility-owned property shown to be caused by the customer.

SECTION 3.0 - EXTENSION POLICY

Section 3.01 - Standard Extension Requirements

Line Extension and Construction Charges: No Contribution in Aid of Construction may be required of any customer except as provided for in this approved extension policy.

The customer will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

Unless an exception is granted by the PUC, the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution and pressure wastewater collection lines and 6" in diameter for gravity wastewater lines.

Exceptions may be granted by the PUC if:

- a) adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;
- b) or larger minimum line sizes are required under subdivision platting requirements or building codes of municipalities within whose corporate limits or extraterritorial jurisdiction the point of use is located; or the residential service applicant is located outside the CCN service area.

If an exception is granted, the Utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

The utility shall bear the cost of any over-sizing of water distribution lines or wastewater collection lines necessary to serve other potential service applicants for customers in the immediate area.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certificated area, industrial, and wholesale customers shall be treated as developers. A service applicant requesting a one-inch meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection beyond 200 feet and throughout his property including the cost of all necessary transmission facilities.

Residential customers will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the additional cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

SECTION 3.0 - EXTENSION POLICY (Continued)

Section 3.02 - Costs Utilities Shall Bear

The utility will bear the full cost of any oversizing of water mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage, or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

Within its certificate area, the utility will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision. However, if the residential customer requesting service purchased the property after the developer was notified of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

The Utility is not required to extend service to any applicant outside of its certificated service area and will only do so under terms and conditions mutually agreeable to the Utility and the applicant, in compliance with PUC rules and policies, and upon extension of the Utility's certificated service area boundaries by the PUC.

Section 3.03 - Contributions in Aid of Construction

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with TCEQ minimum design criteria for facilities used in the production, transmission, pumping, or treatment of water or TCEQ minimum requirements. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the TCEQ minimum design criteria for water production, treatment, pumping, storage and transmission.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 16 TAC § 24.163(d). When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with the TCEQ minimum design criteria. As provided by 16 TAC § 24.163(d)(4), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

SECTION 3.0 - EXTENSION POLICY (Continued)

Section 3.04 - Appealing Connection Costs

The imposition of additional extension costs or charges as provided by Sections 3.0 - Extension Policy of this tariff shall be subject to appeal as provided in this tariff, PUC rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located.

Section 3.05 - Applying for Service

The Utility will provide a written service application form to the applicant for each request for service received by the Utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service application forms will be available at the Utility's business office during normal weekday business hours. Service applications will be sent by prepaid first-class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. The tap request must be accompanied with a diagram, map, plat, or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line. The actual point of connection and meter installation must be readily accessible to Utility personnel for inspection, servicing, and meter reading while being reasonably secure from damage by vehicles and mowers.

If the Utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the Utility's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the Utility. If no agreement on location can be made, the applicant may refer the matter to the PUC for resolution.

SECTION 3.0 - EXTENSION POLICY (Continued)

Section 3.06 - Qualified Service Applicant

A "qualified service applicant" is an applicant who has: (1) met all of the Utility's requirements for service contained in this tariff, PUC rules and/or PUC order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all necessary easements and rights-of-way necessary to provide service to the requested location, (4) delivered an executed customer service inspection certificate to the Utility, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

The Utility shall serve each qualified service applicant within its certificated service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by PUC rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The PUC service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a qualified service applicant as defined by PUC rules.

Section 3.07 - Developer Requirements

As a condition of service to a new subdivision, the Utility shall require a developer (as defined by PUC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

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



SEWER UTILITY TARIFF

Docket Number: 54565

CSWR – Texas Utility Operating Company, LLC
(Utility Name)

1630 Des Peres Rd Suite 140
(Business Address)

Des Peres, MO 63131
(City, State, Zip Code)

(866) 301-7725
(Area Code/Telephone)

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

21120

This tariff is effective in the following counties:

Aransas, Bexar, Calhoun, Hidalgo, Hood, Jackson, Navarro, Orange, Parker, and Polk

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

The City of San Antonio

Rates for customers in the Leon Springs Service subdivision (#WQ0014376001), who are located within the City of San Antonio, are included in this tariff because the City of San Antonio has surrendered its original jurisdiction over water and wastewater rates.

This tariff is effective in the following subdivisions and systems:

See 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	2
SECTION 2.0 -- SERVICE RULES AND POLICIES	3
SECTION 3.0 -- EXTENSION POLICY	8

LIST OF SUBDIVISIONS AND SYSTEMS

SUBDIVISION	NPDES	COUNTY	PAGE
Aransas Bay	No Permit (Collection Only)	Aransas	2
Country Squire	WQ0011589001	Orange	2
Hilltop Estates	WQ0015010001	Parker	2
Hilltop Home Addition	WQ0015010001	Parker	2
Laguna Vista	No Permit (Non-Discharging)	Hood	2
Leon Springs	WQ0014376001	Bexar	2
Longford Place	WQ0011155001	Orange	2
Mangum Estates Subdivision	WQ0013147001	Polk	2
Pelican Isle	WQ0013528001	Navarro	2
Quiet Village II	No Permit (Collection Only)	Hidalgo	2
Seagun Complex	No Permit (Collection Only)	Aransas	2
Shady Grove	No Permit (Non-Discharging)	Hood	2
Texas Landing Utilities	WQ0013147001	Polk	2
Tri-County Point POA	WQ0015399001	Calhoun & Jackson	2

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - RatesFlat Rate

\$63.28

Gallonge Charge

\$0.00 per gallon

Surcharge for Rate Case Expense (Docket No. 54565)

To be collected through a monthly surcharge of \$1.60 per customer. The monthly surcharge will be collected for 24 months from the effective date of the rates approved by the Commission in Docket No. 54565 or until the full \$419,459 for rate-case expenses related to Docket No. 54565 is collected, whichever occurs first. The charge is applicable to customers of the systems identified in the application.

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

Cash X, Check X, Money Order X, Credit Card X, Other (specify) _____
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%

PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE Actual Cost

TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Unique costs) Actual Cost

FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

TAP FEE (Large meter) Actual Cost

TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE Actual Relocation Cost, Not to Exceed Tap Fee

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED.

METER TEST FEE \$0.00

THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

SECTION 1.0 - RATE SCHEDULE (Continued)

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

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

TRANSFER FEE \$10.00

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)..... 10%

PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE..... \$25.00

RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) \$50.00**COMMERCIAL & NON-RESIDENTIAL DEPOSIT** 1/6TH OF ESTIMATED ANNUAL BILL**GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE:**

WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [16 TAC § 24.25(b)(2)(G)]

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

Section 1.03 Purchased Water and Sewer Adjustment Clause

For Utilities subject to changes imposed by any non-affiliated provider of purchased water or sewer or a groundwater conservation district having jurisdiction over the Utility, these increases (decreases) shall be passed through as an adjustment to the gallonage charge according to the following formulae or at the following rates:

Quiet Village II

The following fee is a pass-through charge for purchased wastewater treatment by the City of Donna. The pass-through charge is \$6.58 per 1,000 gallons multiplied by 0.80. (*Docket No. 54565*)

SECTION 2.0 -- SERVICE RULES AND POLICIES

The utility will have the most current Public Utility Commission of Texas (PUC or Commission) Rules, Chapter 24, 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 Sewer 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, any required fees (deposits, reconnect, tap, extension fees, etc. as applicable) will be paid and easements, if required, will be granted before service is provided by the utility. A separate application or contract will be made for each service location.

Section 2.02 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the PUC Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant that a complaint may be filed with the Commission.

Section 2.03 - Fees and Charges & Easements Required Before Service Can Be Connected

(A) 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 will keep records of the deposit and credit interest in accordance with PUC Rules.

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

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.

Refund of deposit. If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any residential customer who has paid 18 consecutive billings without being delinquent.

SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

(B) Tap or Reconnect Fees

A new customer requesting service at a location where service has not previously been provided must pay a tap fee as provided in Section 1. A customer requesting service where service has previously been provided must pay a reconnect fee as provided in Section 1. Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to request for payment and/or commencement of construction.

If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall be informed of their right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Fees in addition to the regular tap fee may be charged if listed specifically in Section 1 to cover unique costs not normally incurred as permitted by 16 TAC § 24.163(b)(1)(C). For example, a road bore for customers outside a subdivision or residential area could be considered a unique cost.

(C) Easement Requirement

Where recorded public utility easements on the service applicant's property do not exist or public road right-of-way easements are not available to access the applicant's property, the Utility may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant. Such easement(s) shall not be used for the construction of production, storage, transmission or pressure facilities unless they are needed for adequate service to that applicant.

Section 2.04 - Utility Response to Applications for Service

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Except for good cause where service has previously been provided, service will be reconnected within one working day after the applicant has met the requirements for reconnection.

Section 2.05 - Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers will not be allowed to use the utility's cutoff valve on the utility's side of the meter. Existing customers may install cutoff valves on their side of the meter and are encouraged to do so. All new customers may be required to install and maintain a cutoff valve on their side of the meter.

SECTION 2.0 – SERVICE RULES AND POLICIES (Continued)

Section 2.06 - Customer Service Inspections

Applicants for new service connections or facilities which have undergone extensive plumbing modifications are required to furnish the utility a completed customer service inspection certificate. The inspection certificate shall certify that the establishment is in compliance with the Texas Commission on Environmental Quality (TCEQ) Rules and Regulations for Public Water Systems, 30 TAC § 290.46(j). The Utility is not required to perform these inspections for the applicant/customer but will assist the applicant/customer in locating and obtaining the services of a certified inspector.

Section 2.07 - Access to Customer's Premises

The utility will have the right of access to the customer's premises at all reasonable times for the purpose of installing, testing, inspecting or repairing sewer mains or other equipment used in connection with its provision of sewer service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations.

The customer shall allow the utility and its personnel access to the customer's property to conduct any sewer quality tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours and the utility personnel will attempt to notify the customer that they will be working on the customer's property. The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

All customers or service applicants shall provide access to utility cutoff valves at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply.

Section 2.08 - Billing

(A) Regular Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance.

The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. Payment for utility service is delinquent if full payment, including late fees and the regulatory assessment, is not received at the utility or the utility's authorized payment agency by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next workday after the due date.

(B) Late Fees

A late penalty of either \$5.00 or 10.0% will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

(C) Information on Bill

Each bill will provide all information required by the PUC Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a local or toll-free telephone number (or numbers) to which customers can direct questions about their utility service.

(D) Prorated Bills

If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

Section 2.09- Payments

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve-month period, the customer shall be required to pay a deposit if one has not already been paid.

Section 2.10 - Service Disconnection

(A) With Notice

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand delivered.

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 within 26 days from the date of issuance of a bill and if proper notice of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the PUC Rules.

B) Without Notice

Utility service may also be disconnected without notice for reasons as described in the PUC Rules.

Section 2.11 - Reconnection of Service

Utility personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

SECTION 2.0 -- SERVICE RULES AND POLICIES (Continued)

Service will be reconnected within 36 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.

Section 2.12 - Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the Commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

Section 2.13 - Quality of Service

The utility will plan, furnish, and maintain production, treatment, storage, transmission, and collection facilities of sufficient size and capacity to provide a continuous and adequate service for all reasonable consumer uses and to treat sewage and discharge effluent of the quality required by its discharge permit issued by the TCEQ. Unless otherwise authorized by PUC and TCEQ, the utility will maintain facilities as described in the TCEQ Rules and Regulations for Public Water Systems.

Section 2.14 - Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through the PUC complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

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

Section 2.15 - Customer Liability

Customer shall be liable for any damage or injury to utility-owned property shown to be caused by the customer.

SECTION 3.0 -- EXTENSION POLICY

Section 3.01 - Standard Extension Requirements

Line Extension and Construction Charges. No Contribution in Aid of Construction may be required of any customer except as provided for in this approved tariff.

The Utility is not required to extend service to any applicant outside of its certified service area and will only do so under terms and conditions mutually agreeable to the Utility and the applicant, in compliance with PUC rules and policies, and upon extension of the Utility's certified service area boundaries by the PUC.

The applicant for service will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

Section 3.02 - Costs Utilities and Service Applicants Shall Bear

Within its certified area, the utility will pay the cost of the first 200 feet of any sewer main or distribution line necessary to extend service to an individual residential customer within a platted subdivision.

However, if the residential customer requesting service purchased the property after the developer was notified in writing of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

Residential customers will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the additional cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

Unless an exception is granted by the PUC, the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution and pressure wastewater collection lines and 6" in diameter for gravity wastewater lines.

Exceptions may be granted by the PUC if:

- adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;
- or larger minimum line sizes are required under subdivision platting requirements or building codes of municipalities within whose corporate limits or extraterritorial jurisdiction the point of use is located; or the residential service applicant is located outside the CCN service area.

SECTION 3.0 -- EXTENSION POLICY (Continued)

If an exception is granted, by the PUC, the utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certified area, industrial, and wholesale customers shall be treated as developers. A service applicant requesting a one inch meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection beyond 200 feet and throughout his property including the cost of all necessary transmission facilities.

The utility will bear the full cost of any over-sizing of sewer mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage, or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

Section 3.03 - Contributions in Aid of Construction

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with TCEQ minimum design criteria for facilities used in the production, collection, transmission, pumping, or treatment of sewage or the TCEQ minimum requirements. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the TCEQ minimum design criteria for sewer treatment.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 16 TAC § 24.163(d). When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with the TCEQ minimum design criteria. As provided by 16 TAC § 24.163(d)(4), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

SECTION 3.0 -- EXTENSION POLICY (Continued)

A utility may only charge a developer standby fees for unrecovered costs of facilities committed to a developer's property under the following circumstances:

- Under a contract and only in accordance with the terms of the contract; or
- if service is not being provided to a lot or lots within two years after installation of facilities necessary to provide service to the lots has been completed and if the standby fees are included on the utilities approved tariff after a rate change application has been filed. The fees cannot be billed to the developer or collected until the standby fees have been approved by the commission or executive director.
- for purposes of this section, a manufactured housing rental community can only be charged standby fees under a contract or if the utility installs the facilities necessary to provide individually metered service to each of the rental lots or spaces in the community.

Section 3.04 - Appealing Connection Costs

The imposition of additional extension costs or charges as provided by Sections 3.0 - Extension Policy of this tariff shall be subject to appeal as provided in this tariff, PUC rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services.

Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the PUC or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located.

Section 3.05 - Applying for Service

The Utility will provide a written service application form to the applicant for each request for service received by the Utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service application forms will be available at the Utility's business office during normal weekday business hours. Service applications will be sent by prepaid first-class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. A diagram, map, plat, or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line may also be required with the tap request.

SECTION 3.0 -- EXTENSION POLICY (Continued)

The actual point of connection and meter installation must be readily accessible to Utility personnel for inspection, servicing, and meter reading while being reasonably secure from damage by vehicles and mowers. If the Utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the Utility's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the Utility. If no agreement on location can be made, the applicant may refer the matter to the PUC for resolution.

Section 3.06 - Qualified Service Applicant

A "qualified service applicant" is an applicant who has: (1) met all of the Utility's requirements for service contained in this tariff, PUC rules and/or PUC order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all easements and rights-of-way required to provide service to the requested location, (4) delivered an executed customer service inspection certificate to the Utility, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

The utility shall serve each qualified service applicant within its certified service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by PUC rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The PUC service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a qualified service applicant as defined by PUC rules.

Section 3.07 - Developer Requirements

As a condition of service to a new subdivision, the Utility shall require a developer (as defined by PUC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

APPENDIX A -- APPLICATION FOR SERVICE
(Utility Must Attach Blank Copy)

**Attachment D is Confidential and
will be provided pursuant to the
Protective Order**

**Attachment E is Confidential and
will be provided pursuant to the
Protective Order**

**Attachment F is Confidential and
will be provided pursuant to the
Protective Order**

**Attachment G is Highly Sensitive
and will be provided pursuant to
the Protective Order**

**Attachment H is Confidential and
will be provided pursuant to the
Protective Order**

Attachment I

Texas Commission on Environmental Quality Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

**Customer: Boling Municipal Water District
Customer Number: CN600634570**

Regulated Entity Name: BOLING MUNICIPAL WATER DISTRICT

Regulated Entity Number: RN102688462

Investigation # 1866092

Investigator: PAIGE AKINS

Conducted: 12/12/2022 -- 12/12/2022

Program: PUBLIC WATER SYSTEM/SUPPLY

Investigation Type : Compliance Invest File Review

Location : KEY MAP 844M

Additional ID 2410006

Address: 7218 FM 442 RD; **City** BOLING, **State** TX **Zip** 77420

Local Unit : REGION 12 - HOUSTON

Activity Type: PWSFRR - PWS NOV Record Review

Incident Numbers

Site Classification GW 251-1K CONNECTION

No Industry Code Assigned

Principal(s):

Role RESPONDENT

Name BOLING MUNICIPAL WATER DISTRICT

Contact(s):

Role REGULATED
ENTITY MAIL
CONTACT

Title PRESIDENT

Name BRETT GLENN

Phone Number for Phone is (979) 657-2106

End of record for this contact

Role PARTICIPATED
IN

Title OPERATIONS MANAGER

Name MR EVAN KIRKPATRICK

Phone Number for Cell is (832) 361-1019

Phone Number for Work is (832) 856-6644

End of record for this contact

Role REGULATED
ENTITY
CONTACT

Title OPERATIONS MANAGER

Name MR EVAN KIRKPATRICK

Phone Number for Work is (832) 856-6644

Phone Number for Cell is (832) 361-1019

End of record for this contact

Other Staff Member(s):

Role Supervisor

Name JONATHAN BENNETT

Role QA Reviewer

Name CHRISTINA BERNAL

Associated Check List

Checklist Name PWS GENERIC VIOLATIONS

Unit Name INV

Investigation Comments:

INTRODUCTION

Ms. Paige Akins, Environmental Investigator for the Texas Commission on Environmental Quality (TCEQ) Houston Region Office, conducted a Public Water Supply record review (RR) investigation of Boling Municipal Water District (MWD), Additional ID No. 2410006. The regulated entity has provided some documentation regarding the alleged violations on December 9, 2022. The Environmental Investigator contacted Mr. Evan Kirkpatrick, Operations Manager with EDK Services, in regard to these violations on November 28, 2022, via telephone. Based on the information provided, one alleged violation has been resolved and additional information is needed to resolve the outstanding alleged violations.

BACKGROUND

On January 28, 2022, a Modified Comprehensive Compliance Investigation (MOD CCI) was conducted (TCEQ Consolidated Compliance and Enforcement Data System (CCEDS) Investigation No. 1789358), and a Notice of Violation (NOV) letter was subsequently mailed to the facility on March 16, 2022. See Attachment No. 1. During the investigation, some concerns were noted which were alleged violations which remained outstanding.

On August 26, 2022, a Complaint Investigation was conducted (TCEQ Consolidated Compliance and Enforcement Data System (CCEDS) Investigation No. 1841391), and a Notice of Violation (NOV) letter was subsequently mailed to the facility on October 3, 2022. See Attachment No. 2. During the investigation, some concerns were noted which were alleged violations which remained outstanding.

GENERAL FACILITY AND PROCESS INFORMATION

General facility and process information were documented during the MOD CCI conducted on January 28, 2022.

ADDITIONAL INFORMATION

The alleged violations [Track Nos. 823964, 823963, 805835, 805832, 805831, 805830, 805829] meets the Enforcement Initiation Criteria (EIC Revision (Rev.) 17 Category C4 and EIC Rev. 17 Categories B3, B18(c)(8), and B18(c)(10); therefore, they are being referred to the Enforcement Division. Investigator Akins contacted Mr. Kirkpatrick via telephone on December 15, 2022, regarding the violations and informed Mr. Kirkpatrick that the facility meets the enforcement initiation criteria. During the phone call Mr. Kirkpatrick indicated that the files he sent regarding the residual logs and chemical usage were supposed to be excel files and would send another copy to EI Akins as soon as he could. He went on to say that he is having difficulties trying to get into contact with the engineering company to try and get the as-built plans and backflow documentation.

The documentation Mr. Kirkpatrick submitted via email on December 9, 2022 (Attachment No. 3), appears to resolve one of the alleged violations (Violation Track Number 823961), cited for failure to provide a copy of the system's distribution map. However, it doesn't not resolve alleged violations Track Nos. 805829, 805830, 805831, 805832, 805835, 823963, and 823964 for failure to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each storage tank at the public water system until the facility is decommissioned; failure to retain the records of backflow prevention device programs for at least three years; failure to ensure the good working condition and general appearance of the system's facilities and equipment; failure to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition; failure to have two or more wells having a total capacity of 0.6 gpm per connection; failure to provide records of the amount of chemicals used; and failure to provide the disinfectant residual monitoring results from the distribution system.

On December 9, 2022, Mr. Kirkpatrick emailed EI Akins the distribution map (Attachment No. 3), the Disinfection Level Quarterly Operating Report (DLQOR) reports for the first three quarters of 2022 (Attachment No. 4); and the distribution disinfectant residual logs and the chemical usage logs (Attachment No. 5). The chemical usage logs file only contained the residuals for January 2022 while distribution residual logs only contained data for the month of April 2022; these documentations where not sufficient to resolve the violations. EI Akins sent a corresponding email on December 9, 2022, to Mr. Kirkpatrick concerning the missing data (Attachment No. 6).

A Notice of Enforcement letter was mailed to the regulated entity.

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track Number: 823961

Resolution Status Date: 12/12/2022

Violation Start Date: 9/7/2022

Violation End Date: 12/9/2022

Citations include TAC or T. A. C. which stands for Texas Administrative Code

Citation 30 TAC Chapter 290.46(n)(2)

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

Alleged Violation:

Investigation: 1841391

Comment Date: 09/29/2022

Failure to provide a copy of the system's distribution map.

An accurate and up-to-date map of the distribution system shall be available so that valves and mains can be easily located during emergencies.

At the time of the investigation, a copy of the distribution map was requested but was not received by the given due date.

Investigation: 1866092

Comment Date: 12/12/2022

Failure to provide a copy of the system's distribution map.

Recommended Corrective Action: Submit compliance documentation to the TCEQ's Houston Region Office indicating an accurate and up-to-date distribution map is being maintained, demonstrating corrective measures have been taken to resolve the alleged violation.

Resolution: This alleged violation was resolved on December 9, 2022, based on documentation received via email from Mr. Evan Kirkpatrick by the TCEQ's Houston Region Office indicating that a complete and up to date distribution map is being retained as required.

NOE Date: 1/5/2023

**OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT**

Track Number: 805829

Compliance Due Date: To Be Determined

Violation Start Date: Unknown

Citations include TAC or T. A. C. which stands for Texas Administrative Code

Citation 30 TAC Chapter 290.46(n)(1)

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

Alleged Violation:

Investigation: 1789358

Comment Date: 03/14/2022

Failure to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each storage tank at the public water system until the facility is decommissioned. As-built plans of individual projects may be used to fulfill this requirement if the plans are maintained in an organized manner.

At the time of the investigation, it was noted that the water system has an elevated storage tank in distribution that was constructed in 1956. An approval for the elevated storage tank was not located in the system's file at the region. The as-built plans or record drawings and specifications for the elevated storage tank were requested for review in the February 1, 2022 TCEQ Exit Interview Form. Documentation was not received by the TCEQ for this issue.

Investigation: 1841391

Comment Date: 09/21/2022

Failure to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each storage tank at the public water system until the facility is decommissioned.

At the time of the investigation, the investigator requested compliance documentation but it wasn't received by the given due date. The violation remains unresolved.

Investigation: 1866092

Comment Date: 12/12/2022

Failure to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each storage tank at the public water system until the facility is decommissioned.

As of December 12, 2022, no compliance documentation has been received. The violation remains unresolved.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 805830

Compliance Due Date: To Be Determined

Violation Start Date: Unknown

Citations include TAC or T. A. C. which stands for Texas Administrative Code

Citation 30 TAC Chapter 290.46(f)(3)(B)(v)

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

Alleged Violation:

Investigation: 1789358

Comment Date: 03/14/2022

Failure to retain the records of backflow prevention device programs for at least three years.

At the time of the investigation, it was noted that the reduced-pressure principle backflow prevention assembly installed for the lift station adjacent to the elevated storage tank was discharging water. In addition, the operator noted the assembly was tested within the last year but could not locate the record at the time of the onsite. Documentation showing the assembly is functional and has been tested annually was requested for review in the February 1, 2022 TCEQ Exit Interview Form. Documentation was not received by the TCEQ for this issue.

Investigation: 1841391

Comment Date: 09/21/2022

Failure to retain the records of backflow prevention device programs for at least three years.

At the time of the investigation, the investigator requested compliance documentation but it wasn't received by the given due date. The violation remains unresolved.

Investigation: 1866092

Comment Date: 12/12/2022

Failure to retain the records of backflow prevention device programs for at least three years.

As of December 12, 2022, no compliance documentation has been received. The violation remains unresolved.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 805831 **Compliance Due Date:** To Be Determined
Violation Start Date: Unknown

Citations include TAC or T. A. C. which stands for Texas Administrative Code
Citation 30 TAC Chapter 290.46(m)

No or N. O. stands for Number and Pg or P. G. stands for page.
Req or R. E. Q. stands for requirements

Alleged Violation:

Investigation: 1789358

Comment Date: 03/14/2022

Failure to ensure the good working condition and general appearance of the system's facilities and equipment.

At the time of the investigation, it was noted that the well discharge line on Well 4, Source ID G2410006D, is corroded.

Investigation: 1841391

Comment Date: 09/21/2022

Failure to ensure the good working condition and general appearance of the system's facilities and equipment.

At the time of the investigation, the investigator requested compliance documentation but it wasn't received by the given due date. The violation remains unresolved.

Investigation: 1866092

Comment Date: 12/12/2022

Failure to ensure the good working condition and general appearance of the system's facilities and equipment.

As of December 12, 2022, no compliance documentation has been received. The violation remains unresolved.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 805832 **Compliance Due Date:** To Be Determined
Violation Start Date: Unknown

Citations include TAC or T. A. C. which stands for Texas Administrative Code
Citation 30 TAC Chapter 290.46(m)(4)

No or N. O. stands for Number and Pg or P. G. stands for page.
Req or R. E. Q. stands for requirements

Alleged Violation:

Investigation: 1789358

Comment Date: 03/14/2022

Failure to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition.

At the time of the investigation, it was noted that the well discharge line on Well 4, Source ID G2410006D, had two leaks.

Investigation: 1841391

Comment Date: 09/21/2022

Failure to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition.

At the time of the investigation, the investigator requested compliance documentation but it wasn't received by the given due date. The violation remains unresolved.

Investigation: 1866092

Comment Date: 12/12/2022

Failure to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition.

As of December 12, 2022, no compliance documentation has been received. The violation remains unresolved.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 805835**Compliance Due Date:** To Be Determined**Violation Start Date:** Unknown

Citations include TAC or T. A. C. which stands for Texas Administrative Code

Citation 30 TAC Chapter 290.45(b)(1)(D)(i)

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

Alleged Violation:**Investigation: 1789358**

Comment Date: 03/14/2022

Failure to have two or more wells having a total capacity of 0.6 gpm per connection.

At the time of the investigation, it was noted that the water system has one active well (Well 4), Source ID G2410006D, and one inactive well (Well 5), Source ID G2410006E. Well 5 was approved for construction in a TCEQ letter dated January 28, 2013. The well has been constructed and is tested periodically by the water system to ensure function, but the well is not in use and has not been approved for use by TCEQ. In addition, it was noted that the system does not have an emergency interconnect with another public water system.

Investigation: 1841391

Comment Date: 09/21/2022

Failure to have two or more wells having a total capacity of 0.6 gpm per connection.

At the time of the investigation, the investigator requested compliance documentation but it wasn't received by the given due date. The violation remains unresolved.

Investigation: 1866092

Comment Date: 12/12/2022

Failure to have two or more wells having a total capacity of 0.6 gpm per connection.

As of December 12, 2022, no compliance documentation has been received. The violation remains unresolved.

Recommended Corrective Action: Submit compliance documentation to the TCEQ Houston Region Office demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 823963**Compliance Due Date:** To Be Determined**Violation Start Date:** 9/7/2022

Citations include TAC or T. A. C. which stands for Texas Administrative Code

Citation 30 TAC Chapter 290.46(f)(3)(A)(i)(II)

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

Alleged Violation:**Investigation: 1841391**

Comment Date: 09/21/2022

Failure to provide records of the amount of chemicals used.

Systems that serve 250 or more connections or serve 750 or more people shall maintain a record of the amount of each chemical used each day.

At the time of the investigation, chemical usage records for the past 3 months were requested but were not provided by the given due date.

Investigation: 1866092

Comment Date: 12/16/2022

Failure to provide records of the amount of chemicals used.

On December 9, 2022, Mr. Evan Kirkpatrick emailed the TCEQ's Houston Region Office the chemical usage logs. However, the chemical usage logs only provided the January 2022 results and no other months, which is inadequate to resolve the violation. The violation remains unresolved.

Recommended Corrective Action: Submit compliance documentation to the TCEQ's Houston Region Office indicating that chemical usage is being recorded daily and the records are being retained as required, demonstrating corrective measures have been taken to resolve the alleged violation.

Track Number: 823964

Compliance Due Date: To Be Determined

Violation Start Date: 9/7/2022

Citations include TAC or T. A. C. which stands for Texas Administrative Code

Citation 30 TAC Chapter 290.46(f)(3)(B)(iii)

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

Alleged Violation:

Investigation: 1841391

Comment Date: 09/29/2022

Failure to provide the disinfectant residual monitoring results from the distribution system.

As per 30 TAC §290.110(c)(4)(B), public water systems that serve at least 250 connections or at least 750 people daily, and use only groundwater or purchased water sources, must monitor the disinfectant residual at representative locations in the distribution at least once per day.

The records of disinfectant residual monitoring in the distribution system must be retained for a minimum of three years.

At the time of the investigation, the distribution chlorine residual logs were requested but were not provided by the given due date.

Investigation: 1866092

Comment Date: 12/16/2022

Failure to provide the disinfectant residual monitoring results from the distribution system.


On December 9, 2022, Mr. Evan Kirkpatrick emailed the TCEQ's Houston Region Office the distribution residual log. However, the distribution residual log only provided the April 2022 and no other months, which is inadequate to resolve the violation. The violation remains unresolved.

Recommended Corrective Action: Submit compliance documentation to the TCEQ's Houston Region Office indicating that the disinfectant residual is being monitored in distribution at least daily and the records are being retained as required, demonstrating corrective measures have been taken to resolve the alleged violation.

Signature lines for Environmental Investigator and supervisor with dates

Signed 
Environmental Investigator

Date 1/5/2023

Signed 
Supervisor

Date 1/5/2023

Checklist for different types of attachments

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)

☐ Maps, Plans, Sketches

☐ Letter to Facility (specify type) : _____

☐ Photographs

☐ Investigation Report

☐ Correspondence from the facility

☐ Sample Analysis Results

☐ Other (specify) : _____

☐ Manifests

☐ Notice of Registration

List of Attached files

Attachment.pdf

Texas Commission on Environmental Quality Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact occ@tceq.texas.gov

Customer: Boling Municipal Water District
Customer Number: CN600634570

Regulated Entity Name: BOLING MUNICIPAL WATER DISTRICT

Regulated Entity Number: RN102806056

Investigation # 1945745

Investigator: ASA BIGHAM

Conducted: 12/14/2023 -- 12/14/2023

Program(s): WASTEWATER

Investigation Type: Compliance Invest File
Review

Additional ID(s) WQ0010843001
TX0033910

Incident Numbers

Site Classification DOMESTIC MINOR

SIC Code: 4952

NAIC Code: 221320

Location: 7218 HWY 442 E BOLING TX

Address: ,

, ,

Local Unit:

Activity Type(s)

Principal(s):

Role

Name

RESPONDENT

BOLING MUNICIPAL WATER DISTRICT

Contact(s):

Role

Title

Name

Phone

REGULATED
ENTITY
CONTACT

PRESIDENT

BRETT GLENN

Work (979) 657-2106

Other Staff Member(s):

Role

Name

Supervisor

MACY BEAUCHAMP

Supervisor

BRETT LANHAM

Associated Check List

Checklist Name

Unit Name

WQ FILE/RECORD REVIEW

Wastewater Treatment

GENERIC OTHER ISSUES AND/OR VIOLATIONS

Wastewater Treatment

Investigation Comments:

A record review investigation of self-reported data was conducted to document non-compliance with permitted reporting requirements of a TPDES permit. The violations noted in this investigation meet TCEQ Enforcement Initiation Criteria for Repeat B violations. A Notice of Enforcement will be mailed to the respondent.

NOE Date: 2/23/2024

**OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT**

Track Number: 866244

Compliance Due Date: To Be Determined

Violation Start Date: 9/21/2022

30 TAC Chapter 305.125(17)

PERMIT WQ0010843001, Groundwater Monitoring

TPDES Permit

Alleged Violation:

Investigation: 1945745

Comment Date: 01/04/2024

Failure to submit the annual groundwater sample analysis for: Outfalls 101Y and 201Y for the monitoring periods ending 08/31/2022 and 08/31/2023. The violations noted in this investigation meet TCEQ Enforcement Initiation Criteria for Repeat B violations.

Effluent monitoring data is required to be submitted by the 20th day of the month following the monitoring period end date.

Recommended Corrective Action: The permittee should take appropriate measures to comply with permit self-reporting requirements.

Additional Issues

Description Item #1

Additional Comments

The permittee needs to ensure that the Signatory Roles and Subscriber Agreements associated to this permit in the NetDMR system reflect the current Cognizant Official and any authorized users.

Signed

Date _____

Environmental Investigator

Signed

Date _____

Supervisor

Attachments: (in order of final report submittal)

<input type="checkbox"/> Enforcement Action Request (EAR)	<input type="checkbox"/> Maps, Plans, Sketches
<input type="checkbox"/> Letter to Facility (specify type) : _____	<input type="checkbox"/> Photographs
<input type="checkbox"/> Investigation Report	<input type="checkbox"/> Correspondence from the facility
<input type="checkbox"/> Sample Analysis Results	<input type="checkbox"/> Other (specify) : _____
<input type="checkbox"/> Manifests	_____
<input type="checkbox"/> Notice of Registration	_____

**Attachment I-1 is Confidential and
will be provided pursuant to the
Protective Order**