

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 21, 2015

Ms. Bridget Bohac, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-105
Austin, Texas 78711-3087

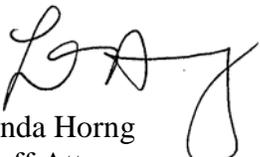
Re: TCEQ Docket No. 2015-1117-DIS; Corix Utilities (Texas) Inc.'s Motion to Overturn

Dear Ms. Bohac:

Enclosed for filing with the Texas Commission on Environmental Quality (Commission) is the original plus seven copies of Proposed Order for the September 9, 2015 agenda item on the above referenced matter. This document will supplement the backup materials previously filed.

Please do not hesitate to contact me at (512) 239-0676 if you have any questions regarding this material. Thank you for your attention to this matter.

Respectfully submitted,


Linda Horng
Staff Attorney
Environmental Law Division

Enclosure

cc: Mailing List

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2015 AUG 21 AM 10:5
CHIEF CLERKS OFFICE

AN ORDER Certifying Corix Utilities (Texas), Inc. as a
Regional Water and Wastewater Service
Provider; TCEQ Docket No. 2015-1117-DIS

On September 9, 2015, the Texas Commission on Environmental Quality (Commission) met in regular session at its offices in Austin, Texas, to consider the Motion to Overturn filed by Corix Utilities (Texas), Inc. regarding certification as a regional provider. Pursuant to Title 30, Texas Administrative Code § 50.139, the Commission held a hearing to consider the Motion to Overturn.

The Commission has jurisdiction to consider this matter pursuant to Texas Tax Code § 151.355(5). The following Findings of Fact and Conclusions of Law are appropriate after examining the petition and supporting documentation:

FINDINGS OF FACT

1. On April 16, 2015, Corix Utilities (Texas), Inc. ("Corix") filed an application for regional certification with the Commission pursuant to Texas Tax Code § 151.355(5).
2. Corix is the sole owner of 18 water and wastewater utility systems, each providing service to one or more communities or subdivisions.
3. The Executive Director reviewed the application and notified Corix on July 3, 2015 that the Executive Director did not have the authority to approve Corix's certification application because Corix is not a political subdivision, pursuant to the TCEQ Resolution entitled "A Resolution Delegating to the Executive Director the Authority to Certify Certain Political Subdivisions as Providing Regional Water and/or Wastewater Service," dated May 13, 2002.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction to consider this petition and is authorized to make and enter its Findings of Fact, Conclusions of Law, and Orders with respect to approving said application.

2. Corix meets all requirements for certification as a regional water and wastewater service provider for the purpose of tax exemption pursuant to Texas Tax Code § 151.355(5).

NOW THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY THAT:

1. The Motion to Overturn is hereby granted.
2. The Application for Certification as a Regional Water and Wastewater Service Provider is hereby granted.
3. The Chief Clerk of the Texas Commission on Environmental Quality shall forward a copy of this Order to all affected persons.
4. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

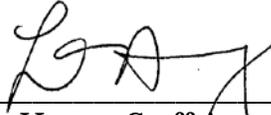
Issue Date:

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Bryan W. Shaw, Ph.D., P.E., Chairman

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of August, 2015 a true and correct copy of the "Executive Director's Proposed Order to Corix Utilities (Texas) Inc.'s Motion to Overturn" was filed with the Chief Clerk of the Texas Commission on Environmental Quality and sent by first class mail, agency mail, electronic mail, and/or facsimile to the persons on the attached mailing list.



Linda Horng, Staff Attorney
Environmental Law Division

MAILING LIST
Docket No. 2015-1117-DIS
Corix Utilities (Texas) Inc.'s Motion to Overturn

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