



**INSTRUCTIONS FOR
APPLICATION TO OBTAIN OR AMEND A WATER OR SEWER
CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)**

APPLICATION TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

INSTRUCTIONS & CHECKLIST

Registry Number (RN) and Customer Number (CN). The Texas Commission on Environmental Quality (TCEQ) has begun systematically removing requests for basic information from registration, permitting and licensing forms - one program at a time. Instead, we are requesting this information on a **Core Data Form**. As data is transferred into the Central Registry, the registry will automatically assign a unique number to each customer and regulated entity. **You will be given identification numbers** which can then be used when updating information, completing other agency forms, or otherwise contacting the agency. **Numbers issued by the Central Registry do not replace current permit, license, or registration numbers.** Each utility will have a RN number. Each CCN holder will have a CN number. If you do not already have a RN and/or CN number, please fill out TCEQ-10400 and a number will be assigned. This form and instructions are available by submitting form number "10400" in the Form Number Box at the [following website](#) .

- If the application is downloaded from the TCEQ web site or via E-mail, it shall not be changed, altered or amended from its original form only available from the Commission.**
- 1. You must answer each question on the application completely. If you need additional space, you may attach additional sheets clearly labeled with the applicant's name. If a question is not applicable, please mark it N.A. and briefly explain why the question does not apply. **DO NOT LEAVE ANY QUESTIONS BLANK.**
- 2. You must provide an original & three (3) copies of each of the following items for the application to be accepted for filing.
 - Completed application form, including any attachments
 - Completed Oath
 - Maps: Attach the following hard copy maps with each copy of the application:
 - a. A general location map delineating the proposed service area with enough detail to locate the proposed area within the county (ies).
 - b. A map showing only the proposed area by:
 - (1) Metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - (2) Projectable digital data with metadata (proposed areas should be in a single record and clearly labeled); or
 - (3) Following verifiable natural and man-made landmarks; or
 - (4) A copy of a recorded plat map with metes and bounds
 - c. A written description of the proposed service area.

d. In addition to the maps provided in accordance with the description listed above, please file separate and additional maps of the requested area to show the following:

- (1) for existing facilities, provide a map showing all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
- (2) request for service and, any customers or area currently being served by the applicant outside the applicant's certificated area(s); and

Note: Failure to provide adequate mapping information may result in the delay or possible denial of your application. Digital data submitted in a format other than ESRI ArcGIS may result in the delay or inability to review applicant's mapping information.

- The following proposed notices:
 - Notice for publication,
 - Individual notice to landowners with a copy of the proposed CCN map,
 - Individual notice to cities and neighboring systems with a copy of the proposed CCN map, and
 - Notice to current customers, if applicable.

★ **Do not publish or send these proposed notices or maps to landowners, neighboring cities and utilities or customers until you are notified to do so in writing by the Commission staff after the proposed notices have been reviewed.**

- Completed utility tariff or WSC tariff.
 - If the applicant is already operating as a utility, the tariff must reflect the applicant's current rates.
 - Every IOU and WSC is required to have a current tariff on file with the Texas Commission on Environmental Quality (Commission).
 - Cities and political subdivisions must provide copies of current rates, service rules and extension policies.

For **NEW** water or sewer systems **OR** utilities requesting a CCN for the first time:

- Plan approval letter or engineering report.
- For new non-profit, water supply or sewer service corporations organized under Chapter 67 of the water code, a copy of the by-laws and articles of incorporation must be attached.
- All required approvals from cities, counties or state agencies for new or improved facility plans associated with the proposed service area.
- Copies of requests seeking service from all water or sewer utilities within 2 miles and their written responses or documentation that they failed to respond.
- Information indicating either a statement that service is not available from systems within 2 miles of the proposed service area, OR an explanation explaining why it is not economically feasible to obtain the offered service.

- Five (5) year projected financial plan for new systems (worksheet provided).

★ **NOTE:** An existing system may be required to provide this item during the technical review phase if necessary for staff to completely evaluate the application.

- A list of all utilities within five miles of the requested area.

For **EXISTING** water or sewer systems:

- The most recent inspection report letter for water and sewer systems.
- Applicant's response to the inspection report letter.
- All required approvals from cities, counties or state agencies for new or improved facility plans associated with the proposed service area.
- Copies of water or sewer treatment capacity purchase agreement or contract for the system for which the CCN is being requested (if receiving wholesale water or sewer).
- Historical profit and loss statement and balance sheet as of the end of the last fiscal year (for existing systems) (worksheets are provided if you do not already have your own)
- Utility agreement for decertification and/or dual certification from an area, if applicable and available.
- Articles of Incorporation and current By-Laws for Water Code Chapter 67 water supply or sewer service corporations, if applicable.
- Current State Comptroller's "Certification of Account Status" for all for profit corporations, if applicable.

Note: This certification can be obtained at the [following website](#)

or

Comptroller of Public Accounts, Office Management
P.O. Box 13528
Austin, Texas 78711-3528
1-800-252-5555

- City consent or franchise if the applicant operates within the limits of an incorporated city, if applicable.
- Partnership Agreement, if applicable.
- A list of all utilities within two miles of the requested area.

For **ALL** water or sewer systems:

- No required filing fee.**
- A list of persons requesting service in the requested area including name, address, and phone number.

The completed application should be sent to:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Water Supply Division
Utilities & Districts Section
MC-153
P. O. Box 13087
Austin, TX 78711-3087