

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

## Department of Aging and Disability Services

### Correction of Error

The Department of Aging and Disability Services (DADS) adopted amendments to 40 TAC Chapter 9, Subchapter D and Subchapter N, in the March 11, 2016, issue of the *Texas Register* (41 TexReg 1867). Amended §9.153 was adopted with changes and republished beginning on page 1873. A reference error occurs in §9.153(19) on page 1874, second column. The reference "paragraph (34)" should be "paragraph (35)". The corrected paragraph reads as follows:

"(19) Condition of a serious nature--Except as provided in paragraph (35) of this section, a condition in which a program provider's noncompliance with a certification principle caused or could cause physical, emotional, or financial harm to one or more of the individuals receiving services from the program provider."

DADS also adopted amendments to 40 TAC Chapter 42, Deaf Blind with Multiple Disabilities (DBMD) Program and Community First Choice (CFC) Services, in the March 11, 2016, issue of the *Texas Register* (41 TexReg 1927). On page 1927, first column, the phrase "and Community First Choice (CFC) Services" was omitted from the chapter name in error.

DADS also adopted amendments to 40 TAC Chapter 45, Community Living Assistance and Support Services and Community First Choice (CFC) Services, in the March 11, 2016, issue of the *Texas Register* (41 TexReg 1952). On page 1952, first column, the phrase "and Community First Choice (CFC) Services" was omitted from the chapter name in error.

TRD-201601247



### Notice of Intent to Engage in Negotiated Rulemaking

The Department of Aging and Disability Services (DADS), on behalf of the Health and Human Services Commission (HHSC), intends to engage in negotiated rulemaking as required by Senate Bill (SB) 304, 84th Legislature, Regular Session, 2015. SB 304 amended Texas Health and Safety Code §242.061 to require the HHSC executive commissioner to revoke a nursing facility's license if DADS finds that the license holder has committed within a 24-month period three or more violations that constitute an immediate threat to health and safety related to the abuse or neglect of a resident. SB 304 also requires the HHSC executive commissioner to establish criteria under which a license revocation may be stayed following the negotiated rulemaking procedures in Texas Government Code Chapter 2008.

The scope of the negotiated rulemaking will include developing the criteria to stay a license revocation under Health and Safety Code §242.061(a-2).

The negotiated rulemaking process provides for a group of stakeholders who represent interests likely to be affected by a proposed rule to negotiate and potentially reach a consensus on the proposed rule. The first step in the process is to appoint a convener to identify stakeholders affected by the proposed rule, the interests that need to be represented and the probability of reaching consensus on the proposed rule. DADS

retained the University of Texas Center for Public Policy Dispute Resolution to serve as the convener and make appropriate recommendations. The convener also managed an application process to identify additional individuals and groups interested in the proposed rule.

Thus far, DADS has determined that:

- The affected parties are diverse, but they represent a limited set of identifiable interests.
- All interests have the potential to be adequately represented by parties who indicated their willingness to serve and authority to negotiate.
- The interests have both common and flexible goals that make negotiation feasible.
- A consensus on the proposed rule seems possible.
- The agency's participation will help keep the negotiated rulemaking within necessary time frames and assist in the sharing of information and resources that will benefit the drafting of the proposed rule.
- The negotiated rulemaking committee will meet in Austin, and all potential parties would be willing and able to participate in what could be a series of meetings.
- The agency agreed to present the consensus draft of the negotiated rulemaking committee as the basis of its proposed rule.

A preliminary list of issues to be negotiated includes:

- Ground rules for the negotiated rulemaking committee meetings
- Criteria to stay a license revocation
- Criteria to lift the stay of revocation and continue with the revocation process
- Criteria to lift the stay of revocation and waive the license revocation

A diverse but limited set of stakeholders is significantly affected by the rule and will be represented on the negotiated rulemaking committee. The identified stakeholders include:

- residents of nursing facilities;
- providers of nursing facility services (license holders); and
- DADS as the regulating agency and the entity in charge of implementing the rule.

Based on the convener's report, DADS proposes to appoint the following individuals or organizations as representatives of the interests identified above to the negotiated rulemaking committee:

- Representing residents' interests:
  - Pete Moreno, Managing Local Ombudsman for the Capital Area on Aging
  - Patty Ducayet, Texas State Long-term Care Ombudsman
  - Amanda Fredriksen, Director of Advocacy - AARP
  - Gay Nell Harper, family member of a (former) nursing home resident
- Representing nursing facilities:

- Derek Prince, President and CEO of HMG Healthcare
- Don Sowell, Regional Director, Nexion Health Inc.
- Alyse Meyer, Director of Public Policy - Leading Age Texas
- Kevin Warren, President/CEO - Texas Health Care Association (THCA)
- Representing DADS:
  - Calvin Green, Director, Policy, Rules and Curriculum Development, Regulatory Services
  - Michelle Dionne-Vahalik, MSN, RN, Director, Quality Monitoring Program and Initiatives, DADS Centers for Policy and Innovation
  - Ryan Bane, Managing Attorney, Enforcement, DADS Legal Services
  - Sue Brown, MS, LBSW, Program Specialist, NF, ALF/DAHS, Survey and Certification Enforcement, DADS Regulatory Services

In developing the recommended committee members, DADS has considered the affected interests identified by the convener and ensured balanced representation on the negotiated rulemaking committee.

If you are significantly affected by the proposed rule and not represented by persons named above, you may apply to DADS for membership on the negotiated rulemaking committee or nominate someone to represent your interests. You must apply in writing and include the following information:

- name and contact information of the person submitting the application;
- description of how the person is significantly affected by the rule;
- name and contact information of the person being nominated for membership; and
- description of the qualifications of the nominee to represent the person's interests.

DADS requests comments on the notice of intent to proceed with negotiated rulemaking and on the proposed membership of the negotiated rulemaking committee. Comments and applications for membership on the negotiated rulemaking committee must be submitted by April 1, 2016, to: Kim Lammons at [Kim.Lammons@dads.state.tx.us](mailto:Kim.Lammons@dads.state.tx.us). DADS and HHSC will make final determinations on issues related to the comments and the composition of said committee. DADS will publish a final list of the candidates who have been selected to serve on the committee along with a schedule of meeting dates and times on the DADS Negotiated Rule Making webpage at:

<https://www.dads.state.tx.us/providers/NF/negotiatedrulemaking.html>.

Notice will also be sent via Govdelivery.

TRD-201601236  
 Lawrence Hornsby  
 General Counsel  
 Department of Aging and Disability Services  
 Filed: March 15, 2016



## Office of the Attorney General

### Settlement Notice

Texas Water Code and Texas Health and Safety Code Settlement Notice

Notice is hereby given by the State of Texas of the following proposed resolution of an environmental enforcement lawsuit under the Texas

Water Code and the Texas Health and Safety Code. Before the State may settle a judicial enforcement action under the Texas Water Code, the State shall permit the public to comment in writing on the proposed judgment. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed judgment if the comments disclose facts or considerations that include that the consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Texas Water Code and the Texas Health and Safety Code.

Case Title and Court: *State of Texas v. South Houston Community Development Corporation, Inc., Aldine Community Care Center, Inc. and Jesse Dunn*; Cause No. D-1-GN-14-004932, in the 126th Judicial District Court, Travis County, Texas.

Nature of the Defendants' Operations: Defendants are current and former owners/operators of an assisted living facility that includes a public water system and wastewater treatment facility, in Houston, Texas. The TCEQ entered a default administrative order against the defendants in 2011 for violations of Texas regulations concerning the safe operation of the water system and wastewater treatment facility. Investigations of the facilities in 2013 and 2014 revealed that violations continued at both facilities. Since the State filed this lawsuit, the defendant has relocated the tenants served by the failing facilities.

Proposed Agreed Judgment: The Agreed Final Judgment and Permanent Injunction orders Defendants to operate the water system in compliance with state regulations and properly shutdown the wastewater treatment facility. The Agreed Final Judgment and Permanent Injunction also awards the State of Texas civil penalties of \$175,000 and \$8,700 in attorney's fees.

For a complete description of the proposed settlement, the complete proposed Agreed Final Judgment and Permanent Injunction should be reviewed. Requests for copies of the judgment, and written comments on the proposed settlement, should be directed to Amy E. Davis, Assistant Attorney General, Office of the Attorney General, P.O. Box 12548, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-201601199  
 Amanda Crawford  
 General Counsel  
 Office of the Attorney General  
 Filed: March 10, 2016



### Settlement Notice

Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code. Before the State may enter into a voluntary settlement agreement, pursuant to §7.110 of the Texas Water Code the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *Harris County, Texas, and the State of Texas, Acting by and through the Texas Commission on Environmental Quality, a Necessary and Indispensable Party v. Irfan Sheikh d/b/a Texas Farm Fresh Halal Meat*; Cause No. 2014-68582; in the 125TH Judicial District Court of Harris County, Texas.

Background: Defendant Irfan Sheikh d/b/a Texas Farm Fresh Halal Meat owns and formerly operated a slaughterhouse located on Old Richmond Road in Houston, Harris County, Texas ("the facility"). Defendant was cited for multiple violations of the Texas Solid Waste Disposal Act, the Texas Water Code, and the Texas Administrative Code. Specifically, Defendant allowed his facility to discharge large quantities of animal blood and wastewater into a nearby drainage ditch, and to improperly store animal parts on site.

Proposed Settlement: The parties propose an Agreed Final Judgment and Permanent Injunction, which orders Defendant to cease all unauthorized discharges of animal blood and wastewater from the facility, and to make specific alterations to the septic and industrial waste holding tanks at the facility. The proposed settlement also awards Harris County and the State \$20,000 in civil penalties, to be equally divided between Harris County and the State, and awards the State's reasonable attorney's fees in the amount of \$1,000.

The Office of the Attorney General will accept written comments relating to the proposed judgment for thirty (30) days from the date of publication of this notice. The proposed judgment may be examined at the Office of the Attorney General, 300 W. 15th Street, 10th Floor, Austin, Texas, and copies may be obtained in person or by mail for the cost of copying. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Erin Rodman, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC 066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911.

TRD-201601227  
Amanda Crawford  
General Counsel  
Office of the Attorney General  
Filed: March 14, 2016

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**Cancer Prevention and Research Institute of Texas**

**Correction of Error**

The Cancer Prevention and Research Institute of Texas (CPRIT) adopted amendments to 25 TAC §703.12 in the March 4, 2016, issue of the *Texas Register* (41 TexReg 1694). The phrase "or Cancer Prevention" was omitted from the adopted rule text in §703.12(c). The corrected subsection reads as follows:

"(c) A Grant Recipient of Grant Award funds for a Cancer Research or Cancer Prevention project may not spend more than five percent (5%) of the Grant Award funds for Indirect Costs."

TRD-201601212

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**Concho Valley Workforce Development Board**

**Public Notice - Request for Proposal**

Concho Valley Workforce Development Board (CVWDB) is seeking qualified parties to submit proposals for staffing and management of its workforce center (Workforce Solutions), incorporating at a minimum Childcare Services, Workforce Innovation and Opportunity Act (WIOA) programs, Choices/Temporary Assistance to Needy Families (TANF), and Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T). Interested parties may obtain a copy of the Request for Proposal (RFP) by visiting the website at <http://www.cv-workforce.org/Bids.aspx?CatID=17> on or after March 22, 2016.

Proposals will be accepted until 5:00 p.m. CDST, May 12, 2016, at the office of CVWDB, 36 E. Twohig Ave., Suite 805, San Angelo, Texas 76903. A conference will be held on April 7, 2016, at 9:30 a.m. CDST at the Cactus Hotel, 36 E. Twohig Ave., Green Room on 2nd floor, San Angelo, Texas 76903, to answer questions for any party interested in submitting a Proposal. Attendees must provide verbal commitment to Proposers' Conference by 5:00 p.m. CDST, April 1, 2016, at (325) 655-2005 Ext. 300. CVWDB reserves the right to accept or reject any or all proposals.

TRD-201601230  
Mike Buck  
Executive Director  
Concho Valley Workforce Development Board  
Filed: March 14, 2016

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**Office of Consumer Credit Commissioner**

**Notice of Rate Ceilings**

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003 and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 03/21/16 - 03/27/16 is 18% for Consumer<sup>1</sup>/Agricultural/Commercial<sup>2</sup> credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 03/21/16 - 03/27/16 is 18% for Commercial over \$250,000.

<sup>1</sup> Credit for personal, family or household use.

<sup>2</sup> Credit for business, commercial, investment or other similar purpose.

TRD-201601238  
Leslie Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: March 15, 2016

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**Credit Union Department**

**Notice of Final Action Taken**

In accordance with the provisions of 7 TAC §91.103, the Credit Union Department provides notice of the final action taken on the following applications:

Application to Amend Articles of Incorporation - Approved

Corpus Christi City Employees Credit Union, Corpus Christi, Texas - See *Texas Register* issue dated February 26, 2016.

Application for a Merger or Consolidation - Approved

Pegasus Community Credit Union (Dallas) and Neighborhood Credit Union (Dallas) - See *Texas Register* issue dated November 27, 2015.

Defense Contracts South Federal Credit Union (Dallas) and America's Credit Union (Garland) - See *Texas Register* issue dated October 30, 2015.

TRD-201601249  
Harold E. Feeney  
Commissioner  
Credit Union Department  
Filed: March 16, 2016

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## Texas Council for Developmental Disabilities

### Request for Proposals: Higher Education Collaborative

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for up to one organization to develop a sustainable Higher Education Collaborative that will include TCDD's "Higher Education for Employment" grantees and other post-secondary programs that have demonstrated success in fully including students with developmental disabilities. The collaborative will provide technical assistance and disseminate resources to develop and maintain similar programs at other institutions.

The purpose of offering funding for the project described in this Request for Proposals (RFP) is to create a statewide expansion of best practices that support students with developmental disabilities to succeed in post-secondary programs that were originally designed for students without disabilities.

TCDD has approved funding for one organization for up to five years. Each organization submitting a project will propose the funding amount needed to achieve the expected outcomes and must include a justification for the expenses in their proposal. TCDD will ensure that the proposed funding is reasonable and appropriate for the staffing, consulting, travel, materials development, evaluation, and other activities or resources needed to meet the expected outcomes and achieve sustainability. Grantees will be expected to provide match per TCDD guidelines. TCDD reserves the right to negotiate the budget as needed. TCDD may choose not to award funding for the proposed project.

Funds available for these projects are provided to TCDD by the U.S. Department of Health and Human Services, Administration on Intellectual and Developmental Disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 10% of the total project costs are required for projects in federally designated poverty areas. Non-federal matching funds of at least 25% of total project costs are required for projects in other areas.

Additional information concerning this RFP may be obtained at [www.DDSuite.org](http://www.DDSuite.org). More information about TCDD may be obtained through TCDD's website at [www.tcdd.texas.gov](http://www.tcdd.texas.gov). All questions pertaining to this RFP should be directed in writing to Danny Fikac, Planning Specialist, via e-mail at [Danny.Fikac@tcdd.texas.gov](mailto:Danny.Fikac@tcdd.texas.gov). Mr. Fikac may also be reached by telephone at (512) 437-5415.

Deadline: Proposals must be submitted through [www.DDSuite.org](http://www.DDSuite.org) by May 13, 2016. Proposals will not be accepted after the due date.

TRD-201601237

Beth Stalvey

Executive Director

Texas Council for Developmental Disabilities

Filed: March 15, 2016

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## Texas Commission on Environmental Quality

### Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs.

TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is April 25, 2016. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on April 25, 2016. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: BEECHWOOD WATER SUPPLY CORPORATION; DOCKET NUMBER: 2015-1213-MWD-E; IDENTIFIER: RN101610129; LOCATION: Hemphill, Sabine County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0011423001 Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with the permitted effluent limitations; PENALTY: \$8,562; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(2) COMPANY: Canutillo Independent School District; DOCKET NUMBER: 2015-1808-MWD-E; IDENTIFIER: RN101700284; LOCATION: Canutillo, El Paso County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1) and 30 TAC §§305.42(a), 305.65, and 305.125(2), by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1206, (915) 834-4949.

(3) COMPANY: City of Edgewood; DOCKET NUMBER: 2016-0043-PWS-E; IDENTIFIER: RN101404887; LOCATION: Edgewood, Van Zandt County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; and 30 TAC §290.117(c)(2)(B) and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed at an approved laboratory, and submit the results to the executive director by the tenth day of the month following the end of the monitoring period; PENALTY: \$639; ENFORCEMENT COORDINATOR: Jason Fraley, (512) 239-2552; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(4) COMPANY: City of Grand Saline; DOCKET NUMBER: 2015-1787-MWD-E; IDENTIFIER: RN102330081; LOCATION: Grand Saline, Van Zandt County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010179001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$21,312; ENFORCEMENT COORDINATOR: James Boyle, (512) 239-2527; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(5) COMPANY: City of Holland; DOCKET NUMBER: 2015-1760-MWD-E; IDENTIFIER: RN102075983; LOCATION: Holland, Bell County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010897001, Effluent Limitations and Monitoring Requirements Numbers 1 and 3, by failing to comply with permitted effluent limitations; 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0010897001, Sludge Provisions, by failing to timely submit the annual sludge report by September 30, 2014; and 30 TAC §305.125(1) and §319.5(b) and TPDES Permit Number WQ0010897001, Monitoring and Reporting Requirements Numbers 1 and 3.a, by failing to collect and analyze effluent samples at the required frequency; PENALTY: \$11,237; Supplemental Environmental Project offset amount of \$8,990; ENFORCEMENT COORDINATOR: Larry Butler, (512) 239-2543; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(6) COMPANY: City of Kingsville; DOCKET NUMBER: 2015-1494-MWD-E; IDENTIFIER: RN101612976; LOCATION: Kingsville, Kleberg County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010696001, Final Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limits; PENALTY: \$39,375; Supplemental Environmental Project offset amount of \$31,500; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(7) COMPANY: City of Mart; DOCKET NUMBER: 2015-1709-PWS-E; IDENTIFIER: RN101388544; LOCATION: Mart, McLennan County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.110(e)(2) and (5) and §290.111(h)(2)(B) and (9), by failing to submit a Surface Water Monthly Operating Report with the required turbidity and disinfectant residual data to the executive director by the tenth day of the month following the end of the reporting period for July and August 2015; 30 TAC §290.117(c)(2)(D) and (i)(1), by failing to collect lead and copper tap samples at the required twenty sample sites, have the samples analyzed at an approved laboratory and submit the results to the executive director for the January 1, 2003 - December 31, 2011 monitoring period; 30 TAC §290.117(c)(2)(C) and (i)(1) and §290.122(c)(2)(A) and (f), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed at an approved laboratory and submit the results to the executive director and failed to provide public notification and submit a copy of the public notification to the executive director regarding the failure to collect lead and copper samples for the January 1, 2012 - December 31, 2014 monitoring period; 30 TAC §290.117(c)(2)(B) and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed at an approved laboratory and submit the results to the executive director for the January 1, 2015 - December 31, 2015 monitoring period; and 30 TAC §290.122(c)(2)(A) and (f),

by failing to provide public notification and submit a copy of the public notification to the executive director regarding the failure to collect disinfection by-products samples for the second quarter of 2013; PENALTY: \$2,322; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(8) COMPANY: City of Round Rock; DOCKET NUMBER: 2015-1803-EAQ-E; IDENTIFIER: RN102731577; LOCATION: Round Rock, Williamson County; TYPE OF FACILITY: recreation center; RULES VIOLATED: 30 TAC §213.4(a)(1) and §213.5(a)(2), by failing to obtain approval of an organized sewage collection system plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; and 30 TAC §213.5(f)(1), by failing to provide written notification of intent to commence construction to the TCEQ Austin Regional Office no later than 48 hours prior to commencing construction; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Farhaud Abbaszadeh, (512) 239-0779; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(9) COMPANY: COATS INTERNATIONAL HOLDINGS, INCORPORATED; DOCKET NUMBER: 2015-1162-IHW-E; IDENTIFIER: RN106033285; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: former manufacturing facility; RULES VIOLATED: 30 TAC §335.4, by failing to not allow or permit the unauthorized disposal of Industrial Solid Waste and Hazardous Waste to an unauthorized facility; and 30 TAC §§335.62, 335.503, and 335.504 and 40 Code of Federal Regulations §262.11, by failing to conduct hazardous waste determinations and classifications; PENALTY: \$60,938; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(10) COMPANY: CONTINENTAL HOMES OF TEXAS, L.P.; DOCKET NUMBER: 2016-0112-WQ-E; IDENTIFIER: RN106420847; LOCATION: Cibolo, Comal County; TYPE OF FACILITY: residential development; RULE VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System Construction General Permit Number TXR15UE54, Part III, Section G, Number 1, by failing to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants; PENALTY: \$938; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(11) COMPANY: Greg L. Lewis; DOCKET NUMBER: 2015-1638-LII-E; IDENTIFIER: RN104150859; LOCATION: Weatherford, Parker County and Fort Worth, Tarrant County; TYPE OF FACILITY: landscape irrigation installation; RULES VIOLATED: 30 TAC §344.63, by failing to comply with the requirements for a completed installation of an irrigation system; 30 TAC §344.24(a) and §344.35(d)(3), by failing to comply with local inspection requirements; 30 TAC §344.50(e)(3), by failing to install a y-type strainer on the inlet side of the double check valve; 30 TAC §344.35(d)(5) and §344.38, by failing to maintain and make available archival copies of all records for a period of three years from the date installation, maintenance, alteration, repair, or service was completed; and 30 TAC §344.62(k), by failing to install an isolation valve between the backflow prevention device and the water meter; PENALTY: \$3,064; ENFORCEMENT COORDINATOR: Eduardo Heras, (512) 239-2422; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(12) COMPANY: Jeffrey W. Casey dba Casey Services; DOCKET NUMBER: 2015-1466-AIR-E; IDENTIFIER: RN108010521; LOCATION: Devers, Liberty County; TYPE OF FACILITY: dry abrasive

cleaning yard; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to operation; PENALTY: \$1,295; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(13) COMPANY: Kevin Reinhardt; DOCKET NUMBER: 2015-1694-LII-E; IDENTIFIER: RN108747502; LOCATION: Fulshear, Fort Bend County; TYPE OF FACILITY: landscape irrigation; RULES VIOLATED: 30 TAC §30.5(a), TWC, §37.003, and Texas Occupations Code, §1903.251, by failing to hold an irrigator license prior to selling, designing, consulting, installing, altering, repairing, or servicing an irrigation system; PENALTY: \$1,700; ENFORCEMENT COORDINATOR: Eduardo Heras, (512) 239-2422; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(14) COMPANY: Kuraray America, Incorporated; DOCKET NUMBER: 2015-1693-AIR-E; IDENTIFIER: RN100212216; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: petrochemical plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), Federal Operating Permit Number O1561, Special Terms and Conditions Number 16, New Source Review Permit Number 9576, Special Conditions Number 1, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$25,000; Supplemental Environmental Project offset amount of \$12,500; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(15) COMPANY: MOHIT PETROLEUM, LLC dba Texas Country Store 10; DOCKET NUMBER: 2016-0045-PST-E; IDENTIFIER: RN101914026; LOCATION: Orange, Orange County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(16) COMPANY: RACETRAC PETROLEUM, INCORPORATED; DOCKET NUMBER: 2015-1643-PST-E; IDENTIFIER: RN102264397 (Facility Number 1), RN102279429 (Facility Number 2), RN102264082 (Facility Number 3), and RN102262268 (Facility Number 4); LOCATION: Dallas, Dallas County; TYPE OF FACILITY: convenience stores with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the underground storage tank system (Facility Numbers 1 - 4); PENALTY: \$27,000; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(17) COMPANY: Sunoco Pipeline L.P.; DOCKET NUMBER: 2015-1725-AIR-E; IDENTIFIER: RN106456171; LOCATION: Goodrich, Polk County; TYPE OF FACILITY: crude oil storage and pipeline site; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to operation; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(18) COMPANY: TEXAS ARCHITECTURAL AGGREGATE, INCORPORATED; DOCKET NUMBER: 2015-1308-WQ-E; IDENTIFIER: RN104417019; LOCATION: Van Horn, Culberson County; TYPE OF FACILITY: rock crushing facility; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge storm water associated with industrial activities under Texas Pollutant Discharge Elimination System General Permit Number TXR050000; PENALTY: \$2,000; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1206, (915) 834-4949.

(19) COMPANY: Texas Parks and Wildlife Department; DOCKET NUMBER: 2015-1165-MWD-E; IDENTIFIER: RN101234342; LOCATION: Livingston, Polk County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and §319.11(c) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0011722001, Monitoring and Reporting Requirements Number 2.a and Final Effluent Limitations and Monitoring Requirements Number 1, by failing to analyze effluent as specified in the permit; 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0011722001, Operational Requirements Number 1, by failing to properly operate and maintain the facility and all of its systems of collection, treatment, and disposal; 30 TAC §305.125(1) and §319.4 and TPDES Permit Number WQ0011722001, Monitoring and Reporting Requirements Number 1, by failing to include all effluent monitoring results in the discharge monitoring reports; 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0011722001, Sludge Provisions, by failing to timely submit the annual sludge report for the monitoring period ending July 31, 2014 to the TCEQ Beaumont Regional Office and Water Quality Compliance Monitoring Team by September 30, 2014; and 30 TAC §305.125(1) and §319.7(a)(5) and TPDES Permit Number WQ0011722001, Monitoring and Reporting Requirements Number 3.c.vi, by failing to maintain complete and accurate records of monitoring activities; PENALTY: \$4,126; Supplemental Environmental Project offset amount of \$3,301; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(20) COMPANY: The High Frontier, Incorporated and High Frontier Realty, Incorporated; DOCKET NUMBER: 2015-1812-MWD-E; IDENTIFIER: RN101222941; LOCATION: Fort Davis, Jeff Davis County; TYPE OF FACILITY: residential treatment center with multiple septic systems; RULES VIOLATED: TWC, §26.121(a)(1) and 30 TAC §305.42(a), by failing to obtain authorization for the treatment and disposal of domestic wastewater; PENALTY: \$3,300; ENFORCEMENT COORDINATOR: Larry Butler, (512) 239-2543; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1206, (915) 834-4949.

(21) COMPANY: Town of Addison; DOCKET NUMBER: 2015-1490-WQ-E; IDENTIFIER: RN105489736; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: near Dallas; RULES VIOLATED: 30 TAC §281.25(b)(4) and 40 Code of Federal Regulations §122.26(a)(9)(i)(A), by failing to maintain authorization to discharge stormwater associated with a Small Municipal Separate Storm Sewer System Texas Pollutant Discharge Elimination System General Permit; PENALTY: \$15,000; Supplemental Environmental Project offset amount of \$12,000; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(22) COMPANY: Wickson Creek Special Utility District; DOCKET NUMBER: 2015-1766-PWS-E; IDENTIFIER: RN102816345; LOCATION: Iola, Grimes County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the

maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; and 30 TAC §290.117(c)(2)(C) and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed at an approved laboratory, and submit the results to the executive director by the tenth day of the month following the end of the monitoring period for the January 1, 2013 - December 31, 2015 monitoring period; PENALTY: \$345; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3425; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

TRD-201601231

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: March 15, 2016



### Enforcement Orders

An agreed order was approved regarding City of Ballinger, Docket No. 2015-1754-PWS-E on March 15, 2016 assessing \$796 in administrative penalties with \$159 deferred.

Information concerning any aspect of this order may be obtained by contacting Jason Fraley, Enforcement Coordinator at (512) 239-2552, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was approved regarding James Construction Group, L.L.C., Docket No. 2015-1759-WR-E on March 15, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Jill Russell, Enforcement Coordinator at (512) 239-4564, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was approved regarding Jose Santiago, Docket No. 2015-1811-WOC-E on March 15, 2016 assessing \$175 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator at (512) 239-2583, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was approved regarding Underwood Construction, L.P., Docket No. 2015-1809-WQ-E on March 15, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Jill Russell, Enforcement Coordinator at (512) 239-4564, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was approved regarding City of Fort Worth, Docket No. 2016-0015-WQ-E on March 15, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Jill Russell, Enforcement Coordinator at (512) 239-4564, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was approved regarding Bell County Water Control & Improvement District 1, Docket No. 2016-0033-WQ-E on March 15, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Jill Russell, Enforcement Coordinator at (512) 239-4564, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was approved regarding Scadden Real Estate Alternatives, L.L.C., Docket No. 2016-0046-WQ-E on March 15, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Larry Butler, Enforcement Coordinator at (512) 239-2543, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding SPORT HARBOUR LLC, Docket No. 2015-0179-MWD-E on March 15, 2016 assessing \$4,013 in administrative penalties with \$802 deferred.

Information concerning any aspect of this order may be obtained by contacting Raymond Mejia, Enforcement Coordinator at (512) 239-5460, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding St Feed Mill, LLC, Docket No. 2015-0531-MLM-E on March 15, 2016 assessing \$7,163 in administrative penalties with \$1,432 deferred.

Information concerning any aspect of this order may be obtained by contacting Jill Russell, Enforcement Coordinator at (512) 239-4564, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding City of Hondo, Docket No. 2015-0857-PWS-E on March 15, 2016 assessing \$6,750 in administrative penalties with \$1,350 deferred.

Information concerning any aspect of this order may be obtained by contacting Larry Butler, Enforcement Coordinator at (512) 239-1890, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding DEER CREEK FAMILY CAMP, INC., Docket No. 2015-0927-PWS-E on March 15, 2016 assessing \$672 in administrative penalties with \$134 deferred.

Information concerning any aspect of this order may be obtained by contacting Epifanio Villarreal, Enforcement Coordinator at (361) 825-3425, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding Golay Brothers, LLC. dba Indian Creek Mart, Docket No. 2015-1191-PST-E on March 15, 2016 assessing \$3,457 in administrative penalties with \$691 deferred.

Information concerning any aspect of this order may be obtained by contacting John Fennell, Enforcement Coordinator at (512) 239-2616, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding SIBYL SAFA, INC. dba EZ Food Store, Docket No. 2015-1229-PST-E on March 15, 2016 assessing \$5,738 in administrative penalties with \$1,147 deferred.

Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (713) 767-3682, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding ExxonMobil Oil Corporation, Docket No. 2015-1233-AIR-E on March 15, 2016 assessing \$6,563 in administrative penalties with \$1,312 deferred.

Information concerning any aspect of this order may be obtained by contacting Amancio R. Gutierrez, Enforcement Coordinator at (512) 239-3921, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding KHOWAJA ENTERPRISES, INC. dba C Store 104, Docket No. 2015-1306-PST-E on March 15, 2016 assessing \$4,500 in administrative penalties with \$900 deferred.

Information concerning any aspect of this order may be obtained by contacting Abigail Lindsey, Enforcement Coordinator at (512) 239-2576, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding Solvay Specialty Polymers USA, L.L.C., Docket No. 2015-1325-AIR-E on March 15, 2016 assessing \$1,125 in administrative penalties with \$225 deferred.

Information concerning any aspect of this order may be obtained by contacting Rachel Bekowies, Enforcement Coordinator at (512) 239-2608, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding Enable Midstream Partners, LP, Docket No. 2015-1432-AIR-E on March 15, 2016 assessing \$6,825 in administrative penalties with \$1,365 deferred.

Information concerning any aspect of this order may be obtained by contacting Carol McGrath, Enforcement Coordinator at (210) 403-4063, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding HORIZONTAL WESTINGHOUSE INVESTORS, LLC, Docket No. 2015-1446-EAQ-E on March 15, 2016 assessing \$3,375 in administrative penalties with \$675 deferred.

Information concerning any aspect of this order may be obtained by contacting Alejandro Laje, Enforcement Coordinator at (512) 239-2547, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding Enbridge Pipelines (Texas Gathering) L.P., Docket No. 2015-1457-AIR-E on March 15, 2016 assessing \$3,000 in administrative penalties with \$600 deferred.

Information concerning any aspect of this order may be obtained by contacting Jessica Schildwachter, Enforcement Coordinator at (512) 239-2617, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding Soil Express, Ltd., Docket No. 2015-1472-WQ-E on March 15, 2016 assessing \$1,876 in administrative penalties with \$375 deferred.

Information concerning any aspect of this order may be obtained by contacting Farhaud Abbaszadeh, Enforcement Coordinator at (512) 239-0779, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding KILLEEN MAJESTIC HOMES, INC., Docket No. 2015-1534-WQ-E on March 15, 2016 assessing \$2,250 in administrative penalties with \$450 deferred.

Information concerning any aspect of this order may be obtained by contacting Larry Butler, Enforcement Coordinator at (512) 239-2543, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was approved regarding TEXAS CRUSHED STONE COMPANY, Docket No. 2015-1571-WQ-E on March 15, 2016 assessing \$5,000 in administrative penalties with \$1,000 deferred.

Information concerning any aspect of this order may be obtained by contacting Jennifer Graves, Enforcement Coordinator at (956) 430-6023, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201601251  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: March 16, 2016



#### Notice of Hearing

RANDOLPH TODD COMPANY, LLC

SOAH Docket No. 582-16-2586

TCEQ Docket No. 2015-1624-MWD

Permit No. WQ0015314001

#### APPLICATION.

Randolph Todd Company, LLC, 4807 Spicewood Springs Road, Building 2, Suite 104, Austin, Texas 78759, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015314001 to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 390,000 gallons per day. The application was submitted to the TCEQ on November 6, 2014.

The domestic wastewater treatment facility will be located at 2959 South Cranes Mill Road, New Braunfels, in Comal County, Texas 78132. The treated effluent will be discharged to Dry Comal Creek; thence to Comal River in Segment No. 1811 of the Guadalupe River Basin. The unclassified receiving water use is minimal aquatic life use for Dry Comal Creek. The designated uses for Segment No. 1811 are high aquatic life use, public water supply, aquifer protection, and primary contact recreation. In accordance with 30 Texas Administrative Code (TAC) §307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Bulverde/Spring Branch Public Library, 131 Bulverde Crossing, Bulverde, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.782332&lng=-98.283048&zoom=13&type=r>. For the exact location, refer to the application.

## CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

10:00 a.m. - April 25, 2016

Comal County Courthouse

100 Main Plaza - 2nd Floor

New Braunfels, Texas 78130

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on January 29, 2016. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

## INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>.

Further information may also be obtained from Randolph Todd Company, LLC at the address stated above or by calling Mr. Oscar D. Graham, P.E., South Texas Wastewater Treatment, at (830) 249-8098.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week prior to the hearing.

Issued: March 11, 2016

TRD-201601250

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: March 16, 2016



## Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **April 25, 2016**. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper,

inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on April 25, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075 provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: ALLIED TRADING CORPORATION d/b/a A & Q Chevron Food Mart; DOCKET NUMBER: 2015-0941-PST-E; TCEQ ID NUMBER: RN101434629; LOCATION: 431 West Little York Road, Houston, Harris County; TYPE OF FACILITY: underground storage tank system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(d) and 30 TAC §334.49(c)(4)(C), by failing to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years; PENALTY: \$5,173; STAFF ATTORNEY: Amanda Patel, Litigation Division, MC 175, (512) 239-3990; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Luis R. Rodriguez; DOCKET NUMBER: 2015-1149-MLM-E; TCEQ ID NUMBER: RN107793531; LOCATION: the end of a dirt road south of Sanders Road, Seadrift, Calhoun County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) disposal site; RULES VIOLATED: 30 TAC §330.15(c), by causing, suffering, allowing, or permitting the unauthorized disposal of MSW; and Texas Health and Safety Code, §382.085(b) and 30 TAC §111.201, by causing, suffering, allowing, or permitting outdoor burning within the State of Texas; PENALTY: \$4,577; STAFF ATTORNEY: Audrey Liter, Litigation Division, MC 175, (512) 239-0684; REGIONAL OFFICE: Corpus Christi Regional Office, NRC Building, Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(3) COMPANY: Upper Padre Partners, LP d/b/a Schlitterbahn NP Water Resort; DOCKET NUMBER: 2015-1238-MLM-E; TCEQ ID NUMBER: RN101749299; LOCATION: 14353 Commodores Drive, Corpus Christi, Nueces County; TYPE OF FACILITY: underground storage tank (UST) system and aboveground storage tank (AST) system; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the UST for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); 30 TAC §334.7(d)(3) and (e)(2), by failing to notify the agency of any change or addition within 30 days from the date of the occurrence of the change or addition, or within 30 days from the date on which the owner or operator first became aware of the change or addition; 30 TAC §334.54(b)(2), by failing to maintain all piping, pumps, manways, tank access points and ancillary equipment in a capped, plugged, locked, and/or otherwise secured condition to prevent access, tampering, or vandalism by unauthorized persons; TWC, §26.346(a) and 30 TAC §334.127(a)(1), by failing to register an AST within 30 days of installation; 30 TAC §334.126(a)(1), by failing to provide notification to the agency at least 30 days prior to installing a new AST; and 40 Code of Federal Regulations §279.22(c)(1) and

30 TAC §324.1, by failing to label or clearly mark containers used to store used oil; PENALTY: \$12,105; STAFF ATTORNEY: David A. Terry, Litigation Division, MC 175, (512) 239-0619; REGIONAL OFFICE: Corpus Christi Regional Office, NRC Building, Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(4) COMPANY: W B DIAMOND INVESTMENTS, INC d/b/a Petro City; DOCKET NUMBER: 2015-0311-PST-E; TCEQ ID NUMBER: RN105984553; LOCATION: 1720 South Town East Boulevard, Mesquite, Dallas County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$7,125; STAFF ATTORNEY: Jess Robinson, Litigation Division, MC 175, (512) 239-0455; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201601232

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: March 15, 2016



#### Notice of Opportunity to Comment on Default Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **April 25, 2016**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on April 25, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC,

§7.075 provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: Lake Corpus Christi RV Park & Marina, L.L.C.; DOCKET NUMBER: 2015-1670-PWS-E; TCEQ ID NUMBER: RN101254266; LOCATION: 250 Boat Ramp Road, Sandia, Live Oak County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.109(c)(3)(A)(ii), by failing to collect a set of repeat distribution coliform samples within 24 hours of being notified of a total coliform-positive sample result for a routine distribution coliform sample; 30 TAC §290.109(c)(4)(B), by failing to collect, within 24 hours of notification of a routine distribution total coliform-positive sample, at least one raw groundwater source *E. coli* sample from each groundwater source in use at the time the distribution coliform-positive sample was collected; 30 TAC §290.122(c)(2)(A) and (f), by failing to issue public notification and submit a copy of the public notification to the executive director regarding the failure to conduct repeat coliform monitoring; and TWC, §5.702 and 30 TAC §290.51(a)(6), by failing to pay Public Health Service fees for the year 2015 and associated interest and penalties; PENALTY: \$765; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: Corpus Christi Regional Office, NRC Building, Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(2) COMPANY: METROPLEX QUARRY'S INC.; DOCKET NUMBER: 2015-0525-WQ-E; TCEQ ID NUMBER: RN101915148; LOCATION: 1405 Hess Road, Mineral Wells, Palo Pinto County; TYPE OF FACILITY: aggregate production operation (APO); RULE VIOLATED: 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$5,000; STAFF ATTORNEY: Tracy Chandler, Litigation Division, MC 175, (512) 239-0629; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: Ruben Sylva; DOCKET NUMBER: 2015-1158-MLM-E; TCEQ ID NUMBER: RN106373566; LOCATION: 687 West Farm-to-Market Road 351, Beeville, Bee County; TYPE OF FACILITY: unauthorized disposal site; RULES VIOLATED: 30 TAC §330.15(c), by causing, suffering, allowing, or permitting the unauthorized disposal of municipal solid waste; and Texas Health and Safety Code, §382.085(b) and 30 TAC §111.201, by causing, suffering, allowing, or permitting outdoor burning within the State of Texas; PENALTY: \$12,547; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: Corpus Christi Regional Office, NRC Building, Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas 78412-5839, (361) 825-3100.

TRD-201601233

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: March 15, 2016



#### Notice of Public Hearing on Proposed Revisions to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to the state implementation plan (SIP) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed SIP revision would satisfy Section 175A(b) of the Federal Clean Air Act, which requires states to submit an additional revision to the SIP eight years after redesignation of any area as an attainment area. This second maintenance plan must demonstrate continued attainment of the standard 10 years after the expiration of the initial maintenance period. The effective date for El Paso's redesignation to attainment for the eight-hour primary carbon monoxide (CO) National Ambient Air Quality Standard (NAAQS) was October 3, 2008. The proposed SIP revision is due to the United States Environmental Protection Agency by October 3, 2016 and would demonstrate continued maintenance of the CO NAAQS for the period of October 2018 through October 2028.

The commission will hold a public hearing on this proposal in El Paso, Texas on April 13, 2016 at 2:00 p.m. (MST) at the El Paso Main Library's Maud Sullivan Gallery located at 501 N. Oregon. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Joyce Spencer-Nelson, Air Quality Division, at (512) 239-5017 or 1-800-RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Amanda Sharp, MC 206, Air Quality Division, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or faxed to (512) 239-6188. Electronic comments may be submitted at: <http://www1.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the *eComments* system. All comments should reference Project Number 2015-015-SIP-NR. The comment period closes April 18, 2016. Copies of the proposed SIP revision can be obtained from the commission's website at <http://www.tceq.state.tx.us/airquality/sip/elp/elp-latest-co>. For further information, please contact Amanda Sharp, Air Quality Division, (512) 239-4901.

TRD-201601208

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: March 11, 2016

## Texas Facilities Commission

### Request for Proposals #303-6-20553

The Texas Facilities Commission (TFC), on behalf of the Texas Department of Criminal Justice (TDCJ), announces the issuance of Request for Proposals (RFP) #303-6-20553. TFC seeks a five (5) or ten (10) year lease of approximately 28,104 square feet of office space in Huntsville, Texas.

The deadline for questions is April 5, 2016, and the deadline for proposals is April 13, 2016, at 3:00 p.m. The award date is May 18, 2016. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494.

A copy of the RFP may be downloaded from the Electronic State Business Daily at [http://esbd.cpa.state.tx.us/bid\\_show.cfm?bidid=123283](http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=123283).

TRD-201601221

Kay Molina

General Counsel

Texas Facilities Commission

Filed: March 14, 2016

### Request for Proposals #303-7-20552

The Texas Facilities Commission (TFC), on behalf of the Health and Human Services Commission (HHSC), the Department of State Health Services (DSHS), the Department of Aging and Disability Services (DADS), the Department of Assistive and Rehabilitative Services (DARS) and the Department of Family and Protective Services (DFPS), announces the issuance of Request for Proposals (RFP) #303-7-20552. TFC seeks a five (5) or ten (10) year lease of approximately 4,956 square feet of office space in Huntsville, Texas.

The deadline for questions is April 5, 2016, and the deadline for proposals is April 19, 2016, at 3:00 p.m. The award date is May 18, 2016. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at [http://esbd.cpa.state.tx.us/bid\\_show.cfm?bidid=123286](http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=123286).

TRD-201601222

Kay Molina

General Counsel

Texas Facilities Commission

Filed: March 14, 2016

## Department of Family and Protective Services

### Title IV-B Child and Family Services Plan

The Texas Department of Family and Protective Services (DFPS), as the designated agency to administer Title IV-B programs in the state of Texas, is developing the annual update of the 2015 - 2019 Title IV-B Child and Family Services Plan (CFSP) for Texas. Under guidelines issued by the U.S. Department of Health and Human Services, Administration for Children and Families, DFPS is required to review the progress made in the previous year toward accomplishing the goals and objectives identified in the state's five year CFSP for the period from October 1, 2015, through September 30, 2019.

The Annual Progress and Services Report (APSR) is required for the state to receive its federal allocation for fiscal year 2017 authorized under Title IV-B of the Social Security Act, Subparts 1 and 2, and the Child Abuse Prevention and Treatment Act (CAPTA). The APSR also gives states an opportunity to apply for fiscal year 2017 funds for the Chafee Foster Care Independence Program. The annual report referenced above must be submitted by June 30, 2016.

The purpose of this notice is to solicit input in the development of the Annual Progress and Services Report. This input will enable the agency to consider and include any changes in our state plan in order to best meet the needs of the children and families the agency serves. Members of the public can obtain more detailed information regarding

the Child and Family Services Plan (CFSP) from the DFPS web site at [http://www.dfps.state.tx.us/About\\_DFPS/Title\\_IV-B\\_State\\_Plan/](http://www.dfps.state.tx.us/About_DFPS/Title_IV-B_State_Plan/). The web site includes a copy of the 2015-2019 CFSP and the 2015 Annual Progress Services Report.

Written comments regarding this annual update of the five-year CFSP may be faxed or mailed to: Texas Department of Family and Protective Services, Attention: Max Villarreal at: [max.villarreal@dfps.state.tx.us](mailto:max.villarreal@dfps.state.tx.us) or P.O. Box 149030, MC Y-934; Austin, Texas 78714-9030; telephone (512) 919-7868; fax (512) 339-5927. The comments must be received no later than May 5, 2016.

TRD-201601205

Trevor Woodruff

General Counsel

Department of Family and Protective Services

Filed: March 10, 2016

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## General Land Office

### Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 Federal Register pp. 1439-1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of January 18, 2016 through March 14, 2016. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, March 18, 2016. The public comment period for this project will close at 5:00 p.m. on Monday, April 18, 2016.

#### FEDERAL AGENCY ACTIONS:

**Applicant:** Port of Beaumont

**Location:** The project site is located in wetlands located adjacent to Neches River, on property immediately south of Interstate 10, in Beaumont, Orange County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Beaumont East, Texas.

#### LATITUDE & LONGITUDE (NAD 83):

Latitude: 30.093961° North; Longitude: 94.078550° West

**Project Description:** The proposed work involves placing fill material into 21.46 acres of wetlands for industrial development at the Port of Beaumont. The facilities would consist of a new access road, truck unloading area, tank storage, warehouse, and an administration building. Construction of the project will consist of clearing vegetation, excavating, filling and grading the topography as necessary to provide a suitable elevation and foundation for the facilities.

The applicant has proposed compensatory mitigation for the wetland impacts by purchasing mitigation credits through Piney Woods Mitigation Bank. An HGM analysis determined that temporary storage and detention of surface water required 14.76 Functional Capacity Units (FCUs), maintenance of plant and animal communities required 9.85 FCUs, and removal of elements and compounds requires 16.26 FCUs. Since the project is in the secondary service area of the Piney Woods

Mitigation Bank, a 1.5:1 service area multiplier would apply for a total of 61.31 credits to be purchased.

**CMP Project No:** 16-1041-F1

**Type of Application:** U.S. Army Corps of Engineers (USACE) permit application #SWG-2008-01352. This application will be reviewed pursuant to Section 404 of the Clean Water Act.

**Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality under §401 of the Clean Water Act (33 U.S.C.A. §1344).**

Pursuant to §306(d)(14) of the Coastal Zone Management Act of 1972 (16 U.S.C.A. §§1451-1464), as amended, interested parties are invited to submit comments on whether a proposed action or activity is or is not consistent with the Texas Coastal Management Program goals and policies and whether the action should be referred to the Land Commissioner for review.

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection may be obtained from Mr. Ray Newby, P.O. Box 12873, Austin, Texas 78711-2873 or via email at [federal.consistency@glo.texas.gov](mailto:federal.consistency@glo.texas.gov). Comments should be sent to Mr. Newby at the above address or by email.

TRD-201601256

Anne L. Idsal

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: March 16, 2016

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### Notice of Request for Proposal for Co-Sourced Investment Audit Consulting Services

The Texas General Land Office (GLO) is seeking a consultant to provide services related to co-sourced assurance consulting services and subject matter expertise to GLO's Office of Internal Audit. The selected Contractor shall assist the GLO's Office of Internal Audit staff with upcoming audit and consulting work. The GLO intends to issue a single contract for specific investment focused engagements over the specified period. The co-sourced contractor will provide specialized skills, industry and subject matter knowledge in investments and information technology to assist the Director of Internal Audit and Internal Audit during fiscal years 2016 and 2017 (September 1, 2015, through August 31, 2017). It is anticipated that services will be required for specific subject matter areas associated with Investments, Information Technology, and Other Services

Pursuant to §§2254.029 and §2254.031 of the Texas Government Code, the GLO is seeking to contract for consulting services relating to the investments and information technology specialized skills to GLO's Office of Internal Audit beginning September 1, 2015, through August 31, 2017.

Persons interested in a copy of the Request for Proposal NO. X0008309-DF should contact Debby French, Procurement Division, Texas General Land Office, at (512) 463-5309 or [debby.french@glo.texas.gov](mailto:debby.french@glo.texas.gov) to request a copy. The closing date for receipt of proposals is April 15, 2016. The date of award is anticipated to be on or before May 1, 2016.

Further information may be obtained by contacting Kelly McBride, Texas General Land Office, 1700 N. Congress Avenue, Austin, Texas 78701-1495, telephone (512) 305-9108.

TRD-201601219

Anne L. Idsal  
Chief Clerk, Deputy Land Commissioner  
General Land Office  
Filed: March 14, 2016

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**Texas Health and Human Services Commission**

**Public Notice - MTO Nonemergency Medical Transportation**

The Texas Health and Human Services Commission (HHSC) is submitting an amendment to the Managed Transportation Organization (MTO) Nonemergency Medical Transportation (NEMT) waiver to the Centers for Medicare & Medicaid Services (CMS). The purpose of this amendment is to change the contractor in Managed Transportation Organization (MTO) Region 4 from Texhoma Area Paratransit System (TAPS) to the State. Effective November 12, 2015, the State terminated the contract with TAPS and assumed responsibilities for services in that region. This amendment does not impact eligibility standards, methods or procedures. In addition, the amendment does not impact cost effectiveness. The current waiver is scheduled to expire August 31, 2016. The proposed effective date of the amendment is August 1, 2016.

In 2014, the State received CMS approval for the 1915(b) MTO NEMT waiver, which allows MTOs to provide the full range of nonemergency medical transportation (NEMT) services (e.g., mass transit, mileage reimbursement, meal and lodging, and demand response) to clients in their MTO Region. Through this waiver, a managed transportation delivery model was implemented in certain counties throughout the state. These MTOs have the flexibility to meet clients' transportation needs through direct delivery and subcontracting for transportation services. The waiver did not change the NEMT scope of benefits for the individuals who use this service. HHSC retains sole authority to approve individual services and benefits. The waiver allows the MTOs to own their own vehicles, and the State reimburses the MTOs utilizing a capitated arrangement.

To obtain a free copy of the proposed waiver amendment, or to ask questions, request additional information, or submit comments regarding this amendment, please contact Jaqueline Pernell by mail at Texas Health and Human Services Commission, P.O. Box 85200, Mail Code H-600, Austin, Texas 78708-5200, phone (512) 428-1931, fax (512) 730-7477, or by email at [TX\\_Medicaid\\_Waivers@hhsc.state.tx.us](mailto:TX_Medicaid_Waivers@hhsc.state.tx.us).

TRD-201601248  
Karen Ray  
Chief Counsel  
Texas Health and Human Services Commission  
Filed: March 16, 2016

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**Texas Department of Housing and Community Affairs**

**Announcement of the Public Comment Period for the Draft 2016 State of Texas Consolidated Plan Annual Performance Report - Reporting on Program Year 2015**

This notice is being re-submitted because the date in the original notice was incorrect.

The Texas Department of Housing and Community Affairs ("Department") announces the opening of a 15-day public comment period for the *State of Texas Draft 2016 Consolidated Plan Annual Performance Report - Reporting on Program Year 2015 ("the Report")* as required by the U.S. Department of Housing and Urban Development ("HUD").

The Report is required as part of the overall requirements governing the State's consolidated planning process. The Report is submitted in compliance with 24 CFR 91.520, Consolidated Plan Submissions for Community Planning and Development Programs. The 15-day public comment period begins Friday, April 1, 2016, and continues until 6:00 p.m. Austin Local Time on Friday, April 15, 2016.

The Report gives the public an opportunity to evaluate the performance of the past program year for four HUD programs: the Community Development Block Grant Program administered by the Texas Department of Agriculture, the Emergency Shelter Grants and HOME Investment Partnerships programs administered by the Department, and the Housing Opportunities for Persons with AIDS Program administered by the Texas Department of State Health Services. The following information is provided for each of the four programs covered in the Report: a summary of program resources and programmatic accomplishments; a series of narrative statements on program performance over the past year; a qualitative analysis of program actions and experiences; and a discussion of program successes in meeting program goals and objectives.

Beginning April 1, 2016, the Report will be available on the Department's website at [www.tdhca.state.tx.us](http://www.tdhca.state.tx.us). A hard copy can be requested by contacting the Housing Resource Center at P.O. Box 13941, Austin, Texas 78711-3941 or by calling (512) 475-3976.

Written comment should be sent by mail to the Texas Department of Housing and Community Affairs, Housing Resource Center, P.O. Box 13941, Austin, Texas 78711-3941, by email to [info@tdhca.state.tx.us](mailto:info@tdhca.state.tx.us), or by fax to (512) 475-0700.

TRD-201601224  
Timothy K. Irvine  
Executive Director  
Texas Department of Housing and Community Affairs  
Filed: March 14, 2016

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**Notice of Public Hearing - Multifamily Housing Revenue Bonds (Gateway at Hutchins)**

Notice is hereby given of a public hearing to be held by the Texas Department of Housing and Community Affairs (the "Issuer") at the Wilmer Hutchins Elementary School, 7475 J.J. Lemmon Road, Dallas, Texas 75241 at 6:00 p.m. on April 12, 2016. The hearing is regarding an issue of tax-exempt multifamily residential rental development revenue bonds in an aggregate principal amount not to exceed \$29,000,000 and taxable bonds, if necessary, in an amount to be determined, to be issued in one or more series (the "Bonds"), by the Issuer. The proceeds of the Bonds will be loaned to Hutchins 805 North Denton, LLC, a Texas limited liability company, or a related person or affiliate thereof (the "Borrower"), to finance a portion of the costs of acquiring and constructing a multifamily housing development. The housing development is described as follows: an approximately 336-unit multifamily housing development to be located at approximately 805 North Denton Street, Hutchins, Dallas County, Texas 75141 (the "Development"). Upon the issuance of the Bonds, the Development will be owned by the Borrower.

All interested parties are invited to attend such public hearing to express their views with respect to the Development and the issuance of the Bonds. Questions or requests for additional information may be directed to Shannon Roth at the Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas 78711-3941; (512) 475-3929; and/or [shannon.roth@tdhca.state.tx.us](mailto:shannon.roth@tdhca.state.tx.us).

Persons who intend to appear at the hearing and express their views are invited to contact Shannon Roth in writing in advance of the hearing. Any interested persons unable to attend the hearing may submit their views in writing to Shannon Roth prior to the date scheduled for the hearing. Individuals who require a language interpreter for the public hearing should contact Elena Peinado at (512) 475-3814 at least five days prior to the hearing date so that appropriate arrangements can be made. Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado al siguiente número (512) 475-3814 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.

Individuals who require auxiliary aids in order to attend this hearing should contact Gina Esteves, ADA Responsible Employee, at (512) 475-3943 or Relay Texas at (800) 735-2989 at least five days before the hearing so that appropriate arrangements can be made.

This notice is published and the hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

<http://www.tdhca.state.tx.us/multifamily/communities.htm>

TRD-201601235

Timothy K. Irvine

Executive Director

Texas Department of Housing and Community Affairs

Filed: March 15, 2016



### Notice of Public Hearing - Multifamily Housing Revenue Bonds (Sunrise Orchard Apartments)

Notice is hereby given of a public hearing to be held by the Texas Department of Housing and Community Affairs (the "Issuer") at the Smith Neighborhood Library, 3624 Scott Street, Houston, Texas 77004 at 12:00 p.m. on April 13, 2016. The hearing is regarding an issue of tax-exempt multifamily residential rental development revenue bonds in an aggregate principal amount not to exceed \$4,800,000 and taxable bonds, if necessary, in an amount to be determined, to be issued in one or more series (the "Bonds"), by the Issuer. The proceeds of the Bonds will be loaned to Sunrise Orchard, LP, a Texas limited partnership, or a related person or affiliate thereof (the "Borrower"), to finance a portion of the costs of acquiring and constructing a multifamily housing development. The housing development is described as follows: an approximately 52-unit multifamily housing development to be located at 5300 Sunrise Road, Houston, Harris County, Texas 77021 (the "Development"). Upon the issuance of the Bonds, the Development will be owned by the Borrower.

All interested parties are invited to attend such public hearing to express their views with respect to the Development and the issuance of the Bonds. Questions or requests for additional information may be directed to Shannon Roth at the Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas 78711-3941; (512) 475-3929; and/or [shannon.roth@tdhca.state.tx.us](mailto:shannon.roth@tdhca.state.tx.us).

Persons who intend to appear at the hearing and express their views are invited to contact Shannon Roth in writing in advance of the hearing. Any interested persons unable to attend the hearing may submit their views in writing to Shannon Roth prior to the date scheduled for the hearing. Individuals who require a language interpreter for the public hearing should contact Elena Peinado at (512) 475-3814 at least five days prior to the hearing date so that appropriate arrangements can be made. Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado al siguiente número (512) 475-3814 por lo

menos cinco días antes de la junta para hacer los preparativos apropiados.

Individuals who require auxiliary aids in order to attend this hearing should contact Gina Esteves, ADA Responsible Employee, at (512) 475-3943 or Relay Texas at (800) 735-2989 at least five days before the hearing so that appropriate arrangements can be made.

This notice is published and the hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

<http://www.tdhca.state.tx.us/multifamily/communities.htm>

TRD-201601234

Timothy K. Irvine

Executive Director

Texas Department of Housing and Community Affairs

Filed: March 15, 2016



### Texas Department of Licensing and Regulation

#### Vacancies on Architectural Barriers Advisory Committee

The Texas Department of Licensing and Regulation (Department) announces five vacancies on the Architectural Barriers Advisory Committee (Committee) established by Texas Government Code, Chapter 469. The pertinent rules may be found in 16 Texas Administrative Code §68.65. The purpose of the Architectural Barriers Advisory Committee is to advise the Texas Commission of Licensing and Regulation (Commission) in adopting rules relating to the Elimination of Architectural Barriers program.

The Committee is composed of nine members appointed by the presiding officer of the Commission, with the Commission's approval. The Committee consists of: (1) building professionals; and (2) persons with disabilities; who are familiar with architectural barrier problems and solutions. Members serve at the will of the Commission. Persons with disabilities must make up the majority of the committee.

This announcement is to fill the five Committee vacancies with two persons with a disability and three building professionals who are familiar with architectural barrier problems and solutions.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request a paper application from the Department by telephone (800) 803-9202, fax (512) 475 2874 or e-mail [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

TRD-201601243

William H. Kuntz, Jr.

Executive Director

Texas Department of Licensing and Regulation

Filed: March 15, 2016



#### Vacancies on Combative Sports Advisory Board

The Texas Department of Licensing and Regulation (Department) announces vacancies on the Combative Sports Advisory Board (Board) established by 16 Texas Administrative Code §61.120. The purpose of the Combative Sports Advisory Board is to provide advice and recommendations to the Texas Commission of Licensing and Regulation (Commission) and the Department on the health and safety of contestants and other matters relevant to the administration and enforcement of this Chapter. The Board meets at the call of the presiding officer of

the Commission or the Department's Executive Director. Service as a Board member is voluntary and compensation is not authorized by law.

The Board is composed of nine members appointed by the presiding officer of the Commission, with the approval of the Commission. The Board members serve terms of six years, with the terms of two or three members, expiring on February 1 of each odd-numbered year. If a license is required to hold any of the member positions on the Board, the license must be issued by the State of Texas, in good standing at appointment and throughout the balance of the term. The Board is composed of the following members: four physicians; one representative of a boxing promoter; one representative of a mixed martial arts promoter; one combative sports referee or judge licensed at least three years; one former combative sports contestant; and one public member. This announcement is for the positions listed above.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request a paper application from the Department by telephone at (800) 803-9202, fax at (512) 475-2874, or e-mail at [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

TRD-201601246

William H. Kuntz, Jr.

Executive Director

Texas Department of Licensing and Regulation

Filed: March 15, 2016



#### Vacancies on Elevator Advisory Board

The Texas Department of Licensing and Regulation (Department) announces three vacancies on the Elevator Advisory Board (Board) established by Texas Health and Safety Code, Chapter 754, §754.012 and §754.013. The pertinent rules may be found in 16 Texas Administrative Code §74.65. The purpose of the Elevator Advisory Board (Board) is to advise the Texas Commission of Licensing and Regulation (Commission) on the adoption of appropriate standards for the installation, alteration, operation and inspection of equipment; the status of equipment used by the public in this state; sources of information relating to equipment safety; public awareness programs related to elevator safety, including programs for sellers and buyers of single-family dwellings with elevators, chairlifts, or platform lifts; and any other matter considered relevant by the Commission.

The Board is composed of nine members appointed by the presiding officer of the Commission, with the Commission's approval. The Board consists of a representative of the insurance industry or a certified elevator inspector; a representative of equipment constructors; a representative of owners or managers of a building having fewer than six stories and having equipment; a representative of owners or managers of a building having six stories or more and having equipment; a representative of independent equipment maintenance companies; a representative of equipment manufacturers; a licensed or registered engineer or architect; a public member; and a public member with a physical disability. Members serve at the will of the Commission. Service is voluntary and compensation is not authorized by law.

This announcement is for the following positions: a representative of the insurance industry or a certified elevator inspector; a representative of equipment manufacturers; and a public member with a physical disability.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request a paper application from the Department

by telephone (800) 803-9202, fax (512) 475-2874 or e-mail [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

TRD-201601244

William H. Kuntz, Jr.

Executive Director

Texas Department of Licensing and Regulation

Filed: March 15, 2016



#### Vacancies on Property Tax Consultants Advisory Council

The Texas Department of Licensing and Regulation (Department) announces two vacancies on the Property Tax Consultants Advisory Council (Council) established by Texas Occupations Code, Chapter 1152. The pertinent rules may be found in 16 Texas Administrative Code §66.65. The purpose of the Property Tax Consultants Advisory Council is to advise the Texas Commission of Licensing and Regulation (Commission) on standards of practice, conduct, and ethics for registrants; setting fees; examination contents and standards of performance for senior property tax consultants; recognition of continuing education programs and courses for registrants; and establishing educational requirements for initial applicants.

The Council is composed of seven members appointed by the presiding officer of the Commission, with the Commission's approval. The Council consists of six registered property tax consultants and one public member. Each person appointed for membership on the council must: be a registered senior property tax consultant; a member of a nonprofit, voluntary trade association that has a membership primarily composed of individuals who perform property tax consulting services in this state or who engage in property tax management in this state for other persons, has written experience and examination requirements for membership, and subscribes to a code of professional conduct or ethics; a resident of this state for the five years preceding the date of the appointment; and have performed or supervised the performance of property tax consulting services as the individual's primary occupation continuously for the five years preceding the date of the appointment. Members serve staggered three-year terms. This announcement is for two registered property tax consultants.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202, fax (512) 475-2874 or e-mail [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

TRD-201601245

William H. Kuntz, Jr.

Executive Director

Texas Department of Licensing and Regulation

Filed: March 15, 2016



#### Texas Lottery Commission

Scratch Ticket Game Number 1754 "Cats vs. Dogs - Dogs vs. Cats"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1754 is "CATS VS. DOGS - DOGS VS. CATS". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1754 shall be \$2.00 per Ticket.

1.2 Definitions in Scratch Ticket Game No. 1754.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02,

03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, BOWL SYMBOL, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$1,000 and \$30,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO.1754 - 1.2D

| <b>PLAY SYMBOL</b> | <b>CAPTION</b> |
|--------------------|----------------|
| 01                 | ONE            |
| 02                 | TWO            |
| 03                 | THR            |
| 04                 | FOR            |
| 05                 | FIV            |
| 06                 | SIX            |
| 07                 | SVN            |
| 08                 | EGT            |
| 09                 | NIN            |
| 10                 | TEN            |
| 11                 | ELV            |
| 12                 | TLV            |
| 13                 | TRN            |
| 14                 | FTN            |
| 15                 | FFN            |
| 16                 | SXN            |
| 17                 | SVT            |
| 18                 | ETN            |
| 19                 | NTN            |
| 20                 | TWY            |
| 21                 | TWON           |
| 22                 | TWTO           |
| 23                 | TWTH           |
| 24                 | TWFR           |
| 25                 | TWV            |
| <b>BOWL SYMBOL</b> | <b>WINX5</b>   |
| \$2.00             | TWO\$          |
| \$4.00             | FOR\$          |
| \$5.00             | FIV\$          |
| \$10.00            | TEN\$          |
| \$20.00            | TWY\$          |
| \$50.00            | FFTY\$         |
| \$100              | ONHN\$         |
| \$1,000            | ONTH           |
| \$30,000           | 30TH           |

E. Serial Number - A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Low-Tier Prize - A prize of \$2.00, \$4.00, \$5.00, \$10.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$50.00 or \$100.

H. High-Tier Prize - A prize of \$1,000 or \$30,000.

I. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

J. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1754), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 1754-0000001-001.

K. Pack - A Pack of the "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. Please note the Packs will be in an A, B, C and D configuration.

L. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC Chapter 401.

M. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game No. 1754.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule §401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 22 (twenty-two) Play Symbols. If a player matches any of YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the PRIZE for that number. If a player reveals a "BOWL" Play Symbol, the player wins 5 TIMES the PRIZE for that symbol! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly 22 (twenty-two) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;

5. The Scratch Ticket shall be intact;

6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;

7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut and have exactly 22 (twenty-two) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 22 (twenty-two) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 22 (twenty-two) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

- A. Consecutive Non-Winning Tickets in a Pack will not have matching play data, spot for spot.
- B. The top Prize Symbol will appear on every Ticket unless restricted by other parameters, play action or prize structure.
- C. No matching non-winning YOUR NUMBERS Play Symbols on a Ticket.
- D. No matching WINNING NUMBERS Play Symbols on a Ticket.
- E. The "BOWL" (WINX5) Play Symbol will only appear as dictated by the prize structure.
- F. No more than two (2) matching non-winning Prize Symbols on a Ticket.
- G. A non-winning Prize Symbol will never be the same as a winning Prize Symbol.
- H. No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 5 and \$5).

## 2.3 Procedure for Claiming Prizes.

- A. To claim a "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00 or \$100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00 or \$100 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.
- B. To claim a "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game prize of \$1,000 or \$30,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.
- C. As an alternative method of claiming a "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.
- D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:
  - 1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

- a. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
  - b. in default on a loan made under Chapter 52, Education Code; or
  - c. in default on a loan guaranteed under Chapter 57, Education Code; and
- 2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.
- E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.
- ## 2.4 Allowance for Delay of Payment.
- The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:
- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
  - B. if there is any question regarding the identity of the claimant;
  - C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or
  - D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.
- ## 2.5 Payment of Prizes to Persons Under 18.
- If a person under the age of 18 years is entitled to a cash prize under \$600 from the "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.
- ## 2.6
- If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "CATS VS. DOGS - DOGS VS. CATS" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.
- ## 2.7 Scratch Ticket Claim Period.
- All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.
- ## 2.8 Disclaimer.
- The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.
- ## 3.0 Scratch Ticket Ownership.
- A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature

appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 7,080,000 Scratch Tickets in Scratch Ticket Game No. 1754. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1754 - 4.0

| Prize Amount | Approximate Number of Winners* | Approximate Odds are 1 in ** |
|--------------|--------------------------------|------------------------------|
| \$2          | 679,680                        | 10.42                        |
| \$4          | 509,760                        | 13.89                        |
| \$5          | 169,920                        | 41.67                        |
| \$10         | 113,280                        | 62.50                        |
| \$20         | 113,280                        | 62.50                        |
| \$50         | 19,529                         | 362.54                       |
| \$100        | 3,540                          | 2,000.00                     |
| \$1,000      | 47                             | 150,638.30                   |
| \$30,000     | 6                              | 1,180,000.00                 |

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 4.40. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1754 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1754, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC Chapter 401, and all final decisions of the Executive Director.

TRD-201601226  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: March 14, 2016



Scratch Ticket Game Number 1756 "High Roller Casino Action"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1756 is "HIGH ROLLER CASINO ACTION". The play style is "multiple games".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1756 shall be \$50.00 per Ticket.

1.2 Definitions in Scratch Ticket Game No. 1756.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink and in red ink in the positive except for dual-image games. The following Play Symbols printed separately in black and red are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, \$50.00, \$70.00, \$100, \$200, \$500, \$1,000, \$2,000, \$10,000 and \$7,500,000. The following possible Prize Symbols printed in black are: STAR SYMBOL, ONE DICE SYMBOL, TWO DICE SYMBOL, THREE DICE SYMBOL, FOUR DICE SYMBOL, FIVE DICE SYMBOL and SIX DICE SYMBOL.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink

in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 1756 – 1.2D

| <b>PLAY SYMBOL</b> | <b>CAPTION</b> |
|--------------------|----------------|
| 01 (BLACK)         | ONE            |
| 02 (BLACK)         | TWO            |
| 03 (BLACK)         | THR            |
| 04 (BLACK)         | FOR            |
| 05 (BLACK)         | FIV            |
| 06 (BLACK)         | SIX            |
| 07 (BLACK)         | SVN            |
| 08 (BLACK)         | EGT            |
| 09 (BLACK)         | NIN            |
| 10 (BLACK)         | TEN            |
| 11 (BLACK)         | ELV            |
| 12 (BLACK)         | TLV            |
| 13 (BLACK)         | TRN            |
| 14 (BLACK)         | FTN            |
| 15 (BLACK)         | FFN            |
| 16 (BLACK)         | SXN            |
| 17 (BLACK)         | SVT            |
| 18 (BLACK)         | ETN            |
| 19 (BLACK)         | NTN            |
| 20 (BLACK)         | TWY            |
| 21 (BLACK)         | TWON           |
| 22 (BLACK)         | TWTO           |
| 23 (BLACK)         | TWTH           |
| 24 (BLACK)         | TWFR           |
| 25 (BLACK)         | TWV            |
| 26 (BLACK)         | TWSX           |
| 27 (BLACK)         | TWSV           |
| 28 (BLACK)         | TWET           |
| 29 (BLACK)         | TWNI           |
| 30 (BLACK)         | TRTY           |
| 31 (BLACK)         | TRON           |
| 32 (BLACK)         | TRTO           |
| 33 (BLACK)         | TRTH           |
| 34 (BLACK)         | TRFR           |
| 35 (BLACK)         | TRFV           |
| 36 (BLACK)         | TRSX           |
| 37 (BLACK)         | TRSV           |
| 38 (BLACK)         | TRET           |
| 39 (BLACK)         | TRNI           |
| 40 (BLACK)         | FRTY           |
| 41 (BLACK)         | FRON           |
| 42 (BLACK)         | FRTO           |
| 43 (BLACK)         | FRTH           |
| 44 (BLACK)         | FRFR           |
| 45 (BLACK)         | FRFV           |
| 46 (BLACK)         | FRSX           |

|                           |          |
|---------------------------|----------|
| 47 (BLACK)                | FRSV     |
| 48 (BLACK)                | FRET     |
| 49 (BLACK)                | FRNI     |
| 50 (BLACK)                | FFTY     |
| STAR SYMBOL (BLACK)       | DBL      |
| ONE DICE SYMBOL (BLACK)   | ONE      |
| TWO DICE SYMBOL (BLACK)   | TWO      |
| THREE DICE SYMBOL (BLACK) | THR      |
| FOUR DICE SYMBOL (BLACK)  | FOR      |
| FIVE DICE SYMBOL (BLACK)  | FIV      |
| SIX DICE SYMBOL (BLACK)   | SIX      |
| \$50.00 (BLACK)           | FIFTY    |
| \$70.00 (BLACK)           | SVTY     |
| \$100 (BLACK)             | ONE HUN  |
| \$200 (BLACK)             | TWO HUN  |
| \$500 (BLACK)             | FIV HUN  |
| \$1,000 (BLACK)           | ONE THOU |
| \$2,000 (BLACK)           | TWO THOU |
| \$10,000 (BLACK)          | 10 THOU  |
| \$7,500,000 (BLACK)       | 7.5 MILL |
| 01 (RED)                  | ONE      |
| 02 (RED)                  | TWO      |
| 03 (RED)                  | THR      |
| 04 (RED)                  | FOR      |
| 05 (RED)                  | FIV      |
| 06 (RED)                  | SIX      |
| 07 (RED)                  | SVN      |
| 08 (RED)                  | EGT      |
| 09 (RED)                  | NIN      |
| 10 (RED)                  | TEN      |
| 11 (RED)                  | ELV      |
| 12 (RED)                  | TLV      |
| 13 (RED)                  | TRN      |
| 14 (RED)                  | FTN      |
| 15 (RED)                  | FFN      |
| 16 (RED)                  | SXN      |
| 17 (RED)                  | SVT      |
| 18 (RED)                  | ETN      |
| 19 (RED)                  | NTN      |
| 20 (RED)                  | TWY      |
| 21 (RED)                  | TWON     |
| 22 (RED)                  | TWTO     |
| 23 (RED)                  | TWTH     |
| 24 (RED)                  | TWFR     |
| 25 (RED)                  | TWV      |
| 26 (RED)                  | TWSX     |
| 27 (RED)                  | TWSV     |
| 28 (RED)                  | TWET     |
| 29 (RED)                  | TWNI     |

|                   |          |
|-------------------|----------|
| 30 (RED)          | TRTY     |
| 31 (RED)          | TRON     |
| 32 (RED)          | TRTO     |
| 33 (RED)          | TRTH     |
| 34 (RED)          | TRFR     |
| 35 (RED)          | TRFV     |
| 36 (RED)          | TRSX     |
| 37 (RED)          | TRSV     |
| 38 (RED)          | TRET     |
| 39 (RED)          | TRNI     |
| 40 (RED)          | FRTY     |
| 41 (RED)          | FRON     |
| 42 (RED)          | FRTO     |
| 43 (RED)          | FRTH     |
| 44 (RED)          | FRFR     |
| 45 (RED)          | FRFV     |
| 46 (RED)          | FRSX     |
| 47 (RED)          | FRSV     |
| 48 (RED)          | FRET     |
| 49 (RED)          | FRNI     |
| 50 (RED)          | FFTY     |
| \$50.00 (RED)     | FIFTY    |
| \$70.00 (RED)     | SVTY     |
| \$100 (RED)       | ONE HUN  |
| \$200 (RED)       | TWO HUN  |
| \$500 (RED)       | FIV HUN  |
| \$1,000 (RED)     | ONE THOU |
| \$2,000 (RED)     | TWO THOU |
| \$10,000 (RED)    | 10 THOU  |
| \$7,500,000 (RED) | 7.5 MILL |

E. Serial Number - A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Mid-Tier Prize - A prize of \$50.00, \$70.00, \$100, \$150, \$200 or \$500.

G. High-Tier Prize - A prize of \$1,000, \$2,000, \$2,500, \$10,000 or \$7,500,000.

H. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

I. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1756), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 020 within each Pack. The format will be: 1756-0000001-001.

J. Pack - A Pack of the "HIGH ROLLER CASINO ACTION" Scratch Ticket Game contains 020 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 020 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

K. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC Chapter 401.

L. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "HIGH ROLLER CASINO ACTION" Scratch Ticket Game No. 1756.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule §401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "HIGH ROLLER CASINO ACTION" Scratch Ticket Game is determined once the latex on the Scratch Ticket

is scratched off to expose 56 (fifty-six) Play Symbols. GAME 1: If a player matches any of YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If a player reveals a "STAR" Play Symbol, the player wins DOUBLE the prize for that symbol. GAME 2: If the total of the two dice in the same ROLL across is 7, the player wins \$50. If the total of the two dice in the same ROLL across is 11, the player wins \$100. GAME 3: The player scratches the entire play area to reveal 2 ROULETTE NUMBERS Play Symbols and 8 YOUR NUMBERS Play Symbols. If a player matches any of YOUR NUMBERS Play Symbols to either of the ROULETTE NUMBERS Play Symbols, the player wins the prize for that number. If the matching YOUR NUMBERS is RED, the player wins DOUBLE the prize for that number. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly 56 (fifty-six) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut and have exactly 56 (fifty-six) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 56 (fifty-six) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 56 (fifty-six) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

#### 2.2 Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns of either Play Symbols or Prize Symbols.

B. A Ticket will win as indicated by the prize structure.

C. A Ticket can win up to twenty-six (26) times.

D. On winning and Non-Winning Tickets, the top cash prizes of \$10,000 and \$7,500,000 will each appear at least once, except on Tickets winning twenty-six (26) times.

E. GAME 1: A Ticket can win up to ten (10) times in this play area.

F. GAME 1: No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket, unless required for a multiple win.

G. GAME 1: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

H. GAME 1: On Tickets winning more than one (1) time, both WINNING NUMBERS Play Symbols will be used to create the wins.

I. GAME 1: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

J. GAME 1: The "STAR" (DBL) Play Symbol will never appear as WINNING NUMBERS Play Symbol.

K. GAME 1: The "STAR" (DBL) Play Symbol will never appear more than once on a Ticket, unless restricted by other parameters, play action or prize structure.

L. GAME 1: The "STAR" (DBL) Play Symbol will never appear on a non-winning Ticket.

M. GAME 1: The "STAR" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

N. GAME 1: YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 50 and \$50).

O. GAME 1: On all Tickets, a Prize Symbol will not appear more than four (4) times except as required by the prize structure to create multiple wins.

P. GAME 1: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

Q. GAME 2: A Ticket can win up to eight (8) times in this play area.

R. GAME 2: Each of the eight (8) ROLLS in this game will consist of two (2) dice symbols and a "+" sign.

S. GAME 2: The same non-winning dice symbol may not appear more than three (3) times across the eight (8) ROLLS in this game.

T. GAME 3: A Ticket can win up to eight (8) times in this play area.

U. GAME 3: This play area consists of eight (8) YOUR NUMBERS Play Symbols, eight (8) Prize Symbols and two (2) ROULETTE NUMBERS Play Symbols.

V. GAME 3: On Tickets winning more than one (1) time in this play area, both ROULETTE NUMBERS Play Symbols will be used to create the wins.

W. GAME 3: On Non-Winning Tickets, a ROULETTE NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

X. GAME 3: On winning and Non-Winning Tickets, all non-winning YOUR NUMBERS Play Symbols will be different from each other, regardless of color.

Y. GAME 3: The two (2) ROULETTE NUMBERS Play Symbols will be imaged in BLACK only.

Z. GAME 3: No matching ROULETTE NUMBERS Play Symbols will appear on a Ticket.

AA. GAME 3: YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 50 and \$50).

BB. GAME 3: On all Tickets, a Prize Symbol will not appear more than four (4) times except as required by the prize structure to create multiple wins.

CC. GAME 3: Two (2) or more matching YOUR NUMBERS Play Symbols cannot appear in both RED and BLACK on the same Ticket.

DD. GAME 3: A YOUR NUMBERS Play Symbol and its corresponding Prize Symbol will always appear in the same color.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "HIGH ROLLER CASINO ACTION" Scratch Ticket Game prize of \$50.00, \$70.00, \$100, \$150, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$70.00, \$100, \$150, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above

prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "HIGH ROLLER CASINO ACTION" Scratch Ticket Game prize of \$1,000, \$2,000, \$2,500 or \$10,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. To claim a "HIGH ROLLER CASINO ACTION" top level prize of \$7,500,000, the claimant must sign the winning Scratch Ticket and present it at Texas Lottery Commission headquarters in Austin, Texas. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. As an alternative method of claiming a "HIGH ROLLER CASINO ACTION" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

E. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

a. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

b. in default on a loan made under Chapter 52, Education Code; or

c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

F. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "HIGH ROLLER CASINO ACTION" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "HIGH ROLLER CASINO ACTION" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets man-

ufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 3,600,000 Scratch Tickets in Scratch Ticket Game No. 1756. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1756 – 4.0

| Prize Amount | Approximate Number of Winners* | Approximate Odds are 1 in ** |
|--------------|--------------------------------|------------------------------|
| \$50         | 720,000                        | 5.00                         |
| \$70         | 450,000                        | 8.00                         |
| \$100        | 201,000                        | 17.91                        |
| \$150        | 19,500                         | 184.62                       |
| \$200        | 12,000                         | 300.00                       |
| \$500        | 14,550                         | 247.42                       |
| \$1,000      | 7,860                          | 458.02                       |
| \$2,000      | 3,570                          | 1,008.40                     |
| \$2,500      | 600                            | 6,000.00                     |
| \$10,000     | 120                            | 30,000.00                    |
| \$7,500,000  | 3                              | 1,200,000.00                 |

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 3.52. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1756 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with

the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1756, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the

State Lottery Act and referenced in 16 TAC Chapter 401, and all final decisions of the Executive Director.

TRD-201601240

Bob Biard

General Counsel

Texas Lottery Commission

Filed: March 15, 2016

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**Panhandle Regional Planning Commission**

Legal Notice

The Panhandle Regional Planning Commission (PRPC) is seeking proposals for a provider of an online comprehensive career/college preparation program that can lead to either an accredited high school diploma or GED for the workforce development program customers administered in the Panhandle Workforce Development Area (PWDA).

Interested proposers may obtain a copy of the solicitation packet by contacting Leslie Hardin, at (806) 372-3381 / (800) 477-4562 or [lhardin@theprpc.org](mailto:lhardin@theprpc.org). The proposals must be submitted to PRPC no later than April 15, 2016.

TRD-201601261

Leslie Hardin

WFD Contracts Coordinator

Panhandle Regional Planning Commission

Filed: March 16, 2016

◆ ◆ ◆  
**Panhandle Water Planning Group (Region A)**

Notice of Public Meeting - Regional Water Planning

Notice of Public Meeting to Take Public Input on Issues that should be Addressed or Provisions that should be Included in the Regional or State Water Plan for the Fifth Cycle of Regional Water Planning

Notice is hereby given that the Panhandle Water Planning Group (Region A) is seeking input from the public on the scope of planning activities to be considered during the Fifth Cycle of Regional Water Planning.

The Public Hearing will be held at 1:30 p.m. on May 17, 2016, prior to the upcoming regular Region A Planning Group Meeting, to be held at the Panhandle Regional Planning Commission at 415 W. 8th. Written and oral comments (not to exceed five (5) minutes per speaker) regarding the scope of activities to be considered during the Fifth Cycle of Regional Water Planning will be accepted at this meeting. **Written comments will be accepted for 30 days preceding the Public Meeting. Comments should be submitted to:**

**Panhandle Water Planning Group**

**C.O. Kyle Ingham**

**415 W. 8th Street**

**Amarillo, Texas 79105**

Or

**[kingham@theprpc.org](mailto:kingham@theprpc.org)**

The Panhandle Water Planning Group (Region A) includes the following counties: Armstrong, Carson, Childress, Collingsworth, Dallam, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, and Wheeler Counties.

For additional information, please contact Kyle G. Ingham, Panhandle Regional Planning Commission, 415 W. 8th, Amarillo, Texas 79105; [kingham@theprpc.org](mailto:kingham@theprpc.org)

TRD-201601211

Kyle Ingham

Local Government Services Director, Panhandle Regional Planning Commission

Panhandle Water Planning Group (Region A)

Filed: March 11, 2016

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**Texas Department of Public Safety**

Request for Proposals

Pursuant to §2167.054, Texas Government Code, the Texas Department of Public Safety (TXDPS) announces the issuance of Request for Proposals (RFP) #405-16-R048531. TXDPS seeks a lease with an initial term that is effective from date of award until August 31, 2019, for hangar space and office space in Laredo, Texas, within a 15-mile radius of the Laredo International Airport. The awarded lease will have three (3) one (1) year options to renew.

The deadline for questions is April 11, 2016, at 3:00 p.m. CT and the deadline for proposals is April 25, 2016, at 2:30 p.m. CT. TXDPS reserves the right to accept or reject any or all proposals submitted. TXDPS is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TXDPS to pay for any costs incurred prior to the award of a contract.

Parties interested in obtaining a hard copy of the RFP should contact Jennifer Feliciano, CTCM, CTPM, Procurement & Contract Services, at (512) 424-2096 or [Jennifer.Feliciano@dps.texas.gov](mailto:Jennifer.Feliciano@dps.texas.gov). The RFP will be released and available electronically on the Electronic State Business Daily (ESBD) at <http://esbd.cpa.state.tx.us> on Friday, March 25, 2016. Interested parties should periodically check the ESBD for updates to the RFP prior to submitting a response.

TRD-201601201

D. Phillip Adkins

General Counsel

Texas Department of Public Safety

Filed: March 10, 2016

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**Public Utility Commission of Texas**

Announcement of Application for Adjustment of Rates

The Public Utility Commission of Texas (Commission) received an application from a Class C utility on March 10, 2016, for adjustment of rates pursuant to Texas Water Code §13.1872 (TWC).

Docket Style and Number: Application of Palo Duro Service Company, Inc. for a Price Index Rate Adjustment, Docket Number 45713.

The Application: Palo Duro Service Company, Inc. (Palo Duro) filed an application requesting an adjustment to its water base rate and monthly gallonage rate based on the Commission's current price index. Palo Duro meets the definition of a Class C utility because it provides retail water or sewer utility service through fewer than 500 taps or connections. As a Class C utility Palo Duro is allowed to receive, without a hearing, an annual rate adjustment based on changes in the "price index." The Commission established a price index difference of 1.57% for calendar year 2016 to be used in rate adjustment applications filed under TWC §13.1872.

Information on the application may be obtained by contacting the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Docket Number 45713.

TRD-201601242  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 15, 2016



#### Notice of Application for a Service Provider Certificate of Operating Authority

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application on March 7, 2016, for a service provider certificate of operating authority (SPCOA), pursuant to the Public Utility Regulatory Act. Applicant intends to provide facilities-based telecommunications services throughout the state of Texas.

Docket Title and Number: Application of Posner Telecommunications, Inc. for a Service Provider Certificate of Operating Authority, Docket Number 45700.

Persons who wish to comment upon the action sought should contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477 no later than April 1, 2016. Hearing and speech impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45700.

TRD-201601197  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 10, 2016



#### Notice of Application for an Amendment to a Certificate of Convenience and Necessity

Notice is given to the public of an application filed on March 11, 2016, with the Public Utility Commission of Texas for an amendment to a certificated service area boundary in Montgomery County, Texas.

Docket Style and Number: Application of Consolidated Communications of Texas Company d/b/a Consolidated Communications to Amend a Certificate of Convenience and Necessity for a Minor Service Area Boundary Change in Montgomery County. Docket Number 45717.

The Application: The minor boundary amendment is being filed to realign the boundary between the Conroe exchange of Consolidated and the Willis exchange of Verizon. The amendment will transfer a portion of Verizon's serving area in the Willis exchange to Consolidated's Conroe exchange. Verizon has provided a letter of concurrence endorsing this proposed change.

Persons wishing to comment on the action sought or intervene should contact the Public Utility Commission of Texas by April 1, 2016, by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission

through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45717.

TRD-201601241  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 15, 2016



#### Notice of Application for Sale, Transfer, or Merger

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on March 8, 2016, pursuant to the Texas Water Code.

Docket Style and Number: Application of Blueberry Hills Water Works LLC and City of Beeville for Sale, Transfer, or Merger of Facilities and Certificate Rights in Bureson County; Docket Number 45705.

The Application: Blueberry Hills Water Works LLC (Blueberry Hills) and City of Beeville filed an application for sale, transfer, or merger of facilities and certificate rights in Bee County. Blueberry Hills and City of Beeville seek approval for the City of Beeville to acquire all of the water system assets of Blueberry Hills held under water Certificate of Convenience and Necessity No. 12772.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the commission as soon as possible as an intervention deadline will be imposed. A comment or request to intervene should be mailed to Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326. Further information may also be obtained by calling the commission's Office of Customer Protection at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Docket Number 45705.

TRD-201601207  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 11, 2016



#### Notice of Application for Service Area Exception

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on March 8, 2016, to amend a certificated service area for a service area exception within Zapata County.

Docket Style and Number: Application of Medina Electric Cooperative, Inc. to Amend a Certificate of Convenience and Necessity for an Electric Service Area Exception in Zapata County. Docket Number 45708.

The Application: Medina filed an application for a service area boundary exception to allow Medina to provide service to a specific customer located within the certificated service area of AEP Texas Central Company. AEP TCC has provided an affidavit of relinquishment for the proposed change.

Persons wishing to comment on the action sought or intervene should contact the Public Utility Commission of Texas no later than April 1, 2016, by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact

the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45708.

TRD-201601196  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 10, 2016



#### Notice of Application to Amend Sewer Certificate of Convenience and Necessity

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application to amend water certificate of convenience and necessity (CCN) in Guadalupe County.

Docket Style and Number: Application of the City of Cibolo for Single Certification in Incorporated Area and to Decertify Portions of Green Valley Special Utility District's Sewer Certificate of Convenience and Necessity in Guadalupe County, Docket Number 45702.

The Application: The City of Cibolo filed with the commission an application for single certification of an area within its corporate limits and to decertify that portion of Green Valley Special Utility District's (GVSUD) sewer CCN in Guadalupe County. The service area was annexed by the City between 2009 and 2013. GVSUD has no sewer facilities and no sewer customers in the area to be decertified.

Persons wishing to intervene or comment on the action sought should contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45702.

TRD-201601203  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 10, 2016



#### Notice of Application to Amend Water Certificate of Convenience and Necessity

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application to amend water certificate of convenience and necessity (CCN) in Montgomery County, Texas.

Docket Style and Number: Petition of Laurus Holdings, L.P. to Amend Consumers Water, Inc.'s Certificate of Convenience and Necessity in Montgomery County, Docket Number 45707.

The Application: Laurus Holdings, L.P. filed an application to amend its water certificate of convenience (CCN) Number 10347 in Montgomery County. The total area being requested includes approximately 2.3206 acres of undeveloped land which is in the planning stage of being developed for commercial purposes. There are zero current customers.

Persons wishing to intervene or comment on the action sought should contact the Public Utility Commission of Texas by mail at P. O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay

Texas by dialing 7-1-1. All comments should reference Docket Number 45707.

TRD-201601229  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 14, 2016



#### Notice of Application to Relinquish a Service Provider Certificate of Operating Authority

On March 4, 2016, Nextlink Wireless, Inc. filed an application with the Public Utility Commission of Texas (commission) to relinquish its Service Provider Certificate of Operating Authority (SPCOA) Number 60745.

Style and Docket Number: Application of Nextlink Wireless, Inc. to Relinquish its Service Provider Certificate of Operating Authority, Docket Number 45692.

Application: Nextlink Wireless, Inc. seeks to relinquish its SPCOA because the company has no customers in Texas for local exchange service and has determined that its strategic business plans do not include providing local exchange services.

Persons wishing to comment on the action sought should contact the commission by mail at P.O. Box 13326, Austin, Texas, 78711-3326 or by phone at (512) 936-7120 or toll-free at 1-888-782-8477 no later than April 1, 2016. Hearing and speech impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45692.

TRD-201601198  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: March 10, 2016



#### Public Notice of Request for Comments on the Power to Choose Website

The staff of the Public Utility Commission of Texas (commission) will take comments on the shopping function of the Power to Choose website, [www.powertochoose.com](http://www.powertochoose.com). At the open meeting on February 11, 2016, the commission discussed the shopping function on the Power to Choose website. The shopping function, titled Shop Compare Choose on the website, allows customers to view retail electric plans from providers that have chosen to list on the site. The customer is then directed to the individual retail electric provider to complete the transaction. The commission highlighted retail electricity plans that are difficult for the consumer to understand and compare to each other. The commission directed staff to evaluate the shopping function on the Power to Choose website and propose options to improve its usability.

Project Number 45730, Project to Evaluate the Power to Choose Website, has been established for this proceeding. The commission requests interested persons file comments to the following questions:

1. How is the Power to Choose website, in its current format, meeting or not meeting its goal to assist customers in shopping for a retail electric plan?
2. What design changes could be made to the website to improve its usefulness to consumers?

- a. Should the commission change how offers are sorted? If so, how?
  - b. What changes to the layout of the website and the shopping results would improve its functionality?
  - c. What other ways could plans be categorized or filtered?
3. Are there any changes to commission rules that would improve the process of shopping for a retail electric provider?
- a. Should the commission expand the Energy Facts Label? If so, how?
  - b. Should credits and fees be removed from the total average price?
  - c. What are other criteria the website should use to compare different offers?
4. What impact would removing the shopping function from the website have on the retail electric market and consumers?
- a. If the shopping function were removed from the Power to Choose website, are their sufficient alternatives in the private market?
  - b. How would the retail electric market and consumers be affected by replacing the shopping functions with a directory of retail electric providers and commercial shopping websites?

Responses may be filed by submitting 16 copies to the commission's Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 within 30 days of the date of publication of this notice. All responses should reference Project Number 45730. This notice is not a formal notice of proposed rulemaking; however, the parties' responses to the questions will assist the commission in developing a commission policy or determining the necessity for a related rulemaking.

Questions concerning this notice should be referred to Gabriel Cardenas, External Affairs Division, (512) 936-7046. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1.

TRD-201601258  
 Adriana Gonzales  
 Rules Coordinator  
 Public Utility Commission of Texas  
 Filed: March 16, 2016

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**Texas Water Development Board**

Application for March 21, 2016

Pursuant to Texas Water Code §6.195, the Texas Water Development Board provides notice of the following applications:

Project ID #73724, a request from the Greater Texoma Utility Authority on behalf of the City of Sadler, 5100 Airport Dr., Denison, Texas 75020-8448, received December 1, 2015, for financial assistance of \$234,219 consisting of a \$165,000 loan and \$69,219 in loan forgiveness from the Clean Water State Revolving Fund to finance the planning, design and construction phases of wastewater treatment plant improvements.

Project ID #62694, a request from the City of Granbury, 116 W. Bridge St., Granbury, Texas 76048, received January 12, 2016, for financial assistance for a \$2,720,000 loan from the Drinking Water State Revolving Fund to finance the construction of water system improvements.

Project ID #62637, a request from the New Ulm Water Supply Corporation, 1195 Walnut St., New Ulm, Texas 78950-2163, received September 24, 2015, for \$200,000 in loan forgiveness from the Drinking Water State Revolving Fund to finance the replacement of asbestos water lines and improvements at the existing water plant.

Project ID #62667, a request from the City of Fayetteville, 202 W. Main, Fayetteville, Texas 78940, received November 24, 2014, for \$200,000 in loan forgiveness from the Drinking Water State Revolving Fund to finance design and construction of a water system improvement project to replace an aging ground storage tank.

Project ID #62691, a request from the La Salle Landing Water Supply Corporation, 13130 Bayfield Dr., Austin, Texas 78727, received September 24, 2015, for \$200,000 in loan forgiveness from the Drinking Water State Revolving Fund to finance the construction of a water treatment improvement project to address high levels of arsenic.

Project ID #62619, a request from Dario V. Guerra, III, doing business as Derby, Ing., P.O. Box 721025, McAllen, Texas 78501, received September 24, 2015, for \$140,000 in loan forgiveness from the Drinking Water State Revolving Fund to finance construction costs associated with upgrades to the existing water system.

TRD-201601210  
 Les Trobman  
 General Counsel  
 Texas Water Development Board  
 Filed: March 11, 2016

