



Control Number: 42854



Item Number: 29

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014.

RECEIVED

2014 SEP 10 AM 11:10
PUBLIC UTILITY COMMISSION
FILING CLERK



JACKSON WALKER L.L.P.
ATTORNEYS & COUNSELORS

Ali Abazari
(512) 236-2239 (Direct Dial)
(512) 391-2197 (Direct Fax)
aabazari@jw.com

August 13, 2008

VIA Facsimile and U. S. Mail

Hon. Catherine C. Egan
Administrative Law Judge
State Office of Administrative Hearings
300 West 15th Street, Suite 502
Austin, Texas 78701

CHIEF CLERK'S OFFICE
SEP 14 AM 9:22
CCN 12362
GRAYSON COUNTY
TX

RE: SOAH Docket No. 582-08-2284; TCEQ Docket No. 2008-0333-UCR; Double Diamond Utilities, Co. Application to Decertify a Portion of Certificate of Convenience and Necessity (CCN) No. 12362 from Northwest Grayson County WCID No. 1 and to Amend CCN No. 12087 in Grayson County; Application No. 35903-C

Dear Judge Egan:

Enclosed please find a Joint Motion to Abate Proceedings for filing in the above-referenced proceeding.

Please let me know if you have any questions. Thank you for your attention to this matter.

Sincerely,

Ali Abazari

AXA:pjs
Enclosure

cc: Mr. Art Rodriguez
Russell & Rodriguez
102 West Morrow Street, Suite 103
Georgetown, Texas 78628

Via facsimile (512) 930-7742 and U.S. Mail

Hon. Catherine C. Egan
August 13, 2008
Page 2

Mr. Blas Coy (MC-103) **Via facsimile 239-6377 and U.S. Mail**
Office of Public Interest Counsel
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Mr. Ross Henderson (MC-173) **Via facsimile 239-0606 and U.S. Mail**
Environmental Law Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Docket Clerk (MC-105) **Via Facsimile 239-3311 and U.S. Mail**
Office of the Chief Clerk
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TCEQ DOCKET NO. 2008-0333-UCR
SOAH DOCKET NO. 582-08-0284

CHIEF CLERK'S OFFICE
AUG 14 AM 9:52

DOUBLE DIAMOND UTILITIES CO.
APPLICATION TO DECERTIFY A
PORTION OF CERTIFICATE OF
CONVENIENCE (CCN) NO. 12362 FROM
NORTHWEST GRAYSON COUNTY
WCID NO. 1 AND TO AMEND CCN NO.
12087 IN GRAYSON COUNTY
APPLICATION NO. 35903-C

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BEFORE THE
STATE OFFICE OF
ADMINISTRATIVE HEARINGS

JOINT MOTION TO ABATE PROCEEDINGS

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Double Diamond Utilities Co. ("DDU") and Northwest Grayson County WCID No. 1 (the "District") jointly file this Motion to Abate Proceedings requesting that the honorable Administrative Law Judge ("ALJ") abate this contested case proceeding and all deadlines related thereto for sixty (60) days, and in support states as follows:

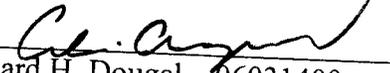
This case is scheduled for a hearing on the merits on January 21-23, 2009. DDU's deadline to pre-file its direct case is set for August 29, 2008. On July 9, 2008, Double Diamond, Inc., the owner of the property that is the subject of this decertification proceeding, filed a lawsuit against the District in Grayson County, Texas concerning the legality of certain fees assessed by the District for the provision of water service (the "Lawsuit"). DDU believes that the facts and legal issues that are at the center of the Lawsuit are highly relevant to this administrative proceeding. Accordingly, DDU believe that abating the administrative proceedings for sixty days will be necessary. The District consents to the abatement. The Executive Director and Office of Public Interest Counsel have indicated that they are not opposed to abatement of the proceedings. At the expiration of sixty days, the parties will file a status report either submitting a new proposed scheduling order or requesting additional time for

abatement as the situation may require. DDU and the District respectfully request that the ALJ abate these proceedings for sixty days.

WHEREFORE, Double Diamond Utilities Co. and Northwest Grayson County WCID No. 1 respectfully pray that the ALJ grant this Joint Motion to Abate Proceedings and abate this case for sixty days from the date of the Order.

Respectfully submitted,

JACKSON WALKER L.L.P.
100 Congress Avenue, Suite 1100
Austin, Texas 78701
Telephone: (512) 236-2000
Facsimile: (512) 236-2002

By: 
Leonard H. Dougal - 06031400
Ali Abazari - 00796094

ATTORNEYS FOR DOUBLE DIAMOND
UTILITIES CO.

RUSSELL & RODRIGUEZ, L.L.P.
102 West Morrow Street, Suite 103
Georgetown, Texas 78626
Telephone: (512) 930-1317
Facsimile: (512) 930-7742

By: _____
Arturo D. Rodriguez, Jr. - 00791551

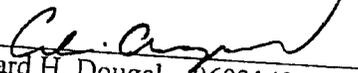
ATTORNEYS FOR NORTHWEST
GRAYSON WCID NO. 1

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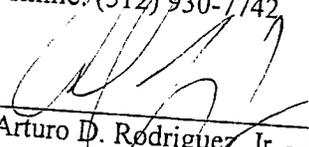
Respectfully submitted,

JACKSON WALKER L.L.P.
100 Congress Avenue, Suite 1100
Austin, Texas 78701
Telephone: (512) 236-2000
Facsimile: (512) 236-2002

By: 
Leonard H. Dougal - 06031400
Ali Abazari - 00796094

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UTILITIES CO.

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Facsimile: (512) 930-7742

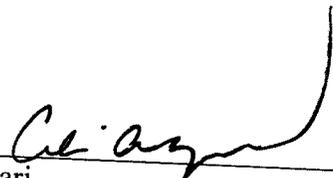
By: 
Arturo D. Rodriguez, Jr. - 00791551

ATTORNEYS FOR NORTHWEST
GRAYSON WCID NO. 1

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with counsel for the Executive Director of the Texas Commission on Environmental Quality and counsel for the Office of Public Interest Counsel and both parties have indicated that they are unopposed to this Motion.

Certified this 13th day of August, 2008.



Ali Abazari

CERTIFICATE OF SERVICE

This is to certify that on this 13th day of August, 2008, a true and correct copy of the foregoing document was served on the following parties as indicated below:

Mr. Art Rodriguez
Russell & Rodriguez
102 West Morrow Street, Suite 103
Georgetown, Texas 78628

Via facsimile (512) 930-7742 and U.S. Mail

Mr. Blas Coy (MC-103)
Office of Public Interest Counsel
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

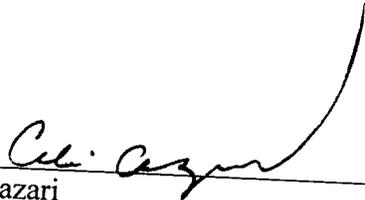
Via facsimile 239-6377 and U.S. Mail

Mr. Ross Henderson (MC-173)
Environmental Law Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Via facsimile 239-0606 and U.S. Mail

Docket Clerk (MC-105)
Office of the Chief Clerk
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Via Facsimile 239-3311 and U.S. Mail



Ali Abazari

CHIEF CLERK'S OFFICE
AUG 14 AM 9:32



JACKSON WALKER L.L.P.
ATTORNEYS & COUNSELORS

CHIEF CLERKS OFFICE
AUG 13 AM 11:58
JACKSON WALKER L.L.P.

FACSIMILE

DATE: August 13, 2008

DIRECT DIAL NUMBER: (512) 236-2239

FROM: Ali Abazari

DIRECT FAX NUMBER: (512) 391-2197

NAME	COMPANY NAME	FACSIMILE NUMBER	PHONE NUMBER
ALJ Catherine Egan	State Office of Administrative Hearings	475-4994	475-4993
Art Rodriguez	Russell & Rodriguez, LLP	(512) 930-7742	(512) 930-1317
Ross Henderson	Texas Commission on Environmental Quality	239-0606	239-6257
Blas Coy	Texas Commission on Environmental Quality	239-6377	239-6363
Office of the Chief Clerk	Texas Commission on Environmental Quality	239-3311	239-3300

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CLIENT/MATTER NO.: 128243/00002

TK ID: AXA2 PAGE COUNT: 5

MESSAGE:

TCEQ DOCKET NO. 2008-0333-UCR
SOAH DOCKET NO. 582-08-0284

DOUBLE DIAMOND UTILITIES CO.
APPLICATION TO DECERTIFY A
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BEFORE THE
STATE OFFICE OF
ADMINISTRATIVE HEARINGS

CHIEF CLERK'S OFFICE
AUG 13 11:58

JOINT MOTION TO ABATE PROCEEDINGS

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

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