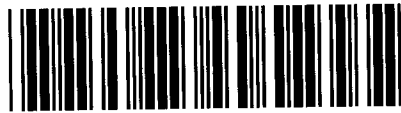


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Item Number: 48

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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.

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Ali Abazari  
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November 20, 2009

**VIA Facsimile 475-4994 and U. S. Mail**

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

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 Status Report 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 (Via Facsimile (866) 929-1641 and U. S. Mail)  
Russell & Rodriguez  
1633 Williams Drive  
Building 2, Suite 200  
Georgetown, Texas 78628

48

Blas J. Coy, Jr. (Via Facsimile 239-6377 and U. S. Mail)  
Texas Commission on Environmental Quality  
Office of Public Interest Counsel  
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Ross W. Henderson (Via Facsimile 239-0606 and U. S. Mail)  
Staff Attorney  
Texas Commission on Environmental Quality  
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P.O. Box 13087  
Austin, Texas 78711

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

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

CHIEF CLERK'S OFFICE

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TEXAS  
COMMISSION ON  
ENVIRONMENTAL  
QUALITY

**STATUS REPORT**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

Double Diamond Utilities Co. ("DDU") files this Status Report pursuant to Order No. 6.

**BACKGROUND**

A preliminary hearing in the above-captioned matter was held on May 8, 2008. In Order Number 1, the ALJ memorialized the preliminary hearing in which she took jurisdiction; designated parties; and established a procedural schedule. On August 13, 2008, DDU and Northwest Grayson County WCID No. 1 (the "District") filed a joint motion to abate this proceeding, and all related deadlines, for sixty (60) days. Thereafter, along with submitting status reports, additional requests for the extension of the abatement period were submitted to SOAH. On December 21, 2008, DDU filed a Status Report and proposed Revised Scheduling Order. The ALJ issued Order No. 5 on January 9, 2009, granting the extension of abatement and continuing the prehearing conference and hearing on the merits until June 21, 2009. The parties were directed to file a status report with the ALJ every 30 days. On June 22, 2009, DDU filed a Motion to Abate Proceedings for an additional six months. On July 23, 2009, the ALJ issued Order No. 6 granting the motion, and abating the matter until December 21, 2009. The ALJ also

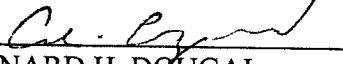
requested the submittal of a status report every 30 days. DDU filed a status report on August 21, 2009, September 21, 2009, and October 21, 2009.

**STATUS REPORT**

Settlement discussions between the parties are ongoing and DDU remains hopeful that a settlement can be achieved in this matter. In accordance with Order No. 6, DDU will provide another status report within 30 days of this status report.

Respectfully submitted,

JACKSON WALKER L.L.P.



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LEONARD H. DOUGAL

State Bar No. 06031400

ALI ABAZARI

State Bar No. 00796094

100 Congress Avenue, Suite 1100

Austin, Texas 78701

512-236-2000

512-236-2002 (Fax)

ATTORNEYS FOR DOUBLE DIAMOND  
UTILITIES CO.

**CERTIFICATE OF SERVICE**

This is to certify that on this 20th of November, 2009, a true and correct copy of the foregoing was served on the following via U.S. mail, facsimile or electronic filing.

Mr. Art Rodriguez  
Russell & Rodriguez  
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(866) 929-1641 (fax)

Blas J. Coy, Jr. (MC-103)  
Texas Commission on Environmental Quality  
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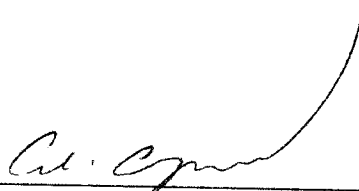
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CHIEF CLERKS OFFICE

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TEXAS  
COMMISSION  
ON ENVIRONMENTAL QUALITY

  
\_\_\_\_\_  
Ali Abazari