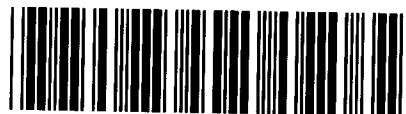




Control Number: 42857



Item Number: 323

Addendum StartPage: 0





City of Austin  
**Law Department**

301 W. 2<sup>nd</sup> Street, P.O. Box 1088  
Austin, Texas 78767-1088  
(512) 974-2268

Writer's Direct Line  
512-974-6482

RECEIVED  
2015 OCT -7 AM 11:26  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
Writer's Fax Line  
512-974-6490

October 7, 2015

Mr. Stephen Journey  
Commission Advising and Docket Management  
Public Utility Commission of Texas  
1701 Congress Avenue  
Austin, Texas 78701

RE: SOAH Docket No. 473-14-5138.WS and PUC Docket No. 42857

Petition of North Austin MUD No. 1, Northtown MUD, Travis County WC&ID No. 10, and Wells Branch MUD appealing the FY 2013 Wholesale Water Rates of the City of Austin; and Petition of North Austin MUD No. 1, Northtown MUD, and Wells Branch MUD appealing the FY 2014 Wholesale Wastewater Rates of the City of Austin.

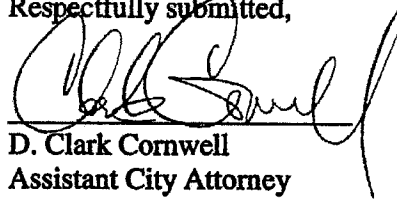
SUBJECT: Request for Postponement: Open Meeting Agenda Item No. 36

Dear Mr. Journey:

The Commission was notified on May 18, 2015 and re-notified on September 24, 2015 by the attached *Notification of Previously Filed Vacation Letter*, that the City of Austin's legal counsel handling this contested case would be unavailable October 6, 2015 through October 16, 2015. The Commission is set to consider the Final Order in this case on the agenda for its October 8, 2015 Open Meeting set as Item No. 36. The City of Austin requests that the Commission postpone consideration of this matter until its next regularly scheduled Open Meeting of November 5, 2015 in order to allow the City of Austin to attend and participate in the Commission's consideration of the item accompanied by its legal counsel.

Thank you for your attention to this request.

Respectfully submitted,



D. Clark Cornwell  
Assistant City Attorney

cc: Randy Wilburn  
John Carlton  
Mark Hovencamp  
Sam Chang  
Thomas Tynes

323

# WEBB & WEBB

ATTORNEYS AT LAW  
712 SOUTHWEST TOWER  
211 EAST SEVENTH STREET  
AUSTIN, TEXAS 78701

TELEPHONE: (512) 472-9990  
FACSIMILE: (512) 472-3183

STEPHEN P. WEBB  
GWENDOLYN HILL WEBB

September 24, 2105

Mr. Mark Hovenkamp  
Commission Advising and Docket Management  
Public Utility Commission of Texas  
1701 Congress Avenue  
Austin, Texas 78701

**RE: SOAH Docket No. 473-14-5138.WS and PUC Docket No. 42857**

**Petition of North Austin MUD No. 1, Northtown MUD, Travis County  
WC&ID No. 10, and Wells Branch MUD appealing the FY 2013 Wholesale  
Water Rates of the City of Austin,**

**And**

**Petition of North Austin MUD No. 1, Northtown MUD, and Wells Branch  
MUD appealing the FY 2014 Wholesale Wastewater Rates of the City of  
Austin.**

**SUBJECT: Notification of Previously Filed Vacation Letter**

Dear Mr. Hovenkamp:

Counsel for the City of Austin ("Austin") have received and reviewed your memorandum dated September 22, 2015 pertaining to SOAH Docket NO. 473-14-5138.WS and PUC Docket No. 42857. Counsel for Austin wishes to remind the Commission, that the attached vacation notice was filed on May 18, 2015 and served on all parties in this matter, stating that counsel will be unavailable from July 31, 2015 through August 2, 2015 and October 6, 2015 through October 16, 2015 and requesting that no hearings be scheduled for those dates. Therefore, counsel for Austin is advising the Commission that they will be unavailable for the Thursday, October 8, 2015 PUC Open Agenda meeting.

Thank you for your attention to this matter.

Respectfully submitted,


CITY OF AUSTIN, TEXAS

ANNE L. MORGAN,  
Interim City Attorney

D. CLARK CORNWELL,  
Assistant City Attorney

WEBB & WEBB  
712 Southwest Tower  
211 East Seventh Street  
Austin, Texas 78767  
Tel: (512) 472-9990  
Fax: (512) 472-3183

By:



Stephen P. Webb  
State Bar No. 21033800  
[s.p.webb@webbwebblaw.com](mailto:s.p.webb@webbwebblaw.com)

Gwendolyn Hill Webb  
State Bar No. 21026300  
[g.h.webb@webbwebblaw.com](mailto:g.h.webb@webbwebblaw.com)

cc: Randy Wilburn  
John Carlton  
Sam Chang  
Thomas Tynes

**SOAH DOCKET NO. 473-14-5138.WS**  
**PUC DOCKET NO. 42857**

PETITION OF NORTH AUSTIN §  
 UTILITY DISTRICT NO. 1, §  
 NORTHTOWN MUNICIPAL UTILITY §  
 DISTRICT, TRAVIS COUNTY WATER §  
 CONTROL AND IMPROVEMENT §  
 DISTRICT NO. 10 AND WELLS §  
 BRANCH MUNICIPAL UTILITY §  
 DISTRICT, FROM THE RATEMAKING §  
 ACTIONS OF THE CITY OF AUSTIN §  
 AND REQUEST FOR INTERIM RATES §  
 IN WILLIAMSON AND TRAVIS §  
 COUNTIES §

BEFORE THE STATE OFFICE  
 OF  
 ADMINISTRATIVE HEARINGS

**PETITION OF NORTH AUSTIN  
MUNICIPAL UTILITY DISTRICT NO.  
1, NORTHTOWN MUNICIPAL  
UTILITY DISTRICT, AND WELLS  
BRANCH MUNICIPAL UTILITY  
DISTRICT FROM THE RATEMAKING  
ACTIONS OF THE CITY OF AUSTIN  
AND REQUEST FOR INTERIM RATES  
IN WILLIAMSON AND TRAVIS  
COUNTIES**

## VACATION NOTICE

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

COMES NOW, Gwendolyn Hill Webb and Stephen P. Webb, attorneys for the City of Austin ("City" or "Austin"), Respondent, in the referenced case, and files this Vacation Notice.

1. Gwendolyn Hill Webb will be on vacation on the following dates:
  - a. July 31, 2015 through August 2, 2015; and
  - b. October 6, 2015 through October 16, 2015.

2. Stephen P. Webb will be on vacation on the following dates:

a. July 31, 2015 through August 2, 2015; and

b. October 6, 2015 through October 16, 2015.

Respondent, Austin requests that the court schedule no hearings, including preliminary or final hearing or other matters requiring its counsels' attention be scheduled during these vacation periods.

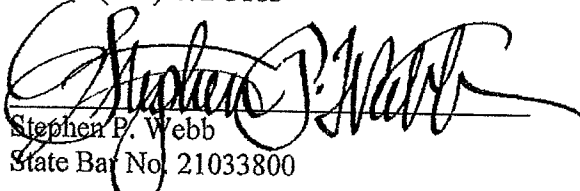
Respectfully submitted,

**KAREN KENNARD,**  
City Attorney

**D. CLARK CORNWELL**  
Assistant City Attorney

**WEBB & WEBB**  
712 Southwest Tower  
211 East Seventh Street  
Austin, Texas 78767  
Tel: (512) 472-9990  
Fax: (512) 472-3183

By:

  
Stephen P. Webb  
State Bar No. 21033800

Gwendolyn Hill Webb  
State Bar No. 21026300

ATTORNEYS FOR CITY OF AUSTIN

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served via hand delivery, facsimile, electronic mail, overnight mail, US mail and/or Certified Mail Return Receipt Requested on all parties whose names appear on the mailing list below on this

18<sup>th</sup> day of May, 2015.

**FOR THE PUBLIC UTILITY COMMISSION:**

1701 N. Congress Avenue, 7<sup>th</sup> Floor  
PO Box 13326  
Austin, Texas 78711-3326  
Via Electronic Upload

**FOR THE ADMINISTRATIVE LAW JUDGES:**

Honorable Pratibha J. Shenoy  
Administrative Law Judge

Honorable Beth Bierman  
Administrative Law Judge

State Office of Administrative Hearings  
300 W. 15<sup>th</sup> Street, Suite 504  
Austin, Texas 78701  
Phone: 512-475-4993  
Fax: 512-322-2061  
Via Electronic Upload

**FOR THE SOAH DOCKET CLERK:**

Ms. Monica Luna, Docketing Clerk  
State Office of Administrative Hearings  
300 W. 15<sup>th</sup> Street, Suite 504  
Austin, Texas 78701  
Phone: 512-475-4993  
Fax: 512-322-2061  
Via Electronic Upload

  
STEPHEN P. WEBB

**FOR PETITIONERS:**

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Austin, Texas 78704  
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Fax: 512-535-1678  
[rbw@randallwilburnlaw.com](mailto:rbw@randallwilburnlaw.com)

Mr. John Carlton, Attorney at Law  
The Carlton Law Firm, PLLC  
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Fax: 512-900-2855  
[john@carltonlawaustin.com](mailto:john@carltonlawaustin.com)

**FOR THE PUC STAFF:**

Mr. Sam Chang, Attorney – Legal Division  
Phone: 512-936-7261  
Fax: 512-936-7268  
[sam.chang@puc.texas.gov](mailto:sam.chang@puc.texas.gov)  
Mr. Thomas Tynes, Attorney – Legal Division  
Phone: 512-936-7297  
Fax: 512-936-7268  
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Austin, Texas 78711-3326