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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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PUBLIC UTILITY COMMISSION
FILING CLERK

STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Bridget C. Bohac, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for Douglas Utility Company, SOAH Docket No. 582-14-1052, TCEQ Docket No. 2013-1735-UCR, was mailed on December 2, 2013. Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 2nd day of December, 2013.

Bridget C Bohac
Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality

SEAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING DOUGLAS UTILITY COMPANY SOAH Docket No. 582-14-1052 TCEQ Docket No. 2013-1735-UCR

APPLICATION.

Douglas Utility Company, 32 East Rivercrest Drive, Houston, Texas 77042, has applied to the Texas Commission on Environmental Quality (TCEQ) to change its water and sewer rate/tariff effective May 12, 2013 for its service area located in Harris County, Texas (Certificate of Convenience and Necessity Nos. (CCN) 11369 and 20527, Application Nos. 37554-R and 37555-R). This application concerns service areas located within the USPS zip codes on the attached list.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing on this application at:

**10:00 a.m. – January 23, 2014
The Preserve at North Loop
2020 North Loop West, Suite 111
Houston, Texas 77018**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 13, Texas Water Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 291; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the evidentiary hearing as a party, you must attend the preliminary hearing and show you would be affected by the petition in a way not common to members of the general public.

INFORMATION.

Information concerning your participation in this hearing may be obtained by contacting Blas Coy, TCEQ Office of Public Interest Counsel (MC 103), P.O. Box 13087,

Austin, TX 78711-3087, telephone 512-239-6363. For additional information, please contact the TCEQ Water Supply Division, Utilities & Districts Section (MC 153), P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-4691. General information regarding the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>.

Persons with disabilities who plan to attend this hearing and 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: December 2, 2013

A handwritten signature in cursive script that reads "Bridget C. Bohac".

Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality

Bryan W. Shaw, Ph.D., *Chairman*
Toby Baker, *Commissioner*
Zac Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

December 2, 2013

BY CERTIFIED AND FIRST CLASS MAIL
Certified Receipt # 7011 0470 0002 2481 5787

Mark H. Zeppa, Attorney
Law Office of Mark H. Zeppa, PC
4833 Spicewood Springs Road, Suite 202
Austin, Texas 78759

RE: Mailing requirements on Notice of Hearing on Douglas Utility Company
SOAH Docket No. 582-14-1052, TCEQ Docket No. 2013-1735-UCR

Dear Mr. Zeppa:

Enclosed is a Notice of Public Hearing concerning the above-referenced application. This notice must be provided in its entirety to all affected utility customers, at the utility company's expense. **A listing of all USPS zip codes within which any affected customer resides must be attached to the notice.** You may mail the notice with a utility bill or statement, or by separate first class mail. In accordance with Section 2001.051(1) of the Administrative Procedure Act, **all affected customers must receive the notice not less than 10 days before the hearing date**, or not later than January 13, 2014.

After the notice is mailed to all affected customers, you must file an affidavit stating the attached notice was mailed to all affected customers, and stating the date on which it was mailed. **Please be sure to attach a copy of the mailed notice including the zip code listing to the affidavit.** The affidavit must be filed with the Office of the Chief Clerk of the Texas Commission on Environmental Quality (Commission), ATTN: SOAH Docket Clerk (Mail Code 105), P.O. Box 13087, Austin, Texas 78711-3087, at least two days before the public hearing.

Immediately contact the State Office of Administrative Hearings (SOAH) Docket Clerk in the event that notice is not provided in a timely manner. **When contacting the Commission or SOAH regarding this application, please reference the SOAH docket number given at the top of this letter.**

If you have any questions, please call (512) 475-3445 to speak with the SOAH Docket Clerk.

Sincerely,

Bridget C. Bohac

Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality

Enclosures

cc: Carol Zieben, Douglas Utility Company, 32 East Rivercrest Drive, Houston, Texas
77042

TCEQ - Office of the Chief Clerk
MC-105 Attn: SOAH Docket Clerk
PO Box 13087
Austin TX 78711-3087

Utility Company: DOUGLAS UTILITY COMPANY
TCEQ Docket Number: 2013-1735-UCR
SOAH Docket Number: 582-14-1052

AFFIDAVIT OF NOTICE TO CUSTOMERS OF THE PUBLIC HEARING

STATE OF TEXAS §

COUNTY OF: _____ §

Before me, the undersigned authority, on this day personally appeared the affiant who being by me duly sworn, deposes and says:

My name is _____, I am over eighteen (18) years of age. I have personal knowledge of the facts stated herein and they are all true and correct.

(Name of Affiant)

I am _____ of _____.

(Title of Affiant)

(Name of Utility)

On _____, I caused to be mailed to all of the above named utility's customers and affected municipalities, if any, the attached notice of public hearing. The notice was mailed by first class mail.

(Date)

Signature of Affiant

Subscribed and sworn to before me this the _____ day of _____, 20_____, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____

(Seal)

MAILING LIST
DOUGLASS UTILITY COMPANY
SOAH Docket No. 582-14-1052
TCEQ Docket No. 2013-1735-UCR

Mark H. Zeppa, Attorney
Law Office of Mark H. Zeppa, PC
4833 Spicewood Springs Road, Suite 202
Austin, Texas 78759
Representing: Douglass Utility Company

(Via Certified and First Class Mail)

Carol Zieben,
Douglas Utility Company
32 East Rivercrest Drive
Houston, Texas 77042
Representing: Douglass Utility Company

(Via Certified and First Class Mail)

Jim Rourke, Assistant Public Counsel
Office of Public Utility Counsel
P.O. Box 12397
Austin, Texas 78711-2397
Representing: Office of Public Utility Counsel

Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
Via electronic mail:

Brian MacLeod, Staff Attorney, Environmental Law Division (MC 173)
Heidi Graham, Technical Staff, Water Supply Division, Utilities & Districts
Section (MC 159)
Sheresia Perryman, Financial Staff, Water Supply Division, Utilities & Districts
Section (MC 153)
Blas Coy, Office of Public Interest Counsel (MC 103)