

Control Number: 42866



Item Number: 5

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.

42866

RECEIVED

2014 SEP -5 AM 11:24
PUBLIC UTILITY COMMISSION
FILING CLERK

Katha Anderson

From: Rommel Corro <Rommel.Corro@soah.state.tx.us>
Sent: Monday, April 28, 2014 2:34 PM
To: Katha Anderson
Cc: Monica Luna
Subject: CONFIRMATION

SETTING OF HEARING(S)

<u>Docket Number</u>	<u>Case</u>	<u>Date</u>	<u>Time/Duration</u>
582-14-3380	City of Georgetown	5-28-14	10 am/1 day
582-14-3382	West Travis Co. Public Util. Agency	6-11-14	same

Hearing Location
State Office of Administrative Hearing
W.P. Clements Building
300 West 15th Street, 4th Floor
Austin, TX 78701

All parties will be notified in the event of a change of location of the hearing.

Please remember that you are responsible for providing the court reporter as required by your agency.

If you have any questions regarding any of the information herein, please contact me.

THE
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20535

(Revised - 06/09/09)

FOR SOAH USE ONLY

(req. frm)

Date complete request received by SOAH:

Proceeding date set by SOAH:

SOAH Docket Number& type of case:

REQUEST TO DOCKET CASE (Please type or print)

PLEASE CHECK ACTION REQUESTED:**

☒ **SETTING OF HEARING** ☐ **ASSIGNMENT OF ALJ *** ☐ **ALTERNATIVE DISPUTE RESOLUTION (ADR)/MEDIATION***

REFERRING AGENCY NAME: TCEQ AGENCY NO.: _____ AGENCY'S FILE/CASE NO.: 2014-0439-UCR

NAME/STYLE OF THE CASE: WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY

DATE APPLICATION FILED AT AGENCY: _____ DOCKET NO. SUFFIX, if applicable: UCR

PROCEEDING DATE(S) REQUESTED (Include range of dates if possible): JUNE 11, 2014

EXPECTED NUMBER OF HOURS (If less than a day) OR DAYS NEEDED FOR PROCEEDING: _____ HOURS 1 DAYS

☐ **ADMIN. FINE** ☐ **GRIEVANCE** ☐ **ENFORCEMENT** ☐ **CONTRACT CLAIM (Gov't. Code 2260)** ☐ **OTHER** _____

SPECIAL NEEDS OR ACCOMMODATIONS: HEARING IN AUSTIN, SEATING FOR 20 PEOPLE

IF ADR REQUESTED PLEASE DESCRIBE PROCESS NEEDED: _____

☐ **PREHEARING CONFERENCE REQUESTED** ☐ **INTERPRETER NEEDED(See 1 TAC 155.43(g))**

☐ **CASE FILE** and/or ☐ **HEARING IS CONFIDENTIAL (Specify applicable statute):** _____

NAME OF INDIVIDUAL SENDING REQUEST FORM: KATHA ANDERSON PHONE NO.: 239-3316 FAX NO.: 239-3311

PARTIES AND REPRESENTATIVES

PARTY REPRESENTED BY: ☐ **SELF** ☐ **ATTORNEY**
☐ **OTHER, If so, relationship:**

REPRESENTATIVE'S NAME: RON OLSON

PARTY'S NAME:

ADDRESS:

PHONE No.: (512) 239-0608
(Direct Phone Number Please)

Email Address: ron.olson@tceq.texas.gov

FAX No.:

PARTY REPRESENTED BY: ☐ **SELF** ☐ **ATTORNEY**
☐ **OTHER, If so, relationship:**

REPRESENTATIVE'S NAME:

PARTY'S NAME:

ADDRESS:

PHONE No.:
(Direct Phone Number Please)

Email Address:

FAX No.:

PLEASE LIST ADDITIONAL PARTIES AND/OR REPRESENTATIVES ON EXTRA FORM PROVIDED.

SEND TO: STATE OFFICE OF ADMINISTRATIVE HEARINGS
ATTN.: Deputy Clerk
William P. Clements Building
300 West 15th Street, Suite 504
Austin, Texas 78701

OR

Post Office Box 13025
Austin, Texas 78711-3025
Docketing Phone No. (512) 475-3445
Fax No. (512) 475-4994

***PLEASE FORWARD A COPY OF THE APPLICATION, APPEAL, OR COMPLAINT WITH THIS REQUEST FORM, AS WELL AS ANY OTHER PLEADING FILED IN THE CASE TO DATE IF REQUESTING ASSIGNMENT OF ALJ or ALTERNATIVE DISPUTE RESOLUTION (ADR)/MEDIATION. A COPY OF THE NOTICE OF PROCEEDING MUST BE FORWARDED TO SOAH AT THE SAME TIME IT IS MAILED TO THE PARTIES.**

Katha Anderson

From: Katha Anderson
Sent: Monday, April 28, 2014 12:11 PM
To: docketing@soah.state.tx.us
Subject: 2014-0439-UCR dkt request
Attachments: Referral2014-0439-UCR.pdf; 2014-0439-UCR dkt request.docx

TCEQ Interoffice Memorandum

TO: Bridget C. Bohac, Chief Clerk

THRU: *4/1/14*
Tammy Benter, Manager
Utilities and Districts Section
Water Supply Division

3/28/14
Lisa Fuentes, Team Leader
Utilities Financial Review Team
Water Supply Division

3/31/14
Vera Poe, P.E., Team Leader
Utilities Technical Review Team
Water Supply Division

FROM: *3/28/14*
Leila Guerrero
Utilities Financial Review Team
Water Supply Division

3-31-14
Heidi Graham, E.I.T.
Utilities Technical Review Team
Water Supply Division

DATE: March 27, 2014

SUBJECT: Docket No. 2014-0439-UCR; Petition of Travis County MUD No. 12, Travis County MUD No. 11, and Travis County MUD No. 13, ("Petitioners"), Appealing the Change of Wholesale Water Rates Implemented by West Travis County Public Utility Agency ("PUA"), City of Bee Cave, Hays County, and West Travis County Municipal Utility District No. 5 and to conduct an evidentiary hearing, in Travis County; Application No. 37868-M

CN: 601357098; RN: 102672623 (Travis County MUD 12)
CN: 600740922; RN: 105216758 (Travis County MUD 11)
CN: 600741060; RN: 101421154 (Travis County MUD 13)
CN: 604521849; RN: 106319361 (West Travis County PUA)

We hereby transfer the official file for the above referenced application to the Chief Clerk's Office. Please refer this application to the State Office of Administrative Hearings (SOAH) and request that a hearing be scheduled.

On December 17, 2013, Travis County MUD ("TCMUD") 12 received the Notice of Adjustment of Wholesale Rate for the Petitioners from the PUA. TCEQ received the Petitioners' appeal on March 6, 2014. Pursuant to Texas Water Code (TWC), Section §13.043(f), and 30 TAC, Section §291.41(f) an appeal must be initiated by filing a petition within 90 days after notice of the decision is received from the water or sewer service provider. It appears that the petition was timely filed and there are probable grounds to proceed. Attached is a mailing list for this application.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2014 APR 14 PM 3:17
CHIEF CLERKS OFFICE

Staff assigned to this case are:

Technical - Heidi Graham, E.I.T.

Financial - Leila Guerrero

Legal _____

If we may be of further service regarding this matter, please call.

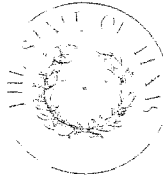


Tammy Benter, Manager

TB/HG/LG/mmg

cc: TCEQ Public Interest Counsel; ATTN: Vic McWherter
TCEQ Agency Communications; ATTN: Andy Saenz, Director
TCEQ Chief Clerk's Office; ATTN: Deanna Avalos, SOAH Docket Clerk
TCEQ Legal Office; ATTN: Todd Galiga

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2014

Ms. J. Kay Trostle, Attorney
Smith Trostle & Huerta, LLP
4401 Westgate Blvd., Ste. 330
Austin, Texas 78745

Re: Docket No. 2014-0439-UCR; Petition of Travis County MUD No. 12, Travis County MUD No. 11, and Travis County MUD No. 13, ("Petitioners"), Appealing the Change of Wholesale Water Rates Implemented by West Travis County Public Utility Agency ("PUA"), City of Bee Cave, Hays County, and West Travis County Municipal Utility District No. 5 and to conduct an evidentiary hearing in Travis County; Application No. 37868-M

CN: 601357098; RN: 102672623 (Travis County MUD 12)
CN: 600740922; RN: 105216758 (Travis County MUD 11)
CN: 600741060; RN: 101421154 (Travis County MUD 13)
CN: 604521849; RN: 106319361 (West Travis County PUA)

Dear Ms. Trostle:

On March 6 2014, the Texas Commission on Environmental Quality (TCEQ) received the above referenced petition and request for a hearing. Your petition has been assigned Docket No. 2014-0439-UCR. Any further communications should refer to this docket number.

TCEQ has referred the matter to the State Office of Administrative Hearings and requested that a hearing be scheduled. When a hearing has been scheduled, you will receive a hearing notice which explains when and where the hearing will be held.

As part of the review, TCEQ staff may need additional information regarding your petition. You may be receiving Staff Requests for Information (RFI's) within a few weeks. We would appreciate your cooperation in providing the information requested.

If you have questions about this process or what material you should bring with you to the hearing, please contact Ms. Leila Guerrero at (512)239-2286 or Mr. Heidi Graham, E.I.T. at (512)239-0844, by email at Leila.Guerrero@tceq.texas.gov or Heidi.Graham@tceq.texas.gov. If by correspondence, please include MC -153 in the address.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Benter".

Tammy Benter, Manager
Utilities and Districts Section
Water Supply Division

TB/LG/mmg

cc: Mailing List

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

How is our customer service? tceq.texas.gov/customersurvey

Mailing List for:
TCEQ Docket No. : 2014-0439-UCR
SOAH Docket No. :
Application No. 37868-M

Ms. J. Kay Trostle, Attorney
Smith Trostle & Huerta, LLP
4401 Westgate Blvd., Ste. 330
Austin, Texas 78745

Representing: Petitioners

West Travis County Public Utility Agency
Attn: General Manager
12117 Bee Cave Road
Building 3, Suite 120
Bee Cave, Texas 78738

Ms. Lauren Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701

West Travis County Municipal Utility District No. 5
P.O. Box 150068
Austin, Texas 78715

The City of Bee Cave, Texas
4000 Galleria Parkway
Bee Cave, Texas 78738

Hays County, Texas
Hays County Courthouse
111 E. San Antonio St., Ste. 300
San Marcos, Texas 78666