



Control Number: 42867



Item Number: 3

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.

(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.: 2014-0489-UCR

NAME/STYLE OF THE CASE: NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1, NORTHTOWN MUNICIPAL UTILITY DISTRICT, AND WELLS BRANCH MUNICIPAL UTILITY DISTRICT

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

PROCEEDING DATE(S) REQUESTED (Include range of dates if possible): May 14, 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 15 PEOPLE (ALJ has approved request to consolidate time and date with docket No. 2013-0865-UCR for hearing purposes.

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: Jessica.rogers@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: Friday, April 11, 2014 12:10 PM
To: 'docketing@soah.state.tx.us'
Subject: 2014-0489-UCR dkt request.docx
Attachments: Referral 2014-0489-UCR.pdf; 2014-0489-UCR dkt request.docx


TCEQ Interoffice Memorandum


TO: Bridget C. Bohac, Chief Clerk


THRU:  Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

 Ada Lichaa, P.G., Manager
Plan & Technical Review Section
Water Supply Division

 Lisa Fuentes, Team Leader
Utilities Financial Review Team
Water Supply Division

 Vera Poe, P.E., Team Leader
Utilities Technical Review Team
Water Supply Division

FROM:  Elizabeth Flores, Auditor
Utilities Financial Review Team
Water Supply Division

 Brian Dickey, Staff Engineer
Utilities Technical Review Team
Water Supply Division

DATE: April 11, 2014

SUBJECT: TCEQ Docket No. 2014-0489-UCR; Appeal filed by North Austin Municipal Utility District1, Northtown Municipal Utility District, and Wells Branch Municipal Utility District ("Petitioners"), of the Ratemaking Actions of the City of Austin ("City") and Request for Interim Rates in Williamson and Travis Counties; Application No. 37814-M

CN: 600890065; 601178726; 600635445; 600135198

RN: 101652279; 102677580; 102679636; 103049821

We hereby transfer the official file for the above-referenced petition to the Office of the Chief Clerk. Please refer this petition to the State Office of Administrative Hearings (SOAH).

A preliminary hearing has been scheduled for May 14, 2014 at the State Office of Administrative Hearings to discuss the merits of consolidating the Wastewater Case with the Water Case (SOAH Docket No. 582-13-4617). Please reference Order No. 8 issued by Administrative Law Judge Pratibha J. Shenoy in SOAH Docket No. 582-13-4617

We received the appeal of the Petitioners on December 12, 2013. On or about September 10, 2012, the City of Austin's City Council adopted an increase in the sewer rates for its customers including increasing rates for the Petitioners. The first phase of the increased rates went into effect on February 1, 2013.

The Petitioners file this appeal pursuant to Section 13.044(b) of the Texas Water Code ("Water Code") and Title 30, Texas Administrative Code ("TAC") Section 291.45(c). The Petitioners also file this Petition to overturn the rates charged by the City of Austin for wholesale sewer service and for failure to obtain prior approval to increase the rates from the Commission.

Attached is a mailing list for this application.

The staff assigned to this case are:

Technical - Brian Dickey

Financial - Elizabeth Flores

Legal -

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



Ada Lichaa, P.G., Manager

TB/LG/

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