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# TCEQ Interoffice Memorandum


42867


BD

TO: Bridget C. Bohac, Chief Clerk

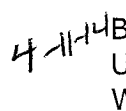
THRU:  Tammy Benter, Manager  
Utilities & Districts Section  
Water Supply Division

 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.

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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.



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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

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*

April 11, 2014

Mr. John J. Carlton  
The Carlton Law Firm, P.L.L.C.  
2705 Bee Cave Road, Suite 200  
Austin, Texas 78746

Re: TCEQ Docket No. 2014-0489-UCR; Appeal filed by North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, and Wells Branch Municipal Utility District ("Petitioners"), from 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

Dear Mr. Carlton:

On December 12, 2013, we received the original petition to review the City of Austin's wholesale wastewater rate increase and request for interim rates for the above named Petitioners. The Texas Commission on Environmental Quality (TCEQ) has requested that a hearing be scheduled. Your application has been assigned Docket No. 2014-0489-UCR. Any further communication should refer to this docket number.

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

In order to review the matter, the staff of the TCEQ 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. Elizabeth Flores at (512) 239-6846 or Mr. Brian Dickey at (512) 239-0963.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ada Lichaa".

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

TB/LG/

cc: Attached Mailing List

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)

Mailing List for:  
TCEQ Docket No. 2014-0489-UCR  
(Application No. 37814-M)

FOR THE CITY OF AUSTIN:

Clark Cornwell  
Assistant City Attorney  
City Of Austin  
City Hall  
300 W. 2ND ST. PO BOX 1088  
AUSTIN, TX 78767-1088  
(512) 974-6482 (PH)  
(512) 974-6490 (FAX)  
[Clark.Cornwell@Austintexas.Gov](mailto:Clark.Cornwell@Austintexas.Gov)

FOR THE PETITIONERS:

Randall B. Wilburn, Attorney  
3000 S. IH 35, Suite 150  
Austin, Texas 78704  
[rbw@randallwilburnlaw.com](mailto:rbw@randallwilburnlaw.com)

John J. Carlton, Attorney  
The Carlton Law Firm  
2705 Bee Cave Road, Suite 200  
Austin, Texas 78746  
[john@carltonlawaustin.com](mailto:john@carltonlawaustin.com)

FOR THE CITY OF AUSTIN:

Gwendolyn Webb, Attorney  
Webb & Webb  
211 E. 7<sup>th</sup> Street, Suite 712  
Austin, Texas 78767  
[g.hill.webb@webbwebblaw.com](mailto:g.hill.webb@webbwebblaw.com)

Stephen Webb, Attorney  
Webb & Webb  
211 E. 7<sup>th</sup> Street, Suite 712  
Austin, Texas 78767  
[s.p.webb@webbwebblaw.com](mailto:s.p.webb@webbwebblaw.com)

FOR PUBLIC INTEREST COUNSEL:

Garrett Arthur, Attorney  
Public Interest Counsel, MC 103  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
[garrett.arthur@tceq.texas.gov](mailto:garrett.arthur@tceq.texas.gov)

Mailing List for:  
TCEQ Docket No. 2014-0489-UCR  
(Application No. 37814-M)

FOR THE CHIEF CLERK:

Ms. Bridget Bohac  
Office of the Chief Clerk, MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Melissa Ethridge  
Administrative Assistant II  
State Office of Administrative Hearings  
300 West 15th Street

Ron Olson  
Staff Attorney  
Texas Commission on Environmental Quality  
Environmental Law Division  
P.O. BOX 13087, MC-173  
Austin, Texas 78711-3087  
(512) 239-0600 (PH)  
(512) 239-0606 (FAX)  
ron.olson@tceq.texas.gov  
Austin, Texas 78701