



Control Number: 42938



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.

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



42938

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 15, 2012

Mr. Christopher Smith
Thompson & Knight, LLP
1900 San Jacinto Center
98 San Jacinto Blvd.
Austin, Texas 78701-4238

RECEIVED
2014 SEP 18 AM 11:50
PUBLIC UTILITY COMMISSION
FILING CLERK

Re: Docket No. 2012-1563-UCR; Petition of Fort Bliss Water Services Company (FBWSC), Certificate of Convenience and Necessity (CCN) No. 13060, Requesting a Cease and Desist Order against PRIDE Industries, Inc. (PRIDE), in El Paso County; Application No. 37305-D

Petition of FBWSC, CCN No. 20963, Requesting a Cease and Desist Order against PRIDE, in El Paso County; Application No. 37306-D

CN: 602629644; RN: 104271663 (water) 104279674 (sewer) (FBWSC)
CN: 603339003; RN: 105487417 (PRIDE)

Dear Mr. Smith:

On July 27, 2012, the Texas Commission on Environmental Quality (TCEQ) issued a letter stating that the above referenced petition had been referred to the State Office of Administrative Hearings (SOAH) for scheduling. Unfortunately, the letter did not indicate the SOAH docket number assigned to this matter. The docket number is 2012-1563-UCR.

We apologize for any inconvenience that this may have caused.

Please contact Mr. John Lock, P.E. at (512) 239-4710, if you have any questions about this letter.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Fuentes".

Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

TB/JL/mmg

cc: Attached Mailing List

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

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3

MAILING LIST FOR
Application Nos. 36305-D, 37306-D
Docket No. 2012-1563-UCR

Mr. Christopher Smith
Thompson & Knight, LLP
1900 San Jacinto Center
98 San Jacinto Blvd.
Austin, Texas 78701-4238

Representing: FBWSC


PRIDE Industries, Inc.
10030 Foothills Blvd.
Roseville, CA 95747


PRIDE Industries, Inc.
P.O. Box 31310
El Paso, TX 79931


Mr. Alfredo J. Riera, Director of Public Works
Department of the Army
US Army Installation Management Command
HQ, United States Army Garrison, Fort Bliss
1 Pershing Road
Fort Bliss, Tx 79916-3803


TCEQ Interoffice Memorandum

TO: Bridget Bohac, Chief Clerk

THRU:  Tammy Benter, Manager
Utilities & Districts 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:  John Lock, P.E.
Utilities Technical Review Team
Water Supply Division

DATE: August 15, 2012

SUBJECT: Petition of Fort Bliss Water Services Company (FBWSC),
Certificate of Convenience and Necessity (CCN) No. 13060,
Requesting a Cease and Desist Order against PRIDE
Industries, Inc. (PRIDE), in El Paso County; Application No.
37305-D

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Application No. 37306-D

CN: 602629644; RN: 104271663 (water) 104279674
(sewer) (FBWSC)

CN: 603339003; RN: 105487417 (PRIDE)

The Texas Commission on Environmental Quality (TCEQ) received this petition on March 12, 2012, and accepted it for filing on March 30, 2012. The petition was filed by FBWSC to request issuance of a cease and desist order against PRIDE based on violations of Title 30 Texas Administrative Code (TAC), Section 291.118.

We hereby transfer the official file for the above application to the Chief Clerk's Office. Please refer this application to the State Office of Administrative Hearings and request that a hearing be scheduled. We estimate that approximately 10 people could attend the preliminary

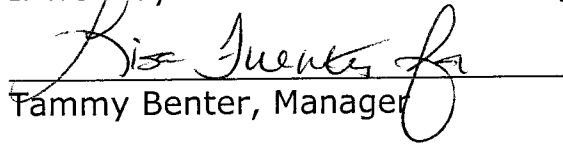
hearing in this matter. Enclosed is a mailing list.

The staffs assigned to this case are:

Technical- John Lock, PE

Legal - Doug Brown

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



Tammy Benter, Manager


TB/JL/mmg


71


TCEQ Interoffice Memorandum

TO: Bridget Bohac, Chief Clerk

THRU:  Tammy Benter, Manager
Utilities & Districts 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:  John Lock, P.E.
Utilities Technical Review Team
Water Supply Division

DATE: July 27, 2012

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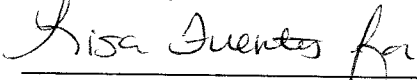
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TB/JL/mmg

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Carlos Rubinstein, *Commissioner*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 27, 2012

Mr. Christopher Smith
Thompson & Knight, LLP
1900 San Jacinto Center
98 San Jacinto Blvd.
Austin, Texas 78701-4238

Re: Petition of Fort Bliss Water Services Company (FBWSC), Certificate of Convenience and Necessity (CCN) No. 13060, Requesting a Cease and Desist Order against PRIDE Industries, Inc. (PRIDE), in El Paso County; Application No. 37305-D

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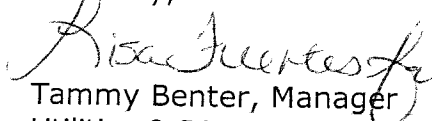
Dear Mr. Smith:

The Texas Commission on Environmental Quality (TCEQ) received this petition on March 12, 2012, and accepted it for filing on March 30, 2012. This matter has been referred to the State Office of Administrative Hearings. A date for a preliminary hearing will be scheduled and you will receive notice of the time and place for this hearing.

If jurisdiction is established, you will have an opportunity to attempt to reach an agreed settlement. If settlement is not possible a schedule of dates for discovery, pre-filed testimony, and an evidentiary hearing will be set. We urge you to vigorously pursue local settlement of this matter. In addition, the TCEQ can provide a representative from the Alternative Dispute Resolution Division, available free of charge, to assist you with mediation.

If you have questions about this process or what material you should bring with you to the hearing, please contact Mr. John Lock, P.E. at (512) 239-4710.

Sincerely,


Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

TB/JL/mmg

cc: Attached Mailing List

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MAILING LIST FOR DOCKET NO
(Application No. 36305-D, 37306-D)

Mr. Christopher Smith
Thompson & Knight, LLP
1900 San Jacinto Center
98 San Jacinto Blvd.
Austin, Texas 78701-4238

Representing: FBWSC

PRIDE Industries, Inc.
10030 Foothills Blvd.
Roseville, CA 95747

PRIDE Industries, Inc.
P.O. Box 31310
El Paso, TX 79931

Mr. Alfredo J. Riera, Director of Public Works
Department of the Army
US Army Installation Management Command
HQ, United States Army Garrison, Fort Bliss
1 Pershing Road
Fort Bliss, Tx 79916-3803

John Lock

From: Riera, A J (AI) CIV USARMY IMCOM CENTRAL (US) [alfredo.j.riera.civ@mail.mil]
Sent: Thursday, April 12, 2012 6:52 PM
To: John Lock
Subject: Contact Information (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: FOUO

John,

As per our discussion today, below is my contact info.

Thx.

Directorate of Public Works
Bldg 777
Pleasanton Rd
Ft. Bliss, TX 79916-6816

AL RIERA, P.E.
Director of Public Works
Fort Bliss, TX 79916

Commercial: 915-568-6200
DSN: 978-6200

Classification: UNCLASSIFIED
Caveats: FOUO