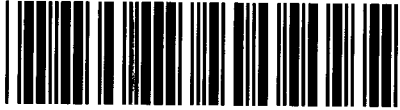


Control Number: 42946



Item Number: 29

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.

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RAPIER, WILSON & WENDLAND, P.C. Attorneys at Law

RECEIVED

John Rapier
rapier@rapierwilson.com

2014 OCT 16 PM 2:25

PUBLIC UTILITY COMMISSION
FILING CLERK

October 3, 2011

via E-filing and Regular Mail

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

**RE: Application Nos. 36966-W and 36967-S;
Application for Sale, Transfer, or Merger of a Retail Public Utility
Mustang Special Utility District and Providence Village Water Control &
Improvement District of Denton County f/k/a Denton County FWSD 9**

Dear Docket Clerk:

Enclosed for filing please find Mustang Special Utility District's Response to Motion to Overturn Executive Director's Decision with respect to the above-referenced applications.

We thank you in advance for your assistance and please feel free to contact us should you have any questions or require further information.

Very Truly Yours,

John Rapier

JR/ak

c: Mustang SUD
Tony Corbett
Brian Dickey, TCEQ

F:\01 - AREA OF LAW\Water Districts\Mustang SUD\STM Application 2010\Correspondence\20111003 Ltr to TCEQ filing Response to Mt to Overturn.wpd

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Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 10, 2011

To: Persons on the attached mailing list (by mail and facsimile as indicated)

Re: Motion to Overturn filed by the Town of Providence Village concerning the Executive Director's decision not to request a hearing on the applications filed by Mustang Special Utility District for the "Sale, Transfer, or Merger" of water and sewer systems in Denton County: TCEQ Docket No. 2011-1763-DIS, Application Nos. 36966-S & 36967-S

This letter is in response to the Motion to Overturn ("Motion") filed on July 2, 2009, by the Town of Providence Village ("Town"), concerning the Executive Director's decision not to request a hearing on the applications filed by Mustang Special Utility District ("Mustang") for the "Sale, Transfer, or Merger" ("STM applications") for water and sewer systems and CCNs owned and operated by Providence Village Water Control and Improvement District of Denton County f/k/a Denton County Freshwater Supply District No. 9 ("District") in Denton County. A complete copy of the Motion may be obtained from the Office of Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087.

Title 30, Section 50.139 of the Texas Administrative Code authorizes the General Counsel to extend the time period for filing a motion to overturn and for the Commission to act on a motion to overturn up to 90 days after the date written notice of the Executive Director's action is mailed to the Applicant. Accordingly, this letter shall serve as the order extending the time for filing a motion to overturn on the Executive Director's decision to **Monday, September 26, 2011**, and the order extending the time for the Commission to act on the Motion until **Friday, November 18, 2011**.

The Executive Director, the Office of Public Interest Counsel, Mustang and the District are hereby notified that they are encouraged to file response briefs with regard to the issues raised in the Motion. These briefs must be filed with the Chief Clerk's Office no later than **5:00 p.m. on Friday, October 21, 2011**. The Town may file a reply brief with the Chief Clerk's Office no later than **5:00 p.m. on Friday, October 28, 2011**. The response and reply briefs may be filed electronically at <http://www10.tceq.state.tx.us/epic/efilings/> or by filing an original and 7 copies with the Chief Clerk of the TCEQ. The parties must also mail a copy of the response briefs to all other persons on the attached mailing list on the same day the briefs are submitted to the Office of Chief Clerk.

The Commission's Office of General Counsel will notify the entities on the attached mailing list by separate letter if the Commission decides to set the above-referenced matter for consideration at a future public meeting.

If you have any questions about this matter, please contact Todd Burkey, Assistant General Counsel, at (512) 239-2941.

Respectfully,


Les Thomas
General Counsel

Mailing List

P.O. Box 13087 Austin, Texas 78711-3087 512-239-1000 Internet address: www.tceq.state.tx.us

Mailing List
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TCEQ Docket No. 2011-1763-DIS

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