

Control Number: 42962



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*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*

SOAH DOCKET NO. 582-02-3005
TCEQ DOCKET NO. 2002-0431-UCR

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APPLICATION OF THE CITY §
OF LYFORD TO OBTAIN A §
WATER CERTIFICATE OF §
CONVENIENCE AND §
NECESSITY IN WILLACY §
COUNTY §

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

PUBLIC HEARING
FILING CLERK
CHIEF CLERK'S OFFICE
SEP 29 PM 4: 03
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**EXECUTIVE DIRECTOR'S RESPONSE TO LYFORD'S MOTION TO SET ASIDE
DISMISSAL AND REOPEN THE RECORD**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

The City's Motion states that it is the City's belief that the parties have an agreement concerning the application, and that the parties' representatives have orally approved a map of this agreement. The City requests that the record be reopened to allow the City to tender the approved settlement agreement. This request implies that all parties have resolved all outstanding issues and that this application is essentially ready to be remanded to the Executive Director for approval as an uncontested matter. As a point of clarification, the Executive Director has not been involved in the settlement discussions between Lyford and North Alamo WSC, nor has the Executive Director seen the map mentioned in the Motion. As a result, the Executive Director continues to have unresolved concerns regarding the City's application.

The Executive Director takes no position regarding the City of Lyford's Motion to Set Aside Dismissal. However, if the City's Motion is granted, the Executive Director's concerns will need to be addressed before this matter can be dismissed from SOAH's docket.

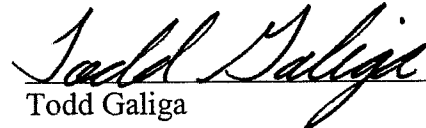
Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of September, 2002, a true and correct copy of the foregoing document was filed with all parties on the attached mailing list by hand delivery, fax, interagency mail, or deposit into the U. S. Mail.



Todd Galiga

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SOAH Docket No. 582-02-3005
TNRCC Docket No. 2002-0431-UCR

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