



Control Number: 42964



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on the application, and that the docket was referred to the State Office of Administrative Hearings (SOAH). Subsequently, all the protests were resolved and withdrawn, and the proceeding was remanded from SOAH to the TCEQ for final disposition. It also appears that a final order was drafted for the TCEQ Executive Director's signature; however, it does not appear that a final order was issued by the TCEQ. Because all the protests have been resolved, Staff recommends that the application be processed for final disposition based on the following procedural schedule:

| Event                                                                                                                             | Date              |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Deadline for Staff to file its final recommendation                                                                               | December 1, 2015  |
| Deadline for parties to file proposed Notice of Approval, including findings of fact, conclusions of law, and ordering paragraphs | December 15, 2015 |

### III. REQUEST TO CONSOLIDATE DOCKETS

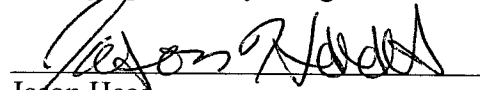
Order No. 1 also requested that Staff identify any documents in Docket No. 42964, related to Application No. 35092-C so that those documents can be relocated to Docket No. 42965. Because both Application Nos. 35091-C and 35092-C were processed in the same proceeding at TCEQ, Staff requests that the dockets be consolidated and restyled, and the final Notice of Approval address both applications.

**DATED: September 22, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director - Legal Division

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Managing Attorney - Legal Division

  
Jason Haas

Legal Division  
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1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

### **CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on September 22, 2015, in accordance with 16 Tex. Admin Code § 22.74.

  
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Jason Haas