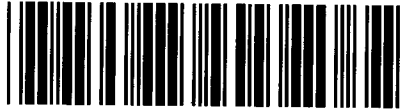


Control Number: 43529



Item Number: 13

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.

43519
BRADLEY & CAIN, L.L.C.

ATTORNEYS AT LAW

13 E. Henderson St. Cleburne, Texas 76031

817-645-3993 Fax 817-645-3995

Metro 817-517-2522

Email: scain@bradleyandcain.com

D. SCOTT CAIN

RECEIVED

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UTILITY COMMISSION
FILING CLERK

October 18, 2005

Honorable Mike Rogan
Administrative Law Judge
State Office of Administrative Hearings
PO Box 13025
Austin, Texas 78711-3025

Via Fax # 512-475-4994

RE: Application of Fall Creek Utility Company, Inc. for a rate change in Hood
County, Texas; SOAH Docket No. 582-05-1528; TCEQ Docket No. 2004-1201-
UCR

Dear Judge Rogan:

Enclosed please find Lake Granbury RV Ranch Property Owners Association and
Fall Creek Utility Company, Inc.'s Status Report in the above reference cause and a letter
to Ms. LaDonna Castanuela of the TCEQ Chief Clerk's Office. I am also forwarding you
copies of these documents via regular United States Mail.

I previously faxed a copy of this Report and letter to the parties listed below.

I am also forwarding a copy of this letter to the other parties as shown below. If
you need any additional information, please do not hesitate to contact my office.

Sincerely,



Keri L. Cannon

Cc: Ms. Wendall Corrigan Braniff
10625 Legends Lane
Austin, Texas 78747

Via Facsimile # 512-291-1006

13

512.291.1005
512.291.1006 FAX

Mr. Gabriel Soto
TCEQ Environmental Law Division
MC-173
P.O. Box 13087
Austin, Texas 78711-3087
512-239-0600
512-239-0606 FAX

Via Facsimile # 512-239-0606

Christina Mann
TCEQ Office of the Public Interest Counsel
MC-103
P.O. Box 13087
Austin, Texas 78711-3087
512-239-4014
512-239-6377 FAX

Via Facsimile # 512-239-6377

Ms. LaDonna Castanuela
Office of the Chief Clerk
TCEQ Docket Clerk
MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Via Fax # 512-475-4994

Lake Granbury RV Ranch Property Owners Association
Fall Creek Utility Company, Inc.
Attention: Mr. Gene Floyd
7001 Garret Ranch Road
Granbury, Texas 76049

COPY

SOAH DOCKET NO. 582-05-1528
TCEQ DOCKET NO. 2004-1201-UCR

APPLICATION OF FALL CREEK	§	BEFORE THE STATE
UTILITY COMPANY, INC.	§	OFFICE OF
FOR A RATE CHANGE	§	ADMINISTRATIVE HEARINGS
IN HOOD COUNTY, TEXAS	§	

LAKE GRANBURY RV RANCH PROPERTY OWNERS ASSOCIATION AND FALL
CREEK UTILITY COMPANY, INC.'S STATUS REPORT

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

NOW COMES, LAKE GRANBURY RV RANCH PROPERTY OWNERS ASSOCIATION (the "POA") and FALL CREEK UTILITY COMPANY, INC. ("Fall Creek") and files this their Status Report in the above referenced cause and in support of which, would respectfully show the Administrative Law Judge as follows:

I.

1. On April 27, 2004, Fall Creek filed a rate change application with the Texas Commission on Environmental Quality ("TCEQ"). The POA protested the rate change and a hearing was held on January 25, 2005. The POA was the only party protesting the application. A mediated settlement conference was held and an agreed schedule was adopted.

II.

2. Having conducted settlement negotiations, Fall Creek and the POA reached a settlement agreement, contingent upon the TCEQ approval of the POA's stock purchase application, which was filed on March 1, 2005. The application was approved on June 30, 2005 and the parties closed on July 29, 2005. Therefore, the application for a rate increase has been assigned and transferred to the POA who has decided not to pursue the application for a rate increase.

WHEREFORE, PREMISES CONSIDERED, Lake Granbury RV Ranch Property Owners Association and Fall Creek Utility Company, Inc. respectfully request that the Administrative Law Judge dismiss the application for a rate change.

Respectfully submitted,



D. SCOTT CAIN	24025279
KEITH BRADLEY	00783707
KERI L. CANNON	24045611

BRADLEY & CAIN, L.L.C.
Attorneys at Law
13 Henderson
Cleburne, Texas 76031
(817) 645-3993
(817) 645-3995 - FAX

**ATTORNEYS FOR LAKE GRANBURY
RV RANCH PROPERTY OWNERS
ASSOCIATION & FALL CREEK
UTILITY COMPANY, INC.**

CERTIFICATE OF SERVICE

A true and correct copy of this document was forwarded to all attorneys of record, on this the 18th day of October, 2005, as follows:

Ms. Wendall Corrigan Braniff
10625 Legends Lane
Austin, Texas 78747
512.291.1005
512.291.1006 FAX

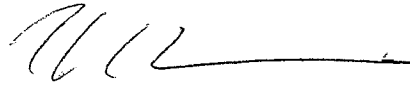
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Mr. Gabriel Soto
TCEQ Environmental Law Division
MC-173
P.O. Box 13087
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Via Facsimile # 512-239-0606

Christina Mann
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512-239-4014
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Via Facsimile # 512-239-4014



Keri L. Cannon
Attorney for Lake Granbury RV
Ranch Property Owners Association
& Fall Creek Utility Company, Inc.

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D. SCOTT CAIN

October 18, 2005

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Office of the Chief Clerk
TCEQ Docket Clerk
MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Via Fax # 512-475-4994

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County, Texas; SOAH Docket No. 582-05-1528; TCEQ Docket No. 2004-1201-
UCR

Dear Ms. Castanuela:

Enclosed please find Lake Granbury RV Ranch Property Owners Association and
Fall Creek Utility Company, Inc.'s Status Report in the above referenced cause. Please
file this Motion with the Court.

I am also sending you the original and one copy of the Motion via regular United
States Mail. Please file the enclosed Motion with the Court and return a file marked copy
to me in the enclosed self-addressed and stamped envelope.

I am forwarding a copy of same to the other parties as shown below. If you have
any questions, please do not hesitate to contact my office.

Sincerely,



Keri L. Cannon

Cc: Ms. Wendall Corrigan Braniff

Via Facsimile # 512-291-1006

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Lake Granbury RV Ranch Property Owners Association
Fall Creek Utility Company, Inc.
Attention: Mr. Gene Floyd
7001 Garret Ranch Road
Granbury, Texas 76049

SOAH DOCKET NO. 582-05-1528
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APPLICATION OF FALL CREEK	§	BEFORE THE STATE
UTILITY COMPANY, INC.	§	OFFICE OF
FOR A RATE CHANGE	§	ADMINISTRATIVE HEARINGS
IN HOOD COUNTY, TEXAS	§	

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Respectfully submitted,



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KEITH BRADLEY	00783707
KERI L. CANNON	24045611

BRADLEY & CAIN, L.L.C.
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**ATTORNEYS FOR LAKE GRANBURY
RV RANCH PROPERTY OWNERS
ASSOCIATION & FALL CREEK
UTILITY COMPANY, INC.**

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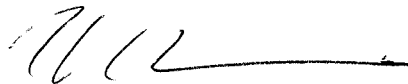
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& Fall Creek Utility Company, Inc.