

Control Number: 43529



Item Number: 9

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House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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.

43529

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PUBLIC UTILITY COMMISSION  
FILING CLERK

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

APPLICATIONS OF FALL CREEK	§	BEFORE THE STATE OFFICE
UTILITY COMPANY, INC., TO RAISE	§	
WATER AND SEWER UTILITY RATES	§	OF
IN HOOD COUNTY, TEXAS	§	
	§	ADMINISTRATIVE HEARINGS

**ORDER NO. 4**

**EXTENDING ABATEMENT OF PROCEDURAL SCHEDULE**

On July 8, 2005, the State Office of Administrative Hearings received a Joint Motion for Abatement in the captioned matter from the Applicant, Fall Creek Utility Company, Inc., and the Lake Granbury RV Ranch Property Owners Association ("POA"), Protestant in the proceeding. The motion sought to extend by 90 days the previously granted abatement of this matter, in order to conclude a settlement. The parties again reported that they have reached a settlement of their dispute, contingent upon confirmation of TCEQ approval of the POA's purchase of Fall Creek's stock.

Based upon the parties' representations, the ALJ concludes that the motion should be GRANTED. Accordingly, the previously adopted procedural schedule in this matter is hereby abated through **October 4, 2005**. By that date, the Applicant is directed to submit to the ALJ a brief written status report on circumstances relating to the case. If final settlement of the matter does not then appear likely, the report should include a proposed procedural schedule, developed in consultation with other parties and leading to a reasonably expeditious resetting of an evidentiary hearing. Alternatively, the report may include a properly supported request for further abatement or continuance. Other parties may also submit such reports by October 4, if desired.

In the event that the parties reach a final settlement, any motion to remand the matter to the Executive Director for disposition as an uncontested matter should include a confirmation that all


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parties to the proceeding (including TCEQ's Public Interest Counsel) are amenable to such remand.

### **PROCEDURAL QUESTIONS**

Routine procedural and logistical questions may be directed to Rita McBride at (512) 475-3419; however, please note that SOAH support personnel are not authorized to provide general advice or the interpretation of regulations or policy.

**SIGNED July 11, 2005.**

  
\_\_\_\_\_  
**MIKE ROGAN**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**WILLIAM P. CLEMENTS BUILDING, Jr.**

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**AGENCY: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
(TCEQ)**

**STYLE/CASE: FALL CREEK UTILITY CO INC**

**SOAH DOCKET NUMBER: 582-05-1528**

**REFERRING AGENCY CASE: 2004-1201-UCR**

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**STATE OFFICE OF  
ADMINISTRATIVE HEARINGS**

**MIKE ROGAN  
ADMINISTRATIVE LAW JUDGE**

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**PARTIES**

**REPRESENTATIVE / ADDRESS**

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**PARTIES**

**REPRESENTATIVE / ADDRESS**

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xc: Docket Clerk, Office of the Chief Clerk, TCEQ, Fax No. (512) 239-3311

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DATE:

July 11, 2005

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REGARDING:

ORDER NO. 4 EXTENDING ABATEMENT OF  
PROCEDURAL SCHEDULE

DOCKET NUMBER:

582-05-1528

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