



Control Number: 43535



Item Number: 11

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.

43535



TCEQ

Protecting Texas
by Reducing and
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DATE: May 11, 2004

Total Pages (including this cover sheet):

TO: Name See Below / Judge Bennett

Organization SOAH

Telephone Number _____

FAX Number 936-0770

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Name Geoff Kirshbaum / James Parker

Title Attorney

Telephone Number 512) 239-6257

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PLEASE CALL AS SOON AS POSSIBLE IF ALL PAGES ARE NOT RECEIVED OR IF THERE ARE ANY OTHER PROBLEMS WITH THE TRANSMITTAL OF THIS FAX.

NOTES:

Re: Application of the City of Royse City to Amend Water CCN and Obtain Sewer CCN in Collin, Rockwall, and Hunt Counties; Application of Verandah Communities, LP to Obtain sewer CCN in Hunt and Rockwall Counties; Application of Parker Creek Estates, L.P. to Obtain a Water and Sewer CCN in Rockwall County, Texas, Application Nos. 34297-C and 34301-C; Docket Nos. 2003-0737-UCR, 2003-0738-UCR and 2003-1289-UCR - Executive Director's First Responses to City of Royse City's Requests for Disclosure to the Executive Director of the Texas Commission on Environmental Quality.

CC: Kerry E. Russell; 1-864-7744
 Mark H. Zeppa; 346-6847
 Skip Newsom; 477-2860
 David J. Klein; 469-7480
 Blas Coy; 239-6377
 Leonard Dougal; 236-2002

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Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Margaret Hoffman, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

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PUBLIC UTILITY COMMISSION
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May 11, 2004

State Office of Administrative Hearings
300 W. 15th Street
Austin, Texas 78701-1649
(512) 936-0770

Re: Application of the City of Royse City to Amend Water CCN and Obtain Sewer CCN in Collin, Rockwall, and Hunt Counties; Application of Verandah Communities, LP to Obtain sewer CCN in Hunt and Rockwall Counties; Application of Parker Creek Estates, L.P. to Obtain a Water and Sewer CCN in Rockwall County, Texas, Application of the City of Fate to Amend Water CCN in Rockwall County, Texas; SOAH Docket Nos. 582-04-0253; 582-04-1268; and 582-04-2730.

Docket Clerk:

Please find enclosed for filing in the above-referenced matter:

"Executive Director's Motion to Extend Procedural Deadlines."

The deadline to propound written discovery in the above cases was yesterday, May, 10. The Executive Director's intention was to file this motion requesting a one week extension yesterday, before the expiration of this deadline, however, by mistake, this Motion was only filed in the Office of the Chief Clerk of the TCEQ. Please accept this Executive Director's Motion to Extend Procedural Deadlines for filing.

If you have any questions, please do not hesitate to contact me at (512) 239-5845. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "James D. Parker".

James D. Parker
Staff Attorney
Environmental Law Division
Enclosures

I. REVISED PROCEDURAL SCHEDULE

In Order No. 4 applicable to State Office of Administrative Hearings ("SOAH") Docket No. 582-04-0253 and 582-04-1268, the Honorable Administrative Law Judge ("ALJ") extended the last day to propound written discovery on the parties until May 10, 2004 and revised several other deadlines. Currently, in Order No. 3 applicable only to SOAH Docket No. 582-04-2730 issued today, the proceedings for that docket were abated until June 4, 2004, however, the procedural schedule for Docket Nos. 582-04-0253 and 582-04-1268 are continuing. The parties wish to continue the discovery schedule for these dockets without abating any of those proceedings, therefore, the Executive Director submits that it would be appropriate to extend the deadlines outlined in ALJ Order No. 4 applicable to SOAH Docket numbers 582-04-0253 and 582-04-1268 by one week. This extension is necessary to enable the Executive Director to receive the answers to its first round of discovery requests to the City of Fate and to make any additional requests, if necessary, since the City of Fate is still a party in the proceedings under SOAH Docket Numbers 582-04-0253 and 582-04-1268.

II. CONCLUSION

The Executive Director respectfully requests that the ALJ extend the deadline to propound written discovery requests in SOAH Docket Nos. 582-04-0253 and 582-04-1268 by one week from the date of this filing and to revise the schedule as follows:

May 17, 2004:	Last day to propound written discovery on the parties
June 10, 2004:	All discovery responses and supplementation due
June 17, 2004	All Applicants' prefiled direct testimony due.


The Executive Director has conferred with representatives for all parties participating in SOAH Docket Nos. 582-04-0253 and 582-04-1268 except the City of Royse City (contact was attempted but unsuccessful), and those parties do not oppose the Executive Director's motion.

Respectfully submitted,

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

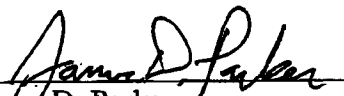
Glen W. Shankle
Acting Executive Director

Stephanie Bergeron, Director
Environmental Law Division

By: 
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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of May, 2004, a true and correct copy of the foregoing Executive Director's Motion to Extend Procedural Deadlines was sent by first class mail, agency mail and/or facsimile to all persons on the attached mailing list.



James D. Parker
Staff Attorney
Environmental Law Division
Texas Commission on Environmental
Quality

MAILING LIST**City of Royse City, Verandah Communities, L.P., Parker Creek Estates, L.P. and
City of Fate****SOAH Docket Nos. 582-04-0253, 582-04-1268 and 582-04-2730****TCEQ Docket Nos. 2003-0737-UCR, 2003-0738-UCR, 2003-1289-UCR and 2003-1491-UCR**

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City of Fate**

SOAH Docket Nos. 582-04-0253, 582-04-1268 and 582-04-2730

TCEQ Docket Nos. 2003-0737-UCR, 2003-0738-UCR, 2003-1289-UCR and

2003-1491-UCR

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