



Control Number: 43535



Item Number: 31

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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.

43535

**POTTS & REILLY, L.L.P.**

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2014 OCT 13 PM 2:11  
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March 25, 2004

**Via: First Class Mail and Facsimile**

Office of Chief Clerk  
Texas Commission on Environmental Quality  
MC105, P.O. Box 13087  
Austin, Texas 78711-3087

2003-0737-UCR

**Re: Rule 11 Agreement; Protestant Gandy's Responses to Executive Director's Requests for Disclosure, First Set of Interrogatories and First Set of Requests for Production in re: SOAH Docket Nos. 582-04-0253, 582-04-1268 and 582-04-2730**

Chief Docket Clerk:

Enclosed is a Rule 11 Agreement for filing in the above-referenced matter.

Sincerely,

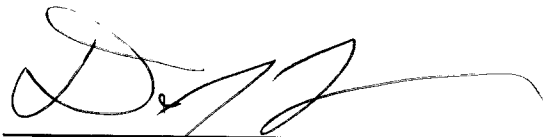


David J. Klein

DJK/ma  
Enclosure  
cc: Service List

31





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David J. Klein

State Bar License No. 24041257

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Austin, Texas 78701

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**ATTORNEY FOR PROTESTANT HONORABLE  
DEAN GANDY**

**POTTS & REILLY, L.L.P.**  
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March 24, 2004

**VIA FACSIMILE TO 512/239-0606**

Mr. Geoffrey Kirshbaum, Staff Attorney  
TCEQ Environmental Law Division  
MC-173, P.O. Box 13087  
Austin, Texas 78711-3087

Re: **Rule 11 Agreement; Protestant Gandy's Responses to Executive Director's Requests for Disclosure, First Set of Interrogatories and First Set of Requests for Production in re: SOAH Docket Nos. 582-04-0253, 582-04-1268 and 582-04-2730**

Dear Mr. Kirshbaum:

This will confirm our agreement to extend the current deadline for Protestant Honorable Dean Gandy to respond to the Executive Director's Request for Disclosures, First Set of Interrogatories and First Set of Requests for Production by 7 days. It is our understanding that the deadline for completing our discovery will now be extended to April 1, 2004. Rule 191.1, TEX. R. CIV. PRO., provides that parties may, by Rule 11 agreement, extend discovery limitations.

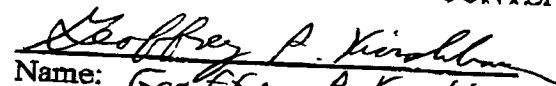
If this accurately reflects our agreement, please sign this letter and return it to me by facsimile. If the above does not correctly reflect our agreement, or should you have any questions concerning this agreement, please contact me at (512) 469-7474.

Thank you for your professional courtesies in this matter.

Sincerely,

  
David J. Klein

AGREED AS TO FORM AND CONTENT:

  
Name: Geoffrey P. Kirshbaum  
Attorney for the Executive Director of  
the Texas Commission on Environmental  
Quality  
DJK/ma

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of Rule 11 Agreement has been delivered via facsimile and/or first class mail to the following parties on this the 25<sup>th</sup> day of March, 2004:

City of Royse City

Mr. Kerry Russell  
Angela K. Moorman  
Russell, Moorman & Rodriguez, LLP  
Texas Heritage Plaza  
102 West Morrow Street, Suite 103  
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Fax: 512/864-7744

Verandah Communities, L.P./Verandah  
Freshwater Supply District/Parker Creek  
Estates, LP

Mr. Mark H. Zeppa  
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City of Fate

Mr. Skip Newsom  
Fisher & Newsom, P.C.  
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Mr. Geoffrey P. Kirshbaum, Staff Attorney  
James D. Parker, Staff Attorney  
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Mr. Blas J. Coy, Jr., Public Interest Counsel  
TCEQ Office of the Public Interest Counsel  
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Ms. Amy Cortinas  
Utility Rates and Services Section  
Water Utilities Division - MC153  
Texas Commission on Environmental Quality  
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Docket Clerk  
State Office of Administrative Hearings  
Fax: 512/475-4994

Office of the Chief Clerk  
Texas Commission on Environmental Quality  
MC105, P.O. Box 13087  
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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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MAR 25 11:12:55

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<b>TO:</b>	<b>Name/Firm/Company</b>	<b>Fax #</b>
	Mr. Geoffrey P. Kirshbaum	239-0606
	Mr. Kerry Russell	512/864-7744
	Ms. Angela K. Moorman	512/864-7744
	Mr Mark H. Zeppa	346-6847
	Mr. Skip Newsom	477-2860
	Mr. Blas J. Coy, Jr.	239-6377
	Ms. Amy Cortinas	239-6972
	Docket Clerk - SOAH	475-4994
	Docket Clerk - TCEQ	239-3311

**FROM:** David J. Klein

**Date:** March 25, 2004

**Total # of pages including Cover:** 5

**Re:** Gandy

If you do not receive all material being transmitted, please call: (512) 469-7474.

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
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