

Control Number: 43535



Item Number: 60

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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.

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SOAH DOCKET NO. 582-04-0253 and 582-04-1268

RETURN TOTAL TO

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APPLICATION OF THE CITY OF ROYSE CITY TO AMEND WATER CCN AND TO 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 BEFORE THE STATE OFFICE TY COMMISS.

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ADMINISTRATIVE HEARINGS

ORDER NO. 8 REMANDING CASES TO THE EXECUTIVE DIRECTOR

On June 17, 2004, the Administrative Law Judge (ALJ) severed and remanded the two applications of the City of Royse City (Royse City) to the Executive Director (ED) of the Texas Commission on Environmental Quality for further processing. At the time, the ALJ noted that CCN applications were still pending by other parties to these dockets. On July 20, 2004, Verandah Communities, L.P. (Verandah), and Parker Creek Estates, L.P. (Parker Creek), filed a motion to remand their respective CCN applications to the ED for further processing. In their motion, Verandah and Parker Creek advise that they have settled all disputed issues and there no longer is a need for a hearing in regard to their applications. They also note that no parties continue to oppose the applications. After considering the motion, the ALJ concludes that the motion is well-founded. Moreover, the ALJ notes that, with the settlement of contested issues in regard to Verandah and Parker Creek's applications, there remain no pending issues in any of these dockets. ¹

As Verandah and Parker Creek note in their motion, the only outstanding disputes involve the City of Fate and Blackland Water Supply Corporation. Those disputes relate solely to the City of Fate's CCN application, which is docketed as SOAH No. 582-04-2730 and has not been formally consolidated with either of these dockets. Accordingly, it is appropriate to remand the entirety of these dockets, SOAH Docket Nos. 582-04-0253 and 582-04-1268. Unless otherwise ordered, nothing in this order is intended to affect or apply to SOAH No. 582-04-2730.

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2003/005

SOAH DOCKET NOS. 582-04-0253 and 582-04-1268 TCEQ DOCKET NOS. 2003-0737-UCR, 2003-0738-UCR, and 2003-1289-UCR ORDER NO. 8

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Therefore, it is **ORDERED** that SOAH Docket Nos. 582-04-0253 and 582-04-1268 are remanded to the ED pursuant to 30 Tex. ADMIN. CODE § 80.101.

SIGNED July 21, 2004.

CRAIG R. BENNETT

ADMINISTRATIVE LAW JUDGE

STATE OFFICE OF ADMINISTRATIVE HEARINGS

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AGENCY:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

(TCEQ)

STYLE/CASE:

VERANDAH COMMUNITIES, LP AND PARKER CREEK

ESTATES, LP

SOAH DOCKET NUMBER: 582-04-0253 & 582-04-1268

TCEQ DOCKET NUMBERS: 2003-0738-UCR & 2003-1289-UCR

ADMINISTRATIVE COURT

STATE OFFICE OF ADMINISTRATIVE

HEARINGS

CRAIG R. BENNETT

PRESIDING ADMINISTRATIVE LAW JUDGE

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SOAH DOCKET NOs. 582-04-0253& 582-04-1268 SERVICE LIST TCEQ DOCKET NOs. 2003-0737-UCR, 2003-0738-UCR & 2003-1289-UCR PAGE 2

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582-04-0253 and 582-04-1268

TCEQ DOCKET Nos.:

2003-0738-UCR and 2003-1289-UCR

REGARDING:

Order No. 8 - Remanding Cases to the Executive Director

FROM:

Judge Craig R. Bennett

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