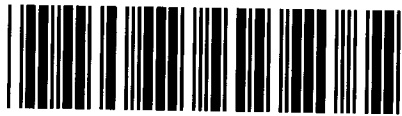




Control Number: 43537



Item Number: 13

Addendum StartPage: 0

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

43537

# JOHNSON, RIAL & PARKER

A Professional Corporation

811 Barton Springs Road, Suite 730  
Austin, Texas 78704  
Telephone: (512) 322-8100  
Facsimile: (512) 322-8143

RECEIVED  
2014 OCT 15 PM 3: 35  
PUBLIC UTILITY COMMISSION  
FILING CLERK

Writer's Direct Line  
(512) 322-8145  
[territ@johnson-rial-parker.com](mailto:territ@johnson-rial-parker.com)

December 15, 2005

Hon. Cassandra J. Church  
Administrative Law Judge  
Texas State Office of Administrative Hearings  
300 W. 15th Street, Suite 502  
Austin, TX 78701-1649


Re: TCEQ Docket No. 2004-1722-UCR  
SOAH Docket No. 582-05-3744

RECEIVED  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
15 DEC 05 16 25

Dear Honorable Judge Church:

Please find enclosed Joint Status Report in relation to the above referenced Docket Numbers. If you have any questions or comments, please do not hesitate to contact this office.

Sincerely,

  
Terri L. Thibodeaux  
Legal Assistant to James N. Johnson

B

SOAH DOCKET NO. 582-05-3744  
TCEQ DOCKET NO. 2004-1722-UCR

APPLICATION BY CITY OF LINDALE	§	BEFORE THE STATE OFFICE
TO OBTAIN DUAL CERTIFICATION	§	
WITH A PORTION OF CCN NO. 10772	§	
FROM THE CITY OF TYLER AND TO	§	OF
AMEND CCN NO. 12795 IN SMITH	§	
COUNTY, APPLICATION NO. 34160-C	§	ADMINISTRATIVE HEARINGS

**JOINT STATUS REPORT**

Lindale Rural Water Supply Corporation and the City of Lindale (the “parties”) submit this joint status report as stipulated in the previous status report, dated November 15, 2005.

Lindale Rural Water Supply Corporation and the City of Lindale, with their respective counsel, met in Tyler on December 2, 2005 and agreed upon a service area map acceptable to both parties. The parties are now finalizing a proposed Settlement Agreement, which is being considered by the governing bodies of both parties. A Settlement Agreement has not yet been approved. The parties estimate that they will settle this matter shortly.


**PRAYER**

Should the parties not be able to resolve this dispute on their own, the parties request that they be able to contact the mediators and schedule a formal mediation at that time. The Parties will provide a status Report by January 6, 2006. The parties further request any other relief to which they may be justly entitled in law or in equity.

RECEIVED  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
15 DEC 05 16 - 25

Respectfully submitted,

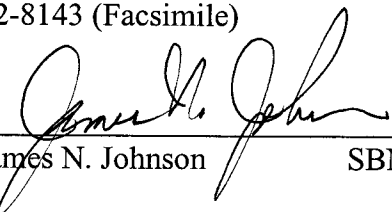
WINSTEAD SECHREST & MINICK P.C.  
401 Congress Avenue, Suite 2100  
Austin, Texas 78701  
(512) 370-2800 (Telephone)  
(512) 370-2850 (Facsimile)

By:  *by permission*  
Philip S. Haag SBN 08657800  
Karey Nalle Oddo SBN 24013224

**ATTORNEYS FOR LINDALE RURAL  
WATER SUPPLY CORPORATION**

**-and-**

JOHNSON, RIAL & PARKER, P.C.  
811 Barton Springs Road, Suite 730  
Austin, Texas 78707  
(512) 322-8111 (Telephone)  
(512) 322-8143 (Facsimile)

By:   
James N. Johnson SBN 10743500

**ATTORNEY FOR CITY OF LINDALE**


**APPROVED AS TO FORM AND SUBSTANCE:**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087, MC-175  
Austin, Texas 78711-3087  
(512) 239-1297 (Telephone)  
(512) 239-0606 (Facsimile)

By: \_\_\_\_\_  
David Klein SBN 24041257

Respectfully submitted,

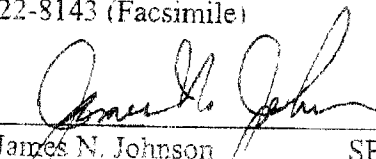
WINSTEAD SECHREST & MINICK P.C.  
401 Congress Avenue, Suite 2100  
Austin, Texas 78701  
(512) 370-2800 (Telephone)  
(512) 370-2850 (Facsimile)

By:  *by permission*  
Philip S. Haag SBN 08657800  
Karey Nalle Odde SBN 24013224

**ATTORNEYS FOR LINDALE RURAL  
WATER SUPPLY CORPORATION**

-and-

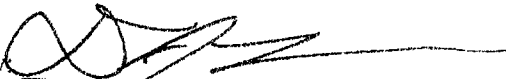
JOHNSON, RIAL & PARKER, P.C.  
811 Barton Springs Road, Suite 730  
Austin, Texas 78707  
(512) 322-8111 (Telephone)  
(512) 322-8143 (Facsimile)

By:   
James N. Johnson SBN 10743500

**ATTORNEY FOR CITY OF LINDALE**

**APPROVED AS TO FORM AND SUBSTANCE:**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087, MC-175  
Austin, Texas 78711-3087  
(512) 239-1297 (Telephone)  
(512) 239-0606 (Facsimile)

By:   
David Klein SBN 24041257

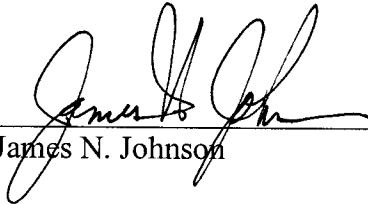
**CERTIFICATE OF SERVICE**

I hereby certify a true and correct copy of the foregoing motion was forwarded by facsimile on the 15th day of December, 2005, to:

David Klein (*fax 239-0606*)  
TCEQ  
P.O. Box 13087, MC-175  
Austin, Texas 78711-3087

Blas J. Coy, Jr. (*fax 239-6377*)  
TCEQ, Office of the Public Interest Counsel  
P.O. Box 13087, MC-103  
Austin, Texas 78711-3087

Philip S. Haag (*fax 370-2850*)  
WINSTEAD SECHREST & MINICK P.C.  
401 Congress Avenue, Suite 2100  
Austin, Texas 78701

  
\_\_\_\_\_  
James N. Johnson