



Control Number: 43537



Item Number: 15

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

43531

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

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

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, the City of Lindale, and the Texas Commission on Environmental Quality (the “parties”) submit this joint status report as stipulated in the previous status report.

Lindale Rural Water Supply Corporation and the City of Lindale have reached a verbal agreement based upon a service area map to be attached to a proposed Order of disposition, to be submitted by all of the parties. The parties anticipate executing a settlement agreement within the next thirty days. Subject to the execution of such a settlement agreement, Lindale Rural Water Supply Corporation will withdraw its objection to the City of Lindale’s Application for Amendment of its Water CCN, and the parties will prepare and request that the Administrative Law Judge enter an Order concluding the SOAH proceedings and recommending the TCEQ approve the City of Lindale’s application to amend its Water CCN based upon the agreed service area map.

PRAYER

Upon the parties' filing a Joint Motion to Dismiss, the parties will request that SOAH enter an agreed Order at its earliest convenience.

15

Respectfully submitted,

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

By: *Phil Haag*
Philip S. Haag SBN 08657800
Karey Nalle Oddo SBN 24013224
signed by permission James N. Johnson
**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*
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*
David Klein SBN 24041257
signed by permission James N. Johnson

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing motion was forwarded by facsimile on the 1st day of February, 2006, 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

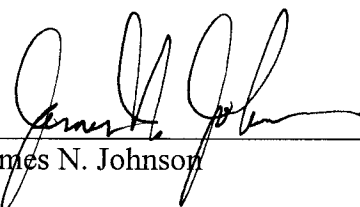
Austin, Texas 78711-3087

Philip S. Haag (*fax 370-2850*)

WINSTEAD SECHREST & MINICK P.C.

401 Congress Avenue, Suite 2100

Austin, Texas 78701


James N. Johnson