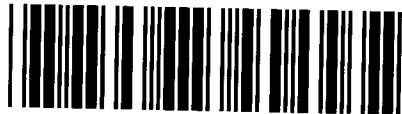


Control Number: 43540



Item Number: 9

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

Bickerstaff, Heath, Pollen & Carson, L.L.P.*A Registered Limited Liability Partnership*

816 Congress Avenue

Suite 1700

Austin, Texas 78701-2443

Telephone: (512) 471-8021

<http://www.bickerstaff.com>

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PUBLIC UTILITY COMMISSION
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DATE: January 30, 2007

CLIENT #: 2452.00

TELECOPIER COVER SHEET

Fax Number: (512) 320-5638

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Confirmation #

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The Hon. William G. Newchurch

(512) 475-4993

475-4994 (via fax only)

The Hon. Ami L. Larson

Administrative Law Judges, SOAH

Docket Clerk

239-3311

239-3311

TCEQ Office of the Chief Clerk

Blas J. Coy, Jr., TCEQ OPIC

239-6363

239-6377

Paul Terrill

474-9888

474-9888

Brian MacLeod, TCEQ Staff Attorney

239-0750

239-0606

Brian Dickey, TCEQ

239-6972

239-6972

Elsie Pascua, TCEQ Staff Auditor

239-6367

239-6972

Roger Engemoen, Jr.

via mail only

Roger E. Gordon

250-0749

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FROM: Emily Rogers**TOTAL PAGES INCLUDING COVER SHEET: 6**☒ ORIGINAL WILL FOLLOW VIA US MAIL☐ ORIGINAL WILL NOT FOLLOW

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*Please contact the fax center at 512-471-8021 if complete FAX is not received.***MESSAGE:**

Village of Wimberley's Motion to Withdraw its Application and Remand Application to the Executive Director

Bickerstaff, Heath, Pollan & Caroom, L.L.P.

818 Congress Avenue

Suite 1500

Austin, Texas 78701

(512) 475-8021

Fax (512) 320-5638

www.bickerstaff.com

January 30, 2007

Via Facsimile Only

The Honorable William G. Newchurch
Administrative Law Judge
The Honorable Ami L. Larson
Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street, Suite 504
Austin, Texas 78701
(512) 475-4994 (Fax)

Re: Application from the Village of Wimberley to Amend Sewer Certificate of Convenience and Necessity CCN No. 20936 in Hays County; Application No. 35236-C; TCEQ Docket No. 2006-0373-UCR; SOAH Docket No. 582-06-2906

Dear Judge Newchurch and Judge Larson:

Enclosed please find a copy of Village of Wimberley's Motion to Withdraw Its CCN Application and Remand Application to the Executive Director in connection with the above-referenced matter. The original document is being filed with TCEQ and a copy is being served on the parties.

If you have any questions or concerns, please call me at 472-8021.

Sincerely,



Emily W. Rogers

EWR/bc

Enclosures

cc: All Parties on Service List

Bickerstaff, Heath, Pollan & Caroom, L.L.P.

816 Congress Avenue

Suite 1000

Austin, Texas 78702

(512) 472-8021

Fax (512) 320-5638

www.bickerstaff.com

January 30, 2007

Via Facsimile and U.S. Mail

Ms. LaDonna Castañuela, Chief Clerk
Office of the Chief Clerk - MC 105
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F, 1st Floor
Austin, Texas 78711-3087

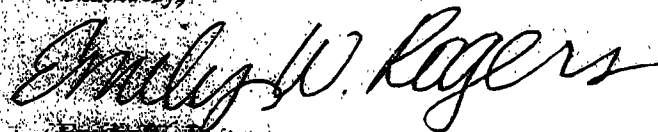
Re: Application from the Village of Wimberley to Amend Sewer Certificate of Convenience and Necessity (CCN) No. 20936 in Hays County; Application No. 35236-C; TCEQ Docket No. 2006-0373-UCR; SOAH Docket No. 582-06-2906

Dear Ms. Castañuela:

Please find enclosed an original and one copy of Village of Wimberley's Motion to Withdraw Its CCN Application and Remand Application to the Executive Director in connection with the above-referenced matter. Please file the original and have the copy file-stamped and returned to me in the self-addressed, stamped envelope.

Should you have questions or need to reach me, please call (512) 472-8021. Thank you.

Sincerely,



Emily W. Rogers

EWR/bc

Enclosures

cc: All Parties on Service List

SOA# D-347 No. 521-06-2906
TCEQ D-347 No. 2906-0373-UCR

APPLICATION BY VILLAGE OF WIMBERLEY TO AMEND SEWER
CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 20936
IN HAYS COUNTY, APPLICATION NO. 35236-C § BEFORE THE STATE OFFICE
§ OF
§ ADMINISTRATIVE HEARINGS
§

**VILLAGE OF WIMBERLEY MOTION TO WITHDRAW
ITS CCN APPLICATION AND REMAND APPLICATION
TO THE EXECUTIVE DIRECTOR**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

COMES NOW, the Village of Wimberley ("Wimberley") and files this motion to withdraw its Application to Amend Sewer CCN No. 20936 and to remand the application to the Executive Director for Dismissal. On January 25, 2007, the Village of Wimberley City Council held a special meeting to discuss this case and matters related to it and concluded that it was not in the best interest for the Village to continue to pursue its application at this time. For this reason, Wimberley respectfully withdraws its application and requests that the Judge remand the application to the Executive Director for dismissal.

Respectfully submitted,

BICKERSTAFF, HEATH,
POLLAN & CAROOM, L.L.P.
516 Congress Avenue, Suite 1700
Austin, Texas 78701
(512) 472-8021
(512) 320-5638 [Fax]

EMILY W. ROGERS
State Bar Number 24002863

BY

Emily W. Rogers

EMILY W. ROGERS
State Bar Number 24002863

ATTORNEY FOR VILLAGE OF WIMBERLEY

CERTIFICATE OF SERVICE

I hereby certify, by my signature below, that a true and correct copy of the above and foregoing was forwarded via facsimile, hand delivery or US Mail on January 30, 2007 to those persons on the attached mailing list.


EMILY W. ROGERS
State Bar Number 24002863

SERVICE LIST

SOAH Docket No. 582-06-2906

TCEQ Docket No. 2006-0373-UCR

Village of Wimberley

The Hon. William G. Newchurch
Administrative Law Judge
State Office of Administrative Hearings
300 West Fifteenth St., Ste. 504
Austin, Texas 78701
(512) 475-4993
(512) 475-4994 (Fax)

The Hon. Ami L. Larson
Administrative Law Judge
State Office of Administrative Hearings
300 West Fifteenth St., Ste. 504
Austin, Texas 78701
(512) 475-4993
(512) 475-4994 (Fax)

Docket Clerk
Office of the Chief Clerk - MC 105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
(512) 239-3300
(512) 239-3311 (Fax)

Blas J. Coy, Jr., Attorney
Office of the Public Interest Counsel MC-173
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
(512) 239-6363
(512) 239-6377 (Fax)
Office of Public Interest Counsel

Paul Terrill
Attorney
810 W. 10th Street
Austin, Texas 78701
(512) 474-9100
(512) 474-9888 (Fax)
Aqua Texas

Brian MacLeod
Staff Attorney MC-175
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
(512) 239-0750
(512) 239-0606 (Fax)

Brian Dickey
Texas Commission on Environmental Quality
P. O. Box 13087, MC-173
Austin, Texas 78711-3087
(512) 239-0963
(512) 239-6972 (Fax)
TCEQ Executive Director

Elsie Pascua
Staff Auditor MC-173
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
(512) 239-5367
(512) 239-6972 (Fax)
TCEQ Executive Director

Roger Engemoen, Jr.
Trustee
Estelle Ervine Engemoen Trust
1907 Georgia Landing Cove
Austin, Texas 78746
Estelle Ervine Engemoen Trust

Roger Gordon
Bovey and Bojorquez, LLP
12325 Hymecrow Dr., Ste. 2-100
Austin, Texas 78750
(512) 250-0411
(512) 250-0749 (Fax)
City of Woodcreek