

Control Number: 43551



Item Number: 53

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.



STATE OF TEXAS
PUBLIC UTILITY COMMISSION

2002 AUG -2 AM 8:23
CHIEF CLERK'S OFFICE

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2004 OCT 27 AM 10:52
PUBLIC UTILITY COMMISSION
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Kenneth Ramirez
Partner
111 Congress Avenue, Suite 2300
Austin, Texas 78701-4043
Phone: 512.494.3611
Fax: 512.472.9123
kramirez@bracepatt.com
By Hand Delivery

August 1, 2002

Ms. Holly Wise, Docket Clerk
State Office of Administrative Hearings
300 W. 15th Street
P.O. Box 13025
Austin, TX 78711-3025

2002 0189 UCR

Re: SOAH Docket No. 582-02-3056; Application from City of Austin to Obtain a Water Certificate of Convenience and Necessity (CCN) in Travis, Hays and Williamson Counties; Application No. 33562-C

SOAH Docket No. 582-02-3056; Application from City of Austin to Obtain a Sewer Certificate of Convenience and Necessity (CCN) in Travis, Hays and Williamson Counties; Application No. 33563-C

SOAH Docket No. 582-02-3056; Application of Hornsby Bend Utility Company to Amend Certificate of Convenience and Necessity No. 20650

Dear Ms. Wise:

Attached please find the original and one copy of the City of Austin's Proposed List of Applicable Laws, Rules and Guidance in the above-referenced matter.

Please file the original, date-stamp the copy and return the copy to my messenger.

If you have any questions, please do not hesitate to contact me at (512) 494-3611.

Very truly yours,

Bracewell & Patterson, L.L.P.

Kenneth Ramirez

KR/jcb
Enclosure(s)



Holly Wise
August 1, 2002
Page 2

cc: (Via Facsimile and Regular Mail)

Christopher Lippe, Director, Water and Wastewater Utility
Andrew P. Covar, P.E., Assistant Director, Water and Wastewater Utility
Bart Jennings, Water and Wastewater Utility
Ronnie Jones, Assistant City Attorney
Mark H. Zeppa, Attorney
John J. Carlton, Attorney
John Deering, Attorney/Geoffrey Kirshbaum, Attorney
Madison Jechow, Attorney
Ronald Freeman, Attorney
Scott Humphrey, Attorney
Gary Bradley
The Honorable Kerry Sullivan
LaDonna Castañuela, TNRCC Chief Clerk

95740.v1

2002 AUG -2 AM 8:27
COMMISSION

SOAH DOCKET NO. 582-02-3056

IN THE MATTER OF THE APPLICATIONS OF THE CITY OF AUSTIN FOR A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY (NO. 33562-C) AND A WASTEWATER CERTIFICATE OF CONVENIENCE AND NECESSITY (NO. 33563-C)

APPLICATION OF HORNSBY BEND UTILITY COMPANY TO AMEND CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 20650

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BEFORE THE STATE OFFICE
CHIEF CLERK'S OFFICE
OF
ADMINISTRATIVE HEARINGS
BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

CITY OF AUSTIN'S PROPOSED LIST OF APPLICABLE LAWS, RULES AND GUIDANCE

The City of Austin ("City") files this Proposed List of Applicable Laws and Rules. The City asserts that the following statutory and regulatory provisions apply to this proceeding.

TEXAS WATER CODE:

13.001 - 13.003

13.011

13.241(a) - (c)

13.244(a) and (b)

13.246(a) - (e)

TEXAS ADMINISTRATIVE CODE

30 TAC 50, Subchapter F

30 TAC Chapter 80

30 TAC 291.1 to 291.3

30 TAC 291.5

TEXAS ADMINISTRATIVE CODE (CONTINUED)

30 TAC 291.7

30 TAC 291.9

30 TAC 291.11

30 TAC 291.12

30 TAC 291.101

30 TAC 291.102(a) and (c) – (g)

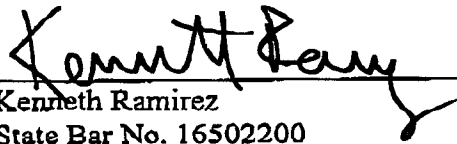
30 TAC 291.104 – 107

CONCLUSION

The City of Austin respectfully submits that these legal authorities constitute the laws, rules, and policies governing this Certificate of Convenience and Necessity dispute.

Respectfully submitted,

BRACEWELL & PATTERSON, L.L.P.
111 Congress Avenue, Suite 2300
Austin, Texas 78701-4043
Telephone: (512) 472-7800
Facsimile: (512) 472-9123



Kenneth Ramirez
State Bar No. 16502200
Monica Jacobs
State Bar No. 24007433

-and-

Ronnie Jones
State Bar No. 00786003
Assistant City Attorney
City of Austin
P.O. Box 1546
Austin, Texas 78767-1546
Telephone: (512) 974-2568
Facsimile: (512) 974-2912

ATTORNEYS FOR THE CITY OF AUSTIN

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been sent by Facsimile and Regular U.S. Mail, on this 1st day of August, 2002, to the following:

Mark Zeppa
Law Offices of Mark H. Zeppa, P.C.
4833 Spicewood Springs Road, Suite 202
Austin, Texas 78759-8436

Representing: AquaSource Utility, Inc.,
AquaSource Development Company,
Creedmoor-Maha WSC, and City of
Mustang Ridge

John J. Carlton
Ambrust, Brown, & Davis, L.L.P.
100 Congress Avenue, Suite 1300
Austin, Texas 78701-3087

Representing: Hornsby Bend Utility
Company, Inc.

John Deering
Geoffrey Kirshbaum
Texas Natural Resource Conservation Commission
P.O. Box 13087, MC-173
Austin, TX 78711-3087

Representing: The Executive Director

Gary Bradley
Bradley Development
The Castle
1111 West 11th Street
Austin, Texas 78703

Madison Jechow
Lower Colorado River Authority
P.O. Box 220
Austin, Texas 78767-0220

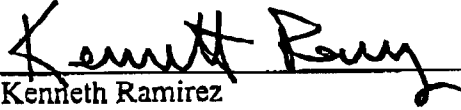
Representing: Lower Colorado River
Authority

Scott Humphrey
Public Interest Counsel
Texas Natural Resource Conservation
Commission
P.O. Box 13087, MC-103
Austin, Texas 78711-3087

Representing: Office of Public Interest
Counsel

The Honorable Kerry Sullivan
Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street
P.O. Box 13025
Austin, Texas 78711-3025

TNRCC Docket Clerk
Office of Chief Clerk
Texas Natural Resource Conservation Commission
P.O. Box 13087, MC-105
Austin, Texas 78711-3087


Kenneth Ramirez

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** TOTAL PAGE.08 **

Received 08-01-2002 17:06

From-512 472 9123

To-TNRCC / CHIEF CLERK

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