

Control Number: 43551



Item Number: 54

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.

SOAH DOCKET NO. 582-02-3056  
TNRCC DOCKET NO. 2002-0189-UCR

RECEIVED  
2014 OCT 27 AM 10:53  
PUBLIC UTILITY COMMISSION  
FILING CLERK

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)

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BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

2014 AUG - 1 AM 11:26  
CHIEF CLERKS OFFICE  
TEXAS NATURAL  
RESOURCE CONSERVATION  
COMMISSION

**EXECUTIVE DIRECTOR'S DESIGNATION OF  
APPLICABLE LAWS, RULES, & POLICIES**

COMES NOW, the Executive Director ("ED") of the Texas Natural Resource Conservation Commission ("TNRCC" or "Commission"), by and through his attorney, and files this Designation of Applicable Laws, Rules and Policies Pursuant to the Administrative Law Judge's Order No. 2.

**APPLICABLE LAWS, RULES AND POLICIES**

**I STATUTORY PROVISIONS**

A. TEXAS WATER CODE Chapter 13

1. TEXAS WATER CODE *Subchapter A*, §§ 13.001 to 13.003.
2. TEXAS WATER CODE *Subchapter B*, §§ 13.011 to 13.016.
3. TEXAS WATER CODE *Subchapter C*, §§ 13.041.
4. TEXAS WATER CODE *Subchapter E*, § 13.139.
5. TEXAS WATER CODE *Subchapter G*.

**II REGULATORY PROVISIONS**

A. 30 TEXAS ADMINISTRATIVE CODE Chapter 50

1. 30 TEXAS ADMINISTRATIVE CODE *Subchapter F*.

2. 30 TEXAS ADMINISTRATIVE CODE *Subchapter G*.

**B. 30 TEXAS ADMINISTRATIVE CODE Chapter 55**

1. 30 TEXAS ADMINISTRATIVE CODE *Subchapter D*, §55.101(g)(5).

**C. 30 TEXAS ADMINISTRATIVE CODE Chapter 80**

**D. 30 TEXAS ADMINISTRATIVE CODE Chapter 291**

1. 30 TEXAS ADMINISTRATIVE CODE *Subchapter A*, §§291.1 to 291.3; 291.5 to 291.9; 291.11 to 291.12.

2. 30 TEXAS ADMINISTRATIVE CODE *Subchapter E*.

3. 30 TEXAS ADMINISTRATIVE CODE *Subchapter F*.

4. 30 TEXAS ADMINISTRATIVE CODE *Subchapter G*.

**III TNRCC POLICY**

A. The Feasibility of Regionalization, Water Utilities Program, Final Draft, dated August 3, 1999 - Policy Guidance

**CONCLUSION**

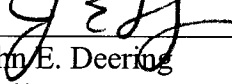
The Executive Director respectfully submits that these legal authorities constitute the laws, rules, and policies governing this Certificate of Convenience and Necessity dispute.

Respectfully submitted,

TEXAS NATURAL RESOURCE  
CONSERVATION COMMISSION

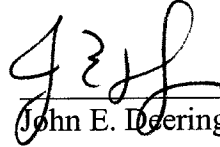
Jeffrey A. Saitas, P.E.  
Executive Director

Stephanie Bergeron, Director  
Environmental Law Division

by   
John E. Deering  
Staff Attorney  
Environmental Law Division

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of August, 2002, a true and correct copy of the foregoing Executive Director's Designation of Laws, Rules and Policies was sent by first class mail, agency mail and/or facsimile to all persons on the attached mailing list.

  
\_\_\_\_\_  
John E. Deering

**MAILING LIST**  
**EXECUTIVE DIRECTOR'S DESIGNATION OF**  
**APPLICABLE LAWS, RULES, & POLICIES**  
**SOAH DOCKET NO. 582-02-3056**  
**TNRCC DOCKET NO. 2002-0189-UCR**

Ms. Holly Wise, Natural Resources Docket Clerk  
State Office of Administrative Hearings  
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Representing: City of Austin

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AquaSource Development Company,  
Creedmoor-Maha WSC, and City of  
Mustang Ridge

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Fax: (512) 239-3311

Representing: Lower Colorado River  
Authority

Representing the Executive Director of the  
Texas Natural Resource Conservation  
Commission

Representing the Public Interest Counsel of  
the Texas Natural Resource  
Conservation Commission

Robert J. Huston, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Kathleen Hartnett White, *Commissioner*  
Jeffrey A. Saitas, *Executive Director*



## TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

August 1, 2002

Ms. LaDonna Castañuela  
Texas Natural Resource  
Conservation Commission  
Office of the Chief Clerk  
P.O. Box 13087, MC-105,  
Austin, Texas 78711-3087

Re: Applications from City of Austin to Obtain a Sewer and Water Certificate of Convenience and Necessity in Travis, Hays & Williamson Counties;  
SOAH Docket No. 582-02-3056; TNRCC Docket No. 2002-0189-UCR

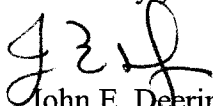
2002 AUG - 1 AM 11:05  
CHIEF CLERKS OFFICE  
TEXAS NATURAL  
RESOURCE CONSERVATION  
COMMISSION

Dear Ms. Castañuela:

Enclosed for filing is the Executive Director's Designation of Applicable Laws, Rules, and Policies.

Should you have any questions, please feel free to contact me at 512-239-3512.

Sincerely yours,

  
John E. Deering  
Staff Attorney

Enclosures

Mailing List