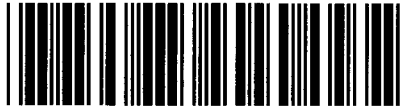


Control Number: 43551



Item Number: 59

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.



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PUBLIC UTILITY COMMISSION  
FILING CLERKKenneth Ramirez  
Partner111 Congress Avenue, Suite 2300  
Austin, Texas 78701-4043  
Phone: 512.494.3611  
Fax: 512.472.9123  
kramirez@bracepatt.com

August 7, 2002

VIA HAND DELIVERY

2002 AUG -8 PM 3:13  
CHIEF CLERK'S OFFICE  
TEXAS NATURAL  
RESOURCE CONSERVATION  
COMMISSION

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

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 Judge Sullivan:

The purpose of this letter is to request clarification regarding the date on which discovery in this proceeding is supposed to begin.

The City of Austin submitted a draft scheduling order to you, per your instructions in Order No. 3, on July 29, 2002. The draft scheduling order provided that discovery would begin on August 1, 2002. Although the parties were not in agreement concerning certain scheduling issues, it is our understanding that none of the parties objected to discovery beginning on August 1, 2002.

Although the start date does not appear to be in dispute, we are hesitant to begin sending discovery requests without confirmation that the August 1 date is approved by you. On the other hand, we are concerned that by not acting, we may be inadvertently losing valuable discovery time, if in fact you intended August 1 to be the start date.

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The Hon. Kerry Sullivan  
August 7, 2002  
Page 2

Accordingly, we request that you clarify the date upon which discovery is scheduled to begin. If we do not receive a response from you by 3:30 p.m. tomorrow, August 8, 2002, we will assume that discovery has already begun. Thank you for your consideration of this matter.

Very truly yours,

Bracewell & Patterson, L.L.P.

A handwritten signature in cursive script, appearing to read 'Kenneth Ramirez for'.

Kenneth Ramirez

KR/jcb

**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  
LaDonna Castañuela, TNRCC Chief Clerk



111 Congress Avenue, Suite 2300  
Austin, Texas 78701-4043  
Phone: 512.472.7800  
Toll Free: 800.472.1401

## Fax Cover Letter

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| Madison Jechow                  | 473-4010 |
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| Hon. Kerry Sullivan             | 475-4994 |
| LaDonna Castanuela              | 239-3311 |

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## Message

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