



Control Number: 43572



Item Number: 102

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

43572

SOAH DOCKET NO. 582-03-3725
TCEQ DOCKET NO. 2003-0664-UCR

IN RE: THE APPLICATION OF BEXAR § BEFORE THE STATE OFFICE
METROPOLITAN WATER DISTRICT §
TO AMEND WATER CCN NO. 10675 IN § OF
BEXAR COUNTY § ADMINISTRATIVE HEARINGS

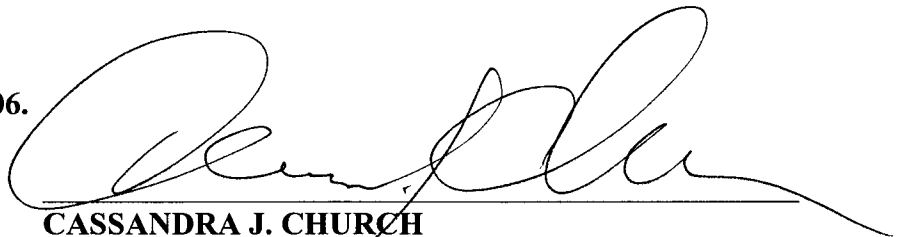
RECEIVED
2014 NOV 13 AM 11:03
FILED
JULY COMMISSIONER
FILING CLERK

ORDER NO. 27
REQUESTING CLARIFICATION OF MOTION AND
RULING ON SUPPLEMENTAL DOCUMENTATION

On September 20, 2006, Bexar Metropolitan Water District (Bexar) filed a motion to withdraw its application for amendment of Certificate of Convenience and Necessity No. 10675; the motion did not specify whether the withdrawal was with or without prejudice. As there are significant differences under 30 TEX. ADMIN. CODE § 80.25 in the procedural treatment of those two types of withdrawals, the ALJ is requesting that Bexar clarify its intent. *On or before November 1, 2006*, Bexar met shall supplement its September 20, 2006, motion to clarify whether the motion is being made with or without prejudice to refiling.

Based on the release made on September 25, 2006, by BSR Water Company of its claims of confidentiality for all materials submitted as supplemental documentation to the testimony of Seagal V. Wheatley, Esq., the ALJ hereby orders that all parties, the Chief Clerk of the Commission, and the Docketing Section of State Office of Administrative Hearings shall file these materials without seal.

SIGNED October 25, 2006.



CASSANDRA J. CHURCH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

108

**STATE OFFICE OF ADMINISTRATIVE HEARINGS
WILLIAM P. CLEMENTS BUILDING
300 West Fifteenth Street
Austin, Texas 78701
Phone (512) 475-4993
Facsimile (512) 475-4994**

SERVICE LIST

AGENCY: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

**STYLE/CASE: IN THE APPLICATION OF BEXAR METROPOLITAN WATER
DISTRICT TO AMEND WATER CCN NO. 10675 IN BEXAR COUNTY**

SOAH DOCKET NUMBER: 582-03-3725 AND 582-06-0837

TCEQ DOCKET NUMBER: 2003-0664-UCR AND 2005-1880-UCR

ADMINISTRATIVE COURT

STATE OFFICE OF ADMINISTRATIVE
HEARINGS

CASSANDRA J. CHURCH
PRESIDING ADMINISTRATIVE LAW JUDGE

PARTIES

REPRESENTATIVE/ADDRESS

TEXAS COMMISSION ON ENVIRONMENTAL
QUALITY

Todd Galiga
Attorney
Texas Commission on Environmental Quality
MC-175
P.O. Box 13087
Austin, TX 78711-3087
Tel 512/239-0600
Fax 512/239-0606

OFFICE OF PUBLIC INTEREST COUNSEL OF
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Blas Coy, Jr.
Office of the Public Interest Counsel
Texas Commission on Environmental Quality
MC-103
P.O. Box 13087
Austin, TX 78711-3087
Tel 512/239-6363
Fax 512/239-6377

SOAH DOCKET NO. 582-03-3725
TCEQ DOCKET NO. 2003-0664-UCR

SERVICE LIST

PAGE 2

SOAH DOCKET NO. 582-06-0837
TCEQ DOCKET NO. 2005-1880-UCR

BEXAR METROPOLITAN WATER DISTRICT

Adolfo Ruiz
Bexar Metropolitan Water District
2047 W. Malone
San Antonio, Texas 78225
Tel: 210/354-6502
Fax: 210/922-5152

Robert L. Wilson, III
RL Wilson, P.C.
PO Box 831583
San Antonio, TX 78283
Tel 210/223-4100
Fax 210/223-4200

BSR WATER COMPANY (SNECKNER
PARTNERS, LTD.)

Janessa Glenn
Jenkins & Gilchrist
A Professional Corporation
600 Congress Avenue
Austin, Texas 78701
Tel 512/499-3858
Fax 512/499-3810

Seagal V. Wheatly
Jenkins & Gilchrist
A Professional Corporation
Weston Centre, Suite 900
112 E. Pecan Street
San Antonio, Texas 78205
Tel 210/246-5000
Fax 210/246-5999

BITTERBLUE, INC., et al's

Ronald J. Freeman
Freeman & Corbett, LLP
8500 Bluffstone Cove, Suite B-104
Austin, TX 78759
Tel 512/451-6689
Fax 512/453-0865

***COURTESY COPY OF ORDER MAILED OR
FAXED TO THE FOLLOWING PARTY:***

CITY OF BULVERDE

Bruce Wasinger
Attorney
Bickerstaff, Heath, Smiley, Pollen, Kever &
McDaniel, L.L.P.
816 Congress, Suite 1700
Austin, Texas 78701-2443
Tel 512/472-8021
Fax 512/320-5638

SOAH DOCKET NO. 582-03-3725
TCEQ DOCKET NO. 2003-0664-UCR

SERVICE LIST

PAGE 3

SOAH DOCKET NO. 582-06-0837
TCEQ DOCKET NO. 2005-1880-UCR

SAWS

Jim Mathews
Mathews & Freeland, LLP
Attorneys at Law
PO Box 1568
Austin, TX 78768-1568
Tel 512/404-7800
Fax 512/703-2785

xc: Docket Clerk, State Office of Administrative Hearings
Docket Clerk, Office of the Chief Clerk, TCEQ, Fax No. (512) 239-3311

STATE OFFICE OF ADMINISTRATIVE HEARINGS

William P. Clements Building
300 West Fifteenth Street
Room 502
Austin, Texas 78701
Phone (512) 475-4993
Facsimile (512) 936-0730

DATE:

October 25, 2006

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

5

SOAH DOCKET NOS.:

582-03-3725 and 582-06-0837

TCEQ DOCKET NOS.:

2003-0664-UCR and 2005-1880-UCR

REGARDING:

ORDER 27 - REQUESTING CLARIFICATION OF MOTION
AND RULING ON SUPPLEMENTAL DOCUMENTATION

FROM:

JUDGE CASSANDRA J. CHURCH AND JUDGE HENRY D. CARD

FAX TO:	FAX NO.:
Blas Coy, Jr. (TCEQ - OPIC)	239-6377
Docket Clerk (TCEQ)	239-3311
Todd Galiga (TCEQ)	239-0606
Robert L. Wilson (Bexar Metropolitan Water District)	210/223-4200
Adolfo Ruiz (Bexar Metropolitan Water District)	210/922-5152
Bruce Wasinger (City of Bulverde-Courtesy Copy)	320-5638
Janessa Glenn (BSR Water Company)	499-3810
Kennedy Reporting	474-6704
Seagal V. Wheatly (BSR Water Company)	210/246-5999
Jim Mathews (SAWS)	703-2785
Ronald Freeman (Bitterblue, Inc.)	453-0865

xc: Docketing, State Office of Administrative Hearings

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT PATRICIA PENA(nl) at 512/ 475-1515.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

 *** MULTI TX/RX REPORT ***

TX/RX NO 4370
 PGS. 5
 TX/RX INCOMPLETE -----
 TRANSACTION OK (1) 92396377
 (2) 92393311
 (3) 92390606
 (4) 912102234200
 (5) 912109225152
 (6) 93205638
 (7) 94993810
 (8) 94746704

ERROR INFORMATION -----

STATE OFFICE OF ADMINISTRATIVE HEARINGS

William P. Clements Building

300 West Fifteenth Street

Room 502

Austin, Texas 78701

Phone (512) 475-4993

Facsimile (512) 936-0730

DATE:

October 25, 2006

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

5

SOAH DOCKET NOs.:

582-03-3725 and 582-06-0837

TCEQ DOCKET NOs.:

2003-0664-UCR and 2005-1880-UCR

REGARDING:

**ORDER 27 - REQUESTING CLARIFICATION OF MOTION
 AND RULING ON SUPPLEMENTAL DOCUMENTATION**

FROM:

JUDGE CASSANDRA J. CHURCH AND JUDGE HENRY D. CARD

FAX TO:	FAX NO.:
Blas Coy, Jr. (TCEQ - OPIC)	239-6377
Docket Clerk (TCEQ)	239-3311
Todd Galiga (TCEQ)	239-0606
Robert L. Wilson (Bexar Metropolitan Water District)	210/223-4200
Adolfo Ruiz (Bexar Metropolitan Water District)	210/922-5152
Bruce Wasinger (City of Bulverde-Courtesy Copy)	320-5638
Janessa Glenn (BSR Water Company)	499-3810
Kennedy Reporting	474-6704
Seagal V. Wheatly (BSR Water Company)	210/246-5999
Jim Mathews (SAWS)	702 2705

 *** MULTI TX/RX REPORT ***

TX/RX NO 4371
 PGS. 5
 TX/RX INCOMPLETE -----
 TRANSACTION OK (1) 912102465999
 (2) 97032785
 (3) 94530865
 ERROR INFORMATION -----

STATE OFFICE OF ADMINISTRATIVE HEARINGS

William P. Clements Building
 300 West Fifteenth Street
 Room 502
 Austin, Texas 78701
 Phone (512) 475-4993
 Facsimile (512) 936-0730

DATE:

October 25, 2006

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

5

SOAH DOCKET NOs.:

582-03-3725 and 582-06-0837

TCEQ DOCKET NOs.:

2003-0664-UCR and 2005-1880-UCR

REGARDING:

ORDER 27 - REQUESTING CLARIFICATION OF MOTION
AND RULING ON SUPPLEMENTAL DOCUMENTATION

FROM:

JUDGE CASSANDRA J. CHURCH AND JUDGE HENRY D. CARD

FAX TO:	FAX NO:
Blas Coy, Jr. (TCEQ - OPIC)	239-6377
Docket Clerk (TCEQ)	239-3311
Todd Galiga (TCEQ)	239-0606
Robert L. Wilson (Bexar Metropolitan Water District)	210/223-4200
Adolfo Ruiz (Bexar Metropolitan Water District)	210/922-5152
Bruce Wasinger (City of Bulverde-Courtesy Copy)	320-5638
Janessa Glenn (BSR Water Company)	499-3810
Kennedy Reporting	474-6704
Seagal V. Wheatly (BSR Water Company)	210/246-5999
Jim Mathews (SAWS)	703-2785
Ronald Freeman (Bitterblue, Inc.)	453-0865

xc: Docketing, State Office of Administrative Hearings