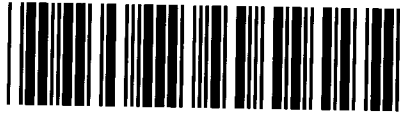




Control Number: 43572



Item Number: 44

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

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

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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

**ORDER NO. 17
LIFTING ABATEMENT FOR SUBMISSION OF NEW HEARING SCHEDULE
AND SETTING DEADLINE**

On April 11, 2006, Bexar Metropolitan Water District (Bexar Met) reported that a ruling on cross-motions for partial summary judgment in the Comal County case was pending and requested a conference to set a new hearing date. On April 11, 2006, Bitterblue, Inc., suggested that a conference was premature.

The Administrative Law Judge (ALJ) concurs with Bexar Met that a new schedule for the hearing on the merits should be set, however disagrees that a conference is necessary to accomplish this. The parties are hereby ordered to supply, *on or before April 28, 2006*, a proposed schedule leading up to a hearing on the merits at the earliest dates available for the parties. The parties are strongly encouraged to supply a joint schedule; however, absent agreement, each may supply its own schedule.¹ If parties can agree on some elements of a schedule but not all, they should indicate the areas on which they agree. The ALJ plans on conducting this hearing on the most expedited schedule possible.

Significant dates to be included in a proposed schedule include the following:

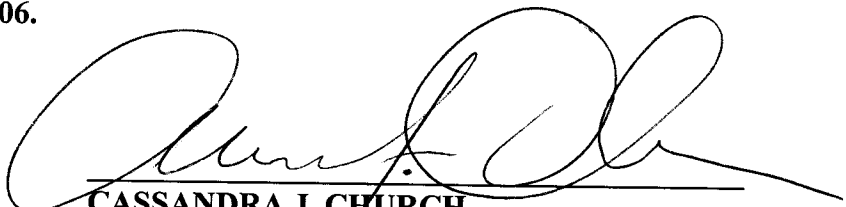
- If possible at the time of filing, a statement on whether a ruling on the pending motions for summary disposition in this case will still be required in light of the Comal County ruling, and whether parties will need time to supplement previous filings.

¹ In the event that schedules proposed show irreconcilable conflicts, the ALJ may set a conference to resolve those conflicts.

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- The length of time needed for discovery and the date discovery would close, *i.e.*, the date all depositions will be completed and all answers to written discovery filed.
- A date for exchange among the parties of witness lists and either all documents to be offered in evidence or a list of such documents if they have been produced in discovery.
- A date, between seven and 10 days before the hearing on the merits, for a prehearing conference to resolve any pending motions or other prehearing matters.
- Proposed dates for the hearing on the merits, to include the total number of days needed.² The ALJ recognizes that estimates now may be subject to refinement. The parties should provide a succinct explanation of the basis of their time estimate, *i.e.*, "several technical witnesses," "extensive financial evidence," etc.

SIGNED April 19, 2006.



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

² To aid in considering hearing dates, the parties are advised that the ALJ is currently set for hearing on June 5-7, June 28-30, July 6, 7, and 10, July 18 and 19, and will be taking vacation leave on June 15-23 and October 2-13, 2006. The parties are invited to confirm proposed dates with the ALJ's clerk, Patricia Pena, at 512/475-1515, to avoid the need to reschedule.

STATE OFFICE OF ADMINISTRATIVE HEARINGS
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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
TCEQ DOCKET NUMBER: 2003-0664-UCR

ADMINISTRATIVE COURT

STATE OFFICE OF ADMINISTRATIVE
HEARINGS

CASSANDRA J. CHURCH
PRESIDING ADMINISTRATIVE LAW JUDGE

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 Docket Clerk, Office of the Chief Clerk, TCEQ, Fax No. (512) 239-3311

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April 19, 2006

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SOAH DOCKET NO.:

582-03-3725

TCEQ DOCKET NO.:

2003-0664-UCR

REGARDING:

**ORDER NO. 17 - LIFTING ABATEMENT FOR SUBMISSION
OF NEW HEARING SCHEDULE AND SETTING DEADLINE**

FROM:

JUDGE CASSANDRA J. CHURCH

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 and Water Services, Inc.)	210/223-4200
Adolfo Ruiz (Bexar Metropolitan Water District and Water Services, Inc.)	210/922-5152
David Earl (BSR Water Company- Lead Counsel)	210/222-9100
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

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