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CC

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August 30, 2005

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Honorable Cassandra J. Church
 Administrative Law Judge
 State Office of Administrative Hearings
 300 W. 15th Street
 Austin, Texas 78701

Via Fax 512/475-1894
 Total Pages: 2

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RE: SOAH Docket No. 582-03-3275; TCEQ Docket No. 2003-0664-UCR, *In RE: The Application of Bexar Metropolitan Water District To Amend Water CCN No. 10675 in Bexar County*, Before the State Office of Administrative Hearings

Dear Judge Church:

This correspondence shall memorialize the conversation which occurred yesterday between my administrative assistant, Shelli Baker, and Donna Swoop of SOAH. We understand that Ms. Swoop was filling-in for your clerk, Patricia Pena, yesterday.

Mrs. Baker's call was initiated at my request based upon the following language in Order No. 10, which left me unclear as to the nature of the hearing set for Thursday, September 1, 2005:

"...any documents not attached to pleading already on file at SOAH that a party intends to introduce at the hearing must be exchanged in advance..."

Specifically, inclusion of the word "introduce" caused me to question whether the hearing was intended to be evidentiary, as opposed to one on the pleadings, as is usually the case where Motions to Intervene are concerned.

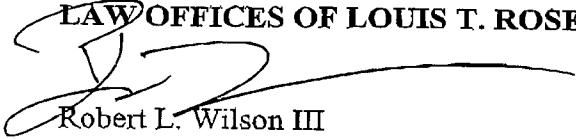
Ms. Swoop advised Mrs. Baker that the hearing scheduled for September 1, 2005 pursuant to Order No. 10 will not be an evidentiary hearing, because it is "not the hearing on the merits." Based upon this representation, I have not asked witnesses to be available, and I do not anticipate formal offers of exhibits into "evidence" at the time of the hearing.

If my understanding of the nature of the hearing is in any way incorrect, please advise me immediately so that I may prepare, accordingly.

Thank you for your courtesies in this respect.

Sincerely,

LAW OFFICES OF LOUIS T. ROSENBERG, P.C.



Robert L. Wilson III

RLW:slb

Enclosure as noted above.

Cc: Service List

F. Gilbert Olivares, Esq., General Manager
Adolfo Ruiz, In-House Counsel
Bexar Metropolitan Water District

**SOAH SERVICE LIST
FOR
SOAH Docket Number 582-03-3725
~~TCEQ Docket No. 2003-0664-UCR.~~**

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