

Control Number: 43573



Item Number: 6

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.

43573

SOAH DOCKET NO. 582-09-5329 TCEQ DOCKET NO. 2009-0945-UCR

RECEIVED 2014 OCT 23 PM 2

APPLICATION OF CHILDRESS CREEK WATER SUPPLY CORPORATION TO AMEND CCN NO. 11000 IN BOSQUE AND MCLENNAN COUNTIES

BEFORE THE STATE OFFICE 3: 00

OF

ADMINISTRATIVE HEARINGS

ORDER NO. 1 GRANTING MOTION TO DISMISS AND REMAND

On August 12, 2009, the Executive Director (ED) filed a motion, at the request of the Applicant, to dismiss this case from the docket of the State Office of Administrative Hearings (SOAH) and remand it to the ED for processing as uncontested. The only protestant, Aqua Texas, Inc., has withdrawn its request for a hearing.

The motion is granted. This case is dismissed and remanded.

SIGNED August 13, 2009.

WIĹLIAM G. NEWCHURCH

ADMINISTRATIVE LAW JUDGE

STATE OFFICE OF ADMINISTRATIVE HEARINGS



AUSTIN OFFICE

300 West 15th Street Suite 502 Austin, Texas 78701 Phone: (512) 475-4993 Fax: (512) 475-4994

SERVICE LIST

AGENCY:

Environmental Quality, Texas Commission on (TCEQ)

STYLE/CASE:

CHILDRESS CREEK WATER SUPPLY CORP

SOAH DOCKET NUMBER:

582-09-5329

REFERRING AGENCY CASE: 2009-0945-UCR

STATE OFFICE OF ADMINISTRATIVE

ADMINISTRATIVE LAW JUDGE

HEARINGS

ALJ WILLIAM G. NEWCHURCH

REPRESENTATIVE / ADDRESS

PARTIES

MARK ZEPPA **ATTORNEY** LAW OFFICE OF MARK H. ZEPPA, P.C. 4833 SPICEWOOD SPRINGS RD., SUITE 202 AUSTIN, TX 78759-8436 (512) 346-4011 (PH)

(512) 346-6847 (FAX) markzeppa@austin.rr.com

AQUA TEXAS, INC.

BLAS J. COY, JR. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY OFFICE OF PUBLIC INTEREST COUNSEL P.O. BOX 13087, MC-103 AUSTIN, TX 78711-3087 (512) 239-6363 (PH) (512) 239-6377 (FAX) bcoy@tceq.state.tx.us

OFFICE OF PUBLIC INTEREST COUNSEL

PATRICIA COY **ATTORNEY** P.O. BOX 547 CLIFTON, TX 76634 (254) 675-8663 (PH) (254) 675-4567 (FAX)

CHILDRESS CREEK WSC

RUTH TAKEDA
STAFF ATTORNEY
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ENVIRONMENTAL LAW DIVISION
P.O. BOX 13087
AUSTIN, TX 78711-3087
(512) 239-6635 (PH)
(512) 239-0606 (FAX)
rtakeda@tceq.state.tx.us

EXECUTIVE DIRECTOR

xc: Docket Clerk, State Office of Administrative Hearings

AUSTIN OFFICE

300 West 15th Street Suite 502 Austin, Texas 78701 Phone: (512) 475-4993 Fax: (512) 475-4994

DATE:

08/13/2009

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

4

REGARDING:

ORDER NO. 1- GRANTING MOTION TO DISMISS AND REMAND

DOCKET NUMBER:

582-09-5329

JUDGE WILLIAM G NEWCHURCH

FAX TO:	FAX TO:	
PATRICIA COY	(254) 675-4567	
MARK ZEPPA (LAW OFFICE OF MARK H. ZEPPA, P.C.)	(512) 346-6847	
BLAS J. COY, JR. (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)	(512) 239-6377	
RUTH TAKEDA (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)	(512) 239-0606	

TCEQ Docket Clerk, Fax Number 512/239-3311

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT NORMA LOPEZ(nlo) (512) 475-4993

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 address via the U.S. Postal Service. Thank you.



Thank you for filing your document on this pending docket number.

You will receive an e-mail confirmation showing exactly what was filed and your filing confirmation number 673375382009225 that you can print for your records.

Please Remember: Documents to be considered at a Commission meeting:

- For documents of 20 pages or less (including cover letter, mailing list, and attachments) there is no need to provide hard copies to the Office of the Chief Clerk.
- For documents more than 20 pages, please also file 7 copies with the Office of the Chief Clerk by the required deadline pursuant to 30 TAC Section 1.10(d). Please include the confirmation number you receive after you submit your document to this system.

<u>Documents to be considered by the State Office of Administrative Hearings (SOAH):</u>

A copy of all filings related to a case pending at the SOAH must also be served on the SOAH Administrative Law Judge and the other party representatives in that proceeding.

If you do not receive an email confirmation within 24 hours, we may not have received your filing. Please note, successful submittal of your electronic filings does not guarantee that they are timely filed. If you have any questions, call the Office of the Chief Clerk at 512-239-3300.

To report problems with the e-Filings system contact chiefclk@tceq.state.tx.us

Norma Lopez

From:

System Administrator

To:

Norma Lopez

Sent:

Thursday, August 13, 2009 10:26 AM

Subject:

Undeliverable TCEQ Confirmation: Your Filing on Permit Number/Docket Number

2009-0945-UCR was received.

Your message did not reach some or all of the intended recipients.

Subject:

TCEQ Confirmation: Your Filing on Permit Number/Docket Number 2009-0945-UCR was received.

Sent:

08/13/2009 10:25 AM

The following recipient(s) could not be reached:

Norma Lopez on 08/13/2009 10:26 AM

The e-mail account does not exist at the organization this message was sent to. Check the e-mail address, or contact the recipient directly to find out the correct address.

< rhwww.tceq.state.tx.us #5.1.1 SMTP; 550 Requested action not taken: mailbox unavailable>

********** MULTI TX/RX REPORT ********** TX/RX NO 0781 4 PGS. TX/RX INCOMPLETE TRANSACTION OK (1)9p2546754567 9p3466847 (2) (3) 9p2396377 9p2390606 (4) ERROR INFORMATION

STATE OFFICE OF ADMINISTRATIVE HEARINGS

AUSTIN OFFICE

300 West 15th Street Suite 502 Austin, Texas 78701 Phone: (512) 475-4993 Fax: (512) 475-4994

DATE:

08/13/2009

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

REGARDING:

ORDER NO. 1- GRANTING MOTION TO DISMISS AND REMAND

DOCKET NUMBER:

582-09-5329

JUDGE WILLIAM G NEWCHURCH

FAX TO:
(254) 675-4567
(512) 346-6847
(512) 239-6377
(512) 239-0606

TCEQ Docket Clerk, Fax Number 512/239-3311

NOTE: 1F ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT NORMA LOPEZ(nlo) (512) 475-4993

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 address via the U.S. Postal Service, Thank you.