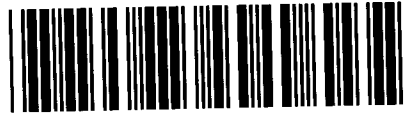


Control Number: 43585



Item Number: 64

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



Protecting Texas
by Reducing and
Preventing Pollution

FAX TRANSMITTAL

DATE: 1/24/05 NUMBER OF PAGES (including this cover sheet): 5

TO: Name Mike Howell
Organization _____
FAX Number 512 6050

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Name Paul Munguia
Division/Region Office of the Chief Clerk
Telephone Number 512/239-1455
FAX Number 512/239-3311

NOTES:

OGC's setting letter

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64

Kathleen Hartnett White, *Chairman*
R B "Ralph" Marquez, *Commissioner*
Larry R Soward, *Commissioner*
Glenn Shankle *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 18, 2005

CHIEF CLERK'S OFFICE

To: Persons on the attached mailing list (by mail and facsimile as indicated)

Re: Motions to Overturn concerning the Executive Director's approval of Application Nos. 33562-C, 33563-C, 33738-C, 32800-C, 33988-C, 33989-C, and 34449-S; TCEQ Docket Nos. 2000-0112-UCR, 2002-0189-UCR, 2002-0756-UCR, 2002-1197-UCR, and 2004-2048-UCR.

This letter is in response to the Motions to Overturn (Motions) timely filed by Maria Sanchez and Patrick Lindner on behalf of Austin Estates Limited Partnership (Movant). The Movant requests that the Texas Commission on Environmental Quality (Commission) overturn the Executive Director's approval of the above-referenced applications. Complete copies of the Motions and Application Nos. 33562-C, 33563-C, 33738-C, 32800-C, 33988-C, 33989-C, and 34449-S may be obtained from the Office of Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087.

Title 30 of the Texas Administrative Code (TAC) Section 50.139 authorizes an extension of the time for taking action on a Motion to Overturn up to 90 days after the date written notice of the Executive Director's action is mailed to a respondent. Accordingly, pursuant to 30 TAC Section 50.139, this letter shall serve as the order extending the time for the Commission to act on these Motions until 5:00 p.m. on **Tuesday, March 1, 2005**.

The Commission's Office of General Counsel, having reviewed the Motions, has decided to set the above-referenced matters for consideration by the Commission at its public meeting on **Wednesday, February 23, 2005**, starting at 1:00 p.m. in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas 78753.

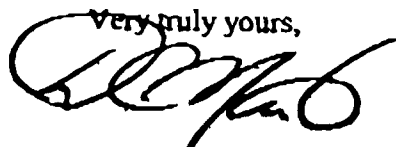
The Commission will take oral argument on this matter. The parties are hereby notified that oral presentations shall be limited to five minutes each, excluding time for answering questions raised by the Commissioners, pursuant to 30 Texas Administrative Code § 80.263.

In addition, the Applicant, Executive Director, and the Office of Public Interest Counsel, are hereby notified that they are encouraged to file briefs or supplemental briefs with regard to the issues raised in the Motions. The briefs and supplementations must be filed with the Chief Clerk's Office no later than 5:00 p.m. on **Monday, January 31, 2005**. Any reply briefs must be filed with the

Chief Clerk's Office no later than 5:00 p.m. on Monday, February 14, 2005. Filings should include an original and eleven (11) copies, reference TCEQ Docket Nos. 2000-0112-UCR, 2002-0189-UCR, 2002-0756-UCR, 2002-1197-UCR, and 2004-2048-UCR, and be filed to the attention of the Agenda Docket Clerk.

If you have questions concerning this matter, please contact Elaine M. Lucas, Assistant General Counsel, at 512/239-6215.

Very truly yours,

A handwritten signature in black ink, appearing to read "Duncan C. Norton", written over the typed name.

Duncan C. Norton
General Counsel

Mailing List

h:/counsel/lucas/letters/agendaset/AELPmtotextet.ltr

Mailing List
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