

Control Number: 43585



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.



43585

111 Congress Avenue, Suite 2300
Austin, Texas 78701-4043
Phone: 512.472.7800
Toll Free: 800.472.1401

Fax Cover Letter

Please deliver the following pages to _____

Hon. Kerry Sullivan	475-4994
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Message

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July 29, 2003

Kenneth Ramirez
Partner111 Congress Avenue, Suite 2300
Austin, Texas 78701-4043
Phone: 512.494.3611
Fax: 512.472.9123
kramirez@bracepatt.comBy Hand Delivery and FacsimileMs. Holly Wise, Docket Clerk
State Office of Administrative Hearings
300 W. 15th Street
P.O. Box 13025
Austin, TX 78711-3025Re: SOAH Docket No. 582-02-3056; Application from City of Austin to
Obtain a Water Certificate of Convenience and Necessity (CCN) in
Travis, Hays and Williamson Counties; Application No. 33562-C; and
Application from City of Austin to Obtain a Sewer Certificate of
Convenience and Necessity (CCN) in Travis, Hays and Williamson
Counties; Application No. 33563-CSOAH Docket No. 582-02-3056; Application of Hornsby Bend Utility
Company to Amend Certificate of Convenience and Necessity No. 20650SOAH Docket No. 582-02-3056; Application of Hornsby Bend Utility
Company to Amend Certificate of Convenience and Necessity No. 11978

Dear Ms. Wise:

Attached please find the original and one copy of Joint Motion to Extend Time for Filing
Prefiled Testimony in the above-referenced matter. Please file the original, date-stamp
the copy and return the copy to my messenger.

If you have any questions, please do not hesitate to contact me at (512) 494-3611.

Very truly yours,

Bracewell & Patterson, L.L.P.

A handwritten signature of Kenneth Ramirez in black ink.
Kenneth RamirezKR/job
Enclosure(s)



Ms. Holly Wise

July 29, 2003

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cc: **(Via Facsimile and Regular Mail)**

John J. Carlton

Casey L. Ware

Geoffrey Kirshbaum

Todd Galiga

Scott Humphrey

The Honorable Kerry Sullivan

LaDonna Castañuela, TCEQ Chief Clerk

II. Basis for Motion

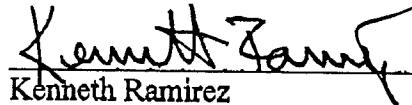
The Parties have reached tentative, conceptual agreement that would settle this matter once and for all. The major issues that had divided the City and Hornsby now appear to be resolved. The Parties reached the agreement during mediation that occurred on July 25, 2003, and are scheduled to resume mediation on August 1, 2003, in order to iron out final details. The Parties file today's motion to allow them the opportunity to focus on drafting and executing final settlement documents rather than finalizing and submitting prefiled testimony. Today's motion does not seek any continuance on the actual hearing date—currently scheduled to begin on October 6, 2003—but seeks only extensions on certain intermediate deadlines. Specifically, the parties request that the scheduled dates be changed so that the Applicants file prefiled testimony on August 22, 2003; the Executive Director files prefiled testimony on September 19, 2003; and objections and motions to strike testimony and evidence are due September 26, 2003. Counsel for the Executive Director has no objection to these extensions. The Parties seek these extensions in the interest of judicial economy and not for the sake of delay.

III. Prayer

The City and Hornsby respectfully request that the ALJ issue an order extending these deadlines for the reasons stated above.

Respectfully submitted,

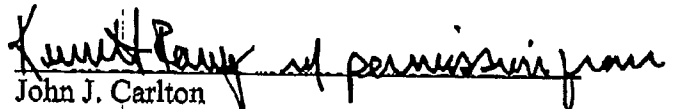
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John J. Carlton
State Bar No. 03817600
Casey L. Ware
State Bar No. 24033436

ATTORNEYS FOR HORNSBY BEND
UTILITY COMPANY, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been sent by Facsimile and Regular U.S. Mail, on this 29th day of July, 2003, to the following:

John J. Carlton
Casey L. Ware
Armbrust & Brown, L.L.P.
100 Congress Avenue, Suite 1300
Austin, Texas 78701-2744

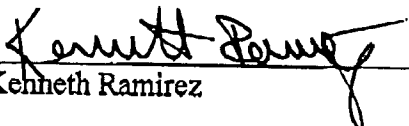
Representing: Hornsby Bend Utility
Company, Inc.

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Todd Galiga
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Texas Commission on Environmental
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Representing: The Executive Director

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Representing: Office of Public Interest
Counsel


Kenneth Ramirez

*** RX REPORT ***

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