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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

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



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PUBLIC UTILITY COMMISSION
FILING CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

November 8, 2004

Ms. LaDonna Castañuela
Texas Commission of Environmental Quality
Office of Chief Clerk, MC 105
P.O. Box 13087
Austin, TX 78711-3087

Re: SOAH Docket No. 582-03-1994; TCEQ Docket No. 2002-1350-UCR, In the Matter Of
The Application of the Town of Prosper to Amend Sewer Certificate of Convenience
and Necessity No. 20888 In Denton County, Application No. 34004-C

Dear Ms. Castañuela:

Enclosed please find the Executive Director's Motion for Substitution of Counsel in the above-referenced matter.

Truly yours,

Geoff Kirshbaum
Staff Attorney
Environmental Law Division

Enclosure

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MAILING LISTAPPLICATION OF THE TOWN OF PROSPER TO AMEND SEWER CERTIFICATE
OF CONVENIENCE AND NECESSITY (CCN) NO. 20888 IN DENTON COUNTY,
APPLICATION NO. 34004-C

Honorable James W. Norman
Administrative Law Judge
State Office of Administrative Hearings
300 West 15th St. Ste. 502
Austin, Texas 78701
Tel: (512) 239-475-4993
Fax: (512) 475-4994

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TCEQ - MC 103
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SOAH DOCKET NO. 582-03-1994
TCEQ DOCKET NO. 2003-1250-UCR

APPLICATIONS OF THE TOWN OF § BEFORE THE STATE OFFICE
PROSPER TO AMEND ITS SEWER §
CERTIFICATE OF CONVENIENCE AND § OF
NECESSITY(CCN) NO. 20888 IN §
DENTON COUNTY, TEXAS, §
APPLICATION NO. 34004-C § ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S MOTION FOR SUBSTITUTION OF COUNSEL

TO THE HONORABLE JAMES W. NORMAN, ADMINISTRATIVE LAW JUDGE OF THE STATE OFFICE OF ADMINISTRATIVE HEARINGS:

COMES NOW, the Executive Director of the Texas Commission on Environmental Quality ("TCEQ" or "Commission"), by and through a representative of the Commission's Environmental Law Division, and files the Executive Director's Motion for Substitution of Counsel. In support, the Executive Director shows the following:

I.

The Executive Director desires a substitution of counsel in the captioned case. The Executive Director respectfully requests that Lara K. Nehman be permitted to withdraw as the Executive Director's counsel and the following TCEQ Staff Attorneys be substituted as attorneys-in-charge for the Executive Director:

Geoffrey P. Kirshbaum, Staff Attorney
TCEQ Environmental Law Division
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Dawn Burton, Staff Attorney
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EXECUTIVE DIRECTOR'S MOTION FOR
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II.

This matter is currently set for a hearing on the merits beginning December 13, 2004. The withdrawal and substitution of counsel requested herein is not sought for the purposes of delay, but so that justice may be done.

Accordingly, the Executive Director respectfully requests that the Honorable Administrative Law Judge issue an order permitting Lara K. Nehman to withdraw from this case and substituting Geoffrey P. Kirshbaum and Dawn Burton as attorneys-in-charge for the Executive Director.

Respectfully submitted,

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Glenn Shankle
Executive Director

Stephanie Bergeron Perdue, Director
Environmental Law Division

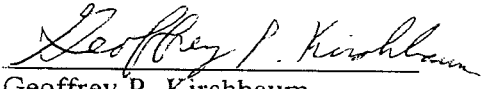
By: Geoffrey P. Kirshbaum
Geoffrey P. Kirshbaum
Staff Attorney
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State Bar of Texas No. 24029665
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**EXECUTIVE DIRECTOR'S MOTION FOR
SUBSTITUTION OF COUNSEL**

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of November, 2004, a true and correct copy of the foregoing Executive Director's Motion for Substitution of Counsel was sent by first class, agency mail and/or facsimile to the persons on the attached Mailing List.



Geoffrey P. Kirshbaum
Staff Attorney
TCEQ Environmental Law Division