

Control Number: 43891



Item Number: 18

## Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup> 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



# STATE OFFICE OF ADMINISTRATIVE HEARINGS

William P. Clements Building 300 West Fifteenth Street Room 502 Austin, Texas 78701 Phone (512) 475-4993 Facsimile (512) 936-0730

DATE:

July 22, 2004

4

PUBLIC DILLTY COMMISSION

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

SOAH DOCKET NO.: TCEQ DOCKET NO.: <u>582-03-3725</u> 2003-06<u>64-UCR</u>

#### ORDER NO. 6 - EXTENDING ABATEMENT AND REQUIRING STATUS REPORT

#### FROM:

**REGARDING:** 

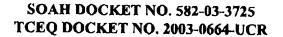
#### JUDGE CASSANDRA J. CHURCH

PARTER A	E ANO
Blas Coy, Jr. (TCEQ - OPIC)	239-6377
Docket Clerk (TCEQ)	239-3311
Todd Burkey (TCEQ)	239-3434 or 239-0606
Mark H. Zeppa (Bexar Metropolitan Water District and Water Services, Inc.)	346-6847
David Earl (BSR Water Company- Lead Counsel)	210/222-9100
Bruce Wasinger (City of Bulverde-Courtesy Copy)	320-5638
Janessa Glenn (BSR Water Company)	404-3520

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT PATRICIA PENA at 475-1515.

The information contained in this facsimile message is privileged and confidential information intended only for the us 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 hav received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

SOIN DEC - 2 VH J: 05



0000000;

Jul 16 2004

Jul-16-04

16:51

55PM;

P.03

Page 3/4

IN RE: THE APPLICATION OF BEXAR	§	BEFORE THE STATE OFFICE
METROPOLITAN WATER DISTRICT	ş ş	
TO AMEND WATER CCN NO. 10675 IN	§ §	OF
BEXAR COUNTY	§ §	ADMINISTRATIVE HEARINGS

#### BSR WATER COMPANY'S ("SNECKNER") REPORT AND REQUEST FOR CONTINUED ABATEMENT

Pursuant to Order No. 5 in this proceeding, the parties were to file a status report, a proposed schedule leading to the hearing on the merits, or other appropriate motion by July 16, 2004. BSR Water Company has filed a lawsuit against San Antonio Water Systems in state district court that impacts several of the issues to be addressed in this proceeding. The state court case is proceeding through the discovery phase and is currently set on the court's jury docket for December 6, 2004. Consequently, BSR Water Company would respectfully request that this proceeding be abated until such time as the state court case is adjudicated. The undersigned has contacted counsel for the parties and they have no objection to the filing of this request for continued abatement.

SIGNED July 15, 2004.

From: 0000000

Sent By: ;

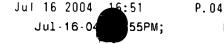
Respectfully submitted,

EARL & ASSOCIATES, P.C. 111 Soledad, Suite 1111 San Antonio, TX 78205 Telephone (210) 222-1500 Facsimile (210) 222-9100

By:

David L. Earl State Bar No.06343030

ATTORNEY FOR SNECKNER PARTNERS, LTD. (BSR WATER COMPANY) Sent By:



Page 4/4

#### **CERTIFICATE OF SERVICE**

I, David L. Earl, certify that the foregoing pleading was served on all parties of record, the presiding SOAH Judge and the TCEQ Docket Clerk by facsimile transmission and First Class USPS mail on the 16 day of July 2004.

Judge Cassandra Church State Office of Administrative Hearings P.O. Box 13025 Austin, TX 78711-3025 Facsimile (512) 475-4994

Janessa Glenn Jenkens & Gilchrist, P.C. 2200 One American Center 600 Congress Avenue Austin, TX 78701-3248 Facsimile (512) 404-3520

Todd Burkey Environmental Law Division Texas Commission on Environmental Quality P.O. Box 13087, MC 173 Austin, TX 78711-3087 Facsimile (512) 239-0606 Blas Coy, Jr Public Interest Counsel Texas Commission on Environmental Quality P.O. Box 13087, MC 103 Austin, TX 78711-3087 Facsimile (512) 239-6377

TCEQ Docket Clerk Office of the Chief Clcrk Texas Commission on Environmental Quality P.O. Box 13087, MC 103 Austin, TX 78711-3087 Facsimile (512) 239-3311

Mark H. Zeppa Law Office of Mark H. Zeppa, P.C. 4833 Spicewood Springs Road, Suite 202 Austin, TX 78759-8436 Facsimile (512) 346-6847

DAVID L. EARL

From:000000 Sent By: ;



P.02 Page 2/4



July 16, 2004

Via Facsimile - (512) 475-4994

Judge Cassandra Church State Office of Administrative Hearings P. O. Box 13025 Austin, Texas 78711-3025

Re: SOAH Docket No. 582-03-3725; TCEQ Docket No. 2003-0664-UCR; The Application of Bexar Metropolitan Water District to Amend Water CCN No. 10675

Dear Judge Church:

Attached please find BSR Water Company's ("Sneckner") Report and Request for Continued Abatement for your consideration and filing in the above-referenced matter. Please note that we have contacted all counsel in this matter and they have no objection to the abatement.

Thank you for your kind attention to this matter.

Yours very truly,

EARL & ASSOCIATES, P.C.

Jelley

BKT/s Attachment

 cc: Janessa Glenn (w/attachment - via facsimile - 512-404-3520) Todd Burkey (w/attachment - via facsimile - 512-239-0606) Blas Coy, Jr. (w/attachment - via facsimile - 512-239-6377 Mark H. Zeppa (w/attachment - via facsimile - 512-346-6847) TCEQ Docket Clerk (w/attachment - via facsimile - 512-239-3311)







P.01 Page 1/4

### **EARL & ASSOCIATES**

A Professional Corporation RiverView Towers 111 Soledad Street, Suite 1111 San Antonio, Texas 78205 (210) 222-1500 Telephone (210) 222-9100 Facsimile

#### FACSIMILE COVER SHEET

DATE: July 16, 2004

CONFIDENTIALITY NOTICE: The document(s) accompanying this facsimile message is privileged and confidential information intended solely for the use of the intended recipient. You are hereby notified that any disclosure, dissemination, distribution, or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return this original message to this office at the above address via the United States Postal Service.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CONTACT OUR OFFICE AT (210) 222-1500 AS SOON AS POSSIBLE.

TO: Judge Cassandra Church	FAX: (512) 475-4944
CC: Todd Burkey Blas Coy, Jr. Mark Zeppa TCEQ Docket Clerk Janessa Glenn	FAX: (512) 239-0606 (512) 239-6377 (512) 346-6847 (512) 239-3311 (512) 404-3520
FROM: David L. Earl	TOTAL NO. OF PAGES: 4 (including cover sheet)
FILE: 4041	MATTER: SOAH #582-03-3725

**MESSAGE:** 

Please review the attached and should you have any questions, please do not hesitate to contact me at the number listed above.