



Control Number: 43891



Item Number: 31

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

43891

SOAH DOCKET NO. 582-03-3725
TCEQ DOCKET NO. 2003-0664-UCR

IN RE: THE APPLICATION OF BEXAR §
METROPOLITAN WATER DISTRICT §
TO AMEND WATER CCN NO. 10675 IN §
BEXAR COUNTY §

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

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PUBLIC UTILITY COMMISSION
FILING CLERK

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

ORDER NO. 1
NAMING PARTIES AND
SETTING DATE FOR FILING PROPOSED SCHEDULE

The preliminary hearing in this case was conducted on July 17, 2003, in Austin, Texas. The following actions were taken.

I. PARTIES

The following parties are hereby designated:

1. Applicant Bexar Metropolitan Water District (Bexar Met) represented by Mark H. Zeppa, attorney.
2. The Executive Director of the Texas Commission on Environmental Quality (TCEQ), represented by Todd Burkcy, attorney.
3. The Public Interest Counsel of the TCEQ, not appearing, represented by Blas Coy, Jr., attorney.
4. Protestant Sneckner Partners, Ltd. d/b/a BSR Water Company (BSR), represented by Janessa Glenn, attorney.
5. Protestant Water Services, Inc., represented by Mark H. Zeppa, attorney.

Applicant and Water Services, Inc., being represented by the same attorney, will be aligned as one party for discovery and other pre-hearing procedures. The alignment does not cover actions for the purposes of settlement. 30 TEX. ADMIN. CODE ANN. § 80.109(c). *Any discovery sent should clearly identify to which of the two parties such discovery is directed, and any responses should clearly state on behalf of which party answer is made. For clarity of the record, each motion filed should identify whether the proponent is Bexar Met, Water Services, Inc., or both parties jointly.*

FILED

2014 DEC -5 AM 7:04

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ORDER NO. 1

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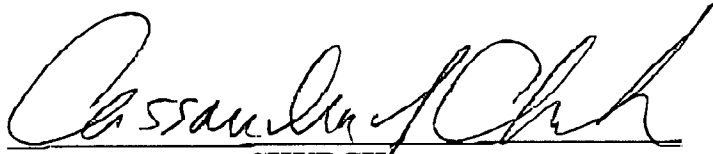
II. DEADLINE TO PROPOSE SCHEDULE

On motion of the parties, the setting of a date for the hearing on the merits will be deferred for 60 days in order to provide an opportunity for settlement negotiations to continue. *On or before September 15, 2003, the parties should file a proposed schedule for discovery and dates for a hearing on the merits, if no motion disposing of this case has been filed.*

III. MAILINGS TO WITHDRAWING PARTY

On July 10, 2003, the City of Bulverde withdrew its protest of the pending application, but set forth the City's ongoing interest in this proceeding. (B. Wasinger letter, July 10, 2003). Based on the interest of the City in this matter, copies of orders scheduling the hearing and, a copy of the Proposal for Decision, if one is issued, or an order disposing of this matter will be provided to the City of Bulverde. However, the parties are *not required* to copy the City on pleadings and/or discovery they may file in the ongoing hearing process.

ISSUED July 24, 2003.


CASSANDRA J. CHURCH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OFFICE OF ADMINISTRATIVE HEARINGS
WILLIAM P. CLEMENTS BUILDING
300 West Fifteenth Street
Austin, Texas 78701
Phone (512) 475-4993
Facsimile (512) 475-4994

SERVICE LIST

AGENCY: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
(TCEQ)

STYLE/CASE: IN THE APPLICATION OF BEXAR METROPOLITAN WATER
DISTRICT TO AMEND WATER CCN NO. 10675 IN BEXAR
COUNTY

SOAH DOCKET NUMBER: 582-03-3725
TCEQ DOCKET NUMBER: 2003-0664-UCR

ADMINISTRATIVE COURT

STATE OFFICE OF ADMINISTRATIVE
HEARINGS

CASSANDRA J. CHURCH
PRESIDING ADMINISTRATIVE LAW JUDGE

PARTIES	REPRESENTATIVE/ADDRESS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY	Todd Burkey Attorney Texas Commission on Environmental Quality MC-175 P.O. Box 13087 Austin, TX 78711-3087 Tel 512/239-0600 Fax 512/239-3434 512/239-0606
OFFICE OF PUBLIC INTEREST COUNSEL OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY	Blas Coy, Jr. Office of the Public Interest Counsel Texas Commission on Environmental Quality MC-103 P.O. Box 13087 Austin, TX 78711-3087 Tel 512/239-6363 Fax 512/239-6377
BEXAR METROPOLITAN WATER DISTRICT WATER SERVICES, INC.	Mark H. Zeppa Attorney 4833 Spicewood Springs Road, #202 Austin, Texas 78759-8436 Tel 512/346-4011 Fax 512/346-6847

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SERVICE LIST

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BSR WATER COMPANY

Janessa Glenn
Attorney
600 Congress Avenue
Austin, Texas 78701
Tel 512/499-3858
Fax 512/404-3520

COURTESY COPY OF ORDER MAILED OR
FAXED TO THE FOLLOWING PARTY:

CITY OF BULVERDE

Bruce Wasinger
Attorney
Bickerstaff, Heath, Smiley, Pollen, Kever &
McDaniel, L.L.P.
816 Congress, Suite 1700
Austin, Texas 78701-2443
Tel 512/472-8021
Fax 512/320-5638

xc: Docket Clerk, State Office of Administrative Hearings
Docket Clerk, Office of the Chief Clerk, TCEQ, Fax No. (512) 239-3311

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

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CHIEF CLERKS OFFICE
July 24, 2003

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

DATE:

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

SOAH DOCKET NO.:

TCEQ DOCKET NO.:

582-03-3725
2003-0664-UCR

REGARDING:

ORDER NO.

FROM:

JUDGE CASSANDRA J. CHURCH

FAX TO:	FAX NO.:
Blas Coy, Jr. (TCEQ - OPIC)	239-6377
Docket Clerk (TCEQ)	239-3311
Todd Burkey (TCEQ)	239-3434 or 239-0606
Mark H. Zoppa (Bexar Metropolitan Water District and Water Services, Inc.)	346-6847
Janessa Glenn (BSR Water Company)	404-3520
Bruce Wasinger (City of Bulverde-Courtesy Copy)	320-5638

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT PATRICIA PENA at 475-4993.

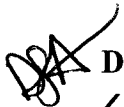
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**TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY**

TRANSMITTAL OF ADMINISTRATIVE RECORD

DATE: July 8, 2003



TO: SOAH Natural Resources Docket Clerk

THRU:  Deanna Avalos, TCEQ Final Documents Team Leader

FROM:  Melanie Mohair, TCEQ SOAH Docket Coordinator

RE: Bexar Metropolitan Water District
SOAH Docket No. 582-03-3725; TCEQ Docket No. 2003-0664-UCR

Pursuant to 30 TAC § 80.6(b)(4) regarding referrals to SOAH, a copy of the Chief Clerk's case file is attached. Please find **certified** copies of the following documents:

-  1. the application;
-  2. public hearing notice and Chief Clerk's affidavit

If any of these documents are not included as enclosures with this memo, please notify Melanie Mohair, SOAH Coordinator at (512) 239-2578 or Deanna Avalos, Final Documents Team Leader at (512) 239-3327.