

Control Number: 43922



Item Number: 1

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

ARMBRUST & BROWN, PLLC

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CHIEF CLERKS OFFICE

2010 DEC -9 PM 4: 57

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

JOHN J. CARLTON
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December 9, 2010

VIA FACSIMILE (512) 322-2061

Richard Wilfong
Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street, Suite 502
Austin, Texas 78701

Re: SOAH Docket No. 582-09-4288; TCEQ Docket No. 2009-0505-UCR; Application of Double Utilities Company, Inc. to Change Water Rate Tariff for Service in Hill, Palo Pinto, and Johnson Counties

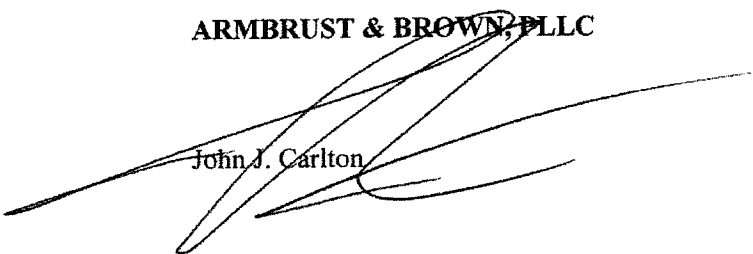
Dear Judge Wilfong:

Enclosed for filing in the above referenced case is Double Diamond Utilities Co.'s Motion to Dismiss and Remand to Executive Director.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

ARMBRUST & BROWN, PLLC


John J. Carlton

Enclosure

cc: Parties of Record

APPLICATION OF DOUBLE DIAMOND
UTILITIES COMPANY, INC. TO CHANGE
WATER RATE TARIFF FOR SERVICE IN
HILL, PALO PINTO, AND JOHNSON
COUNTIES

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2010 DEC -9 PM 4: 57
BEFORE THE STATE OFFICE
OF CHIEF CLERKS OFFICE

ADMINISTRATIVE HEARINGS

**DOUBLE DIAMOND UTILITIES CO.'S MOTION TO DISMISS
AND REMAND TO EXECUTIVE DIRECTOR**

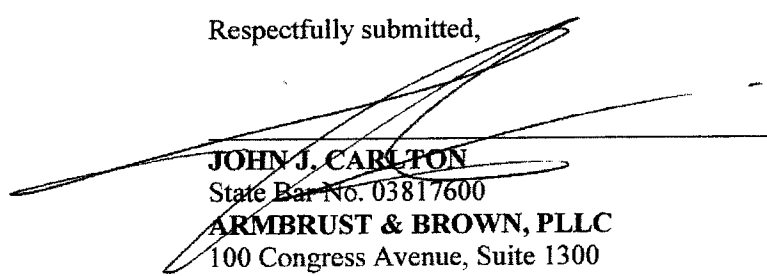
TO THE HONORABLE ADMINSTRATIVE LAW JUDGE:

COMES NOW, Double Diamond Utilities, Co. ("DDU") and files this Motion to Dismiss and Remand to Executive Director in the above-styled matter.

DDU has settled their issues with White Bluff Subdivision Ratepayers, The Retreat Homeowners Group and The Cliffs Utility Committee and request that the court issue an order remanding the application to the Executive Director.

WHEREFORE, PREMISES CONSIDERED, DDU respectfully requests that this Court enter an order granting this Motion to Dismiss and Remand to Executive Director.

Respectfully submitted,



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**ATTORNEY FOR DOUBLE DIAMOND
UTILITIES CO.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was delivered via facsimile, via first class mail, via electronic mail or by hand delivery on the 9th day of December, 2010 to the following:

Richard Wilfong
Administrative Law Judge
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Austin, Texas 78701

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Dec 14 2010 09:57-1

43922

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DEC 14 AM 10:08
2014 DEC -9 AM 9:47
CHIEF CLERKS OFFICE
PUBLIC UTILITY COMMISSION
FILING CLERK

SOAH DOCKET NO. 582-09-4288
TCEQ DOCKET NO. 2009-0505-UCR

APPLICATION OF DOUBLE
DIAMOND UTILITIES COMPANY,
INC. TO CHANGE WATER RATE
TARIFF FOR SERVICE IN HILL,
PALO PINTO, AND JOHNSON
COUNTIES

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**ORDER NO. 13
GRANTING MOTION TO DISMISS AND REMAND**

On December 9, 2010, Double Diamond Utilities Company, Inc. (Double Diamond), filed a motion to dismiss and remand to the Executive Director to finalize the parties' settlement.

NOW, THEREFORE, IT IS ORDERED that this case is **DISMISSED** from the docket of the State Office of Administrative Hearings and **REMANDED** to the Executive Director of the Texas Commission on Environmental Quality.

SIGNED December 14, 2010.

[Signature]
RICHARD R. WILFONG
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

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DATE: **12/14/2010**
NUMBER OF PAGES INCLUDING THIS COVER SHEET: **4**
REGARDING: **ORDER NO. 13 - GRANTING MOTION TO DISMISS AND REMAND**
DOCKET NUMBER: **582-09-4288**

JUDGE RICHARD WILFONG

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NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT SUSAN BRYSON(sbr) (512) 475-4993

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AGENCY: Environmental Quality, Texas Commission on (TCEQ)
STYLE/CASE: DOUBLE DIAMOND UTILITIES COMPANY, INC
SOAH DOCKET NUMBER: 582-09-4288
REFERRING AGENCY CASE: 2009-0505-UCR

**STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

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