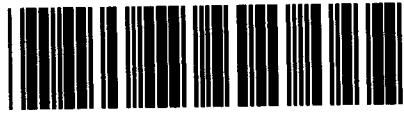


Control Number: 43922



Item Number: 32

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

SOAH DOCKET NO. 582-09-4288
TCEQ DOCKET NO. 2009-0505-UG
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**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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**BEFORE THE STATE COMMISSION
OF
ADMINISTRATIVE HEARINGS**

**2009 DEC -3 PM 3:32
CHIEF CLERKS OFFICE**

**TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY**

**DOUBLE DIAMOND UTILITIES COMPANY, INC.'S
MOTION FOR SUBSTITUTION OF COUNSEL**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Double Diamond Utilities Company, Inc., Applicant herein, and moves this Court for an Order substituting John J. Carlton and the law firm of Armbrust & Brown, L.L.P., 100 Congress Avenue, Suite 1300, Austin, Texas 78701 for Mark Zeppa, 4833 Spicewood Springs Road, Suite 202, Austin, Texas 78759-8436 as the attorneys of record for Applicant. In support of this Motion, Applicant will show the Court as follows:

I.

This Motion is based on good cause in that Applicant desires this change of counsel and the substitution of counsel is not sought for purposes of delay.

II.

John J. Carlton is a member in good standing with the State Bar of Texas.

III.

John J. Carlton is a member with the firm of Armbrust & Brown, L.L.P., 100 Congress Avenue, Suite 1300, Austin, Texas 78701, telephone number (512) 435-2308, facsimile number (512) 435-2360.

IV.

Applicant consents to and has requested this substitution of counsel

WHEREFORE, PREMISES CONSIDERED, Applicant respectfully requests that this Court enter an Order substituting John J. Carlton and the law firm of Armbrust & Brown, L.L.P. as counsel of record for Applicant.

Respectfully submitted,


JOHN J. CARLTON

State Bar No. 03817600

ARMBRUST & BROWN, L.L.P.

100 Congress Avenue, Suite 1300

Austin, Texas 78701-2744

(512) 435-2300 – Telephone

(512) 436-2360 – Telecopy

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CERTIFICATE OF SERVICE

By my signature above, I hereby certify that a true and correct copy of the foregoing was delivered via facsimile, via first class mail or by hand delivery on the 3rd day of December, 2009 to the following:

State Office of Administrative Hearings

Richard Wilfong

Administrative Law Judge

300 West 15th Street

Austin, Texas 78701

Fax: (512) 475-4994

Texas Commission on EnvironmentalQuality

Docket Clerk

Office of the Chief Clerk

Texas Commission on Environmental

Quality

P.O. Box 13087

Austin, Texas 78711

Fax: (512) 239-3311

Stefanie Skogen

Staff Attorney, MC 173

Environmental Law Division

Texas Commission on Environmental

Quality

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White Bluff Subdivision Ratepayers

Shari Heino

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The Cliffs Utility Committee

Phillip Day

Retired

90 Glen Abbey Dr. S.

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The Retreat Homeowners Group

Jack D. McCartney

and John T. Bell, Retired

6300 Annanhill St.

Cleburne, Texas 76033

ARMBRUST & BROWN, L.L.P.
ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

FACSIMILE COVER PAGE

Date: December 3, 2009

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NAME:	COMPANY:	FACSIMILE NO.:	TELEPHONE NO.:
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Stefanie Skogen	TCEQ	512.239.0606	512.239.0575
Shari Heino	Mathews & Freeland, LLP	512.703.2785	512.404.7800
James Murphy	OPIC	512.239.6377	512.239.4014
Philip Day		First class mail	
Jack D. McCartney John T. Bell		First class mail	

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From: John J. Carlton	Telephone No.: 512.435.2360
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RE: 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

ATTACHMENTS Motion for Substitution of Counsel

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375252-1 12/03/2009