



Control Number: 43922



Item Number: 4

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

43922
CCN 112087/50

ARMBRUST & BROWN, PLLC

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ATTORNEYS AND COUNSELORS

2010 DEC -9 AM 9:48

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PUBLIC UTILITY COMMISSION
FILING CLERK

FACSIMILE 512-435-2360
FACSIMILE 512-435-2399

JOHN J. CARLTON
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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2010 DEC -3 PM 3:54
CHIEF CLERKS OFFICE

December 3, 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

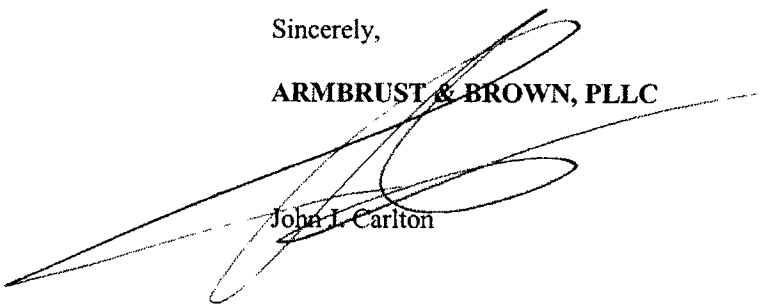
Dear Judge Wilfong:

Enclosed for filing in the above referenced case is Double Diamond Utilities Co.'s Motion to Abate.

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 L. Carlton

Enclosure

cc: Parties of Record

RECEIVED

JAN 17 2011

TCEQ
CENTRAL FILER ROOM

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

§
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§
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARING

CHIEF CLERKS OFFICE

2010 DEC -3 PM 3: 54

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

DOUBLE DIAMOND UTILITIES CO.'S MOTION TO ABATE

TO THE HONORABLE ADMINSTRATIVE LAW JUDGE:

COMES NOW, Double Diamond Utilities, Co. ("DDU") and files this Agreed Motion to Abate in the above-styled matter.

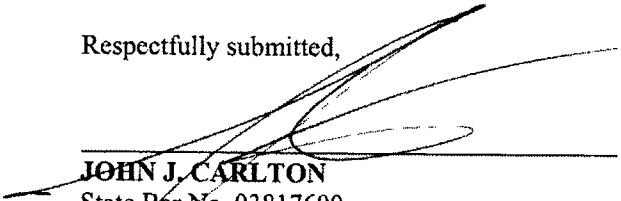
I.

On November 1, 2010, Judge Wilfong issued Order No. 11 in this proceeding and set the trial in this matter for December 6-7, 2010. DDU has reached an agreement with The Cliffs Ratepayer group. DDU is requesting to abate the proceedings for 45 days to allow for execution of the settlement documents. Counsel for DDU has discussed the abatement with all parties and the parties are in agreement.

II.

WHEREFORE, PREMISES CONSIDERED, DDU respectfully requests that this Court enter an order abating the proceedings for 45 days to allow for execution of the settlement documents.

Respectfully submitted,



JOHN J. CARLTON
State Bar No. 03817600
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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 3rd day of December, 2010 to the following:

Richard Wilfong
Administrative Law Judge
300 West 15th Street, Suite 502
Austin, Texas 78701

Shari Heino
Mathews & Freeland, PLLC
327 Congress Avenue, Suite 300
Austin, Texas 78701

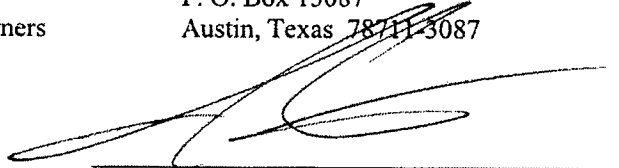
Philip Day
Representative for the Cliffs Utility Committee
90 Glen Abbey Drive S
Graford, Texas 76449

Jack D. McCartney and
John T. Bell
Representatives for the Retreat Homeowners
Group
6300 Annahill Street

Cleburne, Texas 76033-8957
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