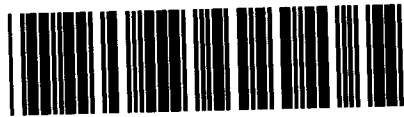
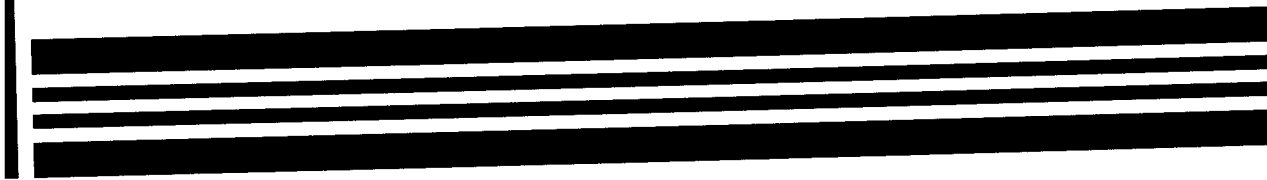


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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

JOHN J. CARLTON  
(512) 435-2308  
jcarlton@abawm.com

January 5, 2010

VIA FACSIMILE: (512) 475-4994

Richard Wilfong  
Administrative Law Judge  
State Office of Administrative Hearings  
300 W. 15<sup>th</sup> 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

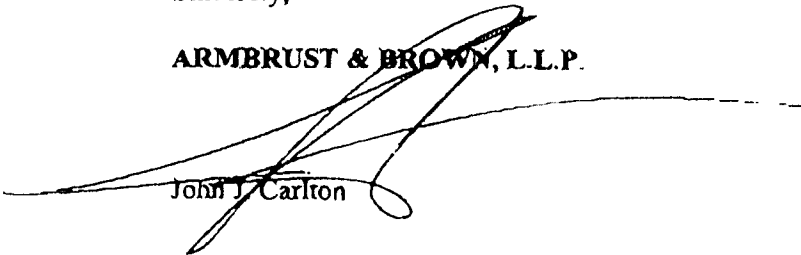
Dear Judge Wilfong:

Enclosed for your review and approval is the Procedural Schedule agreed to today at the Prehearing Conference.

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

Sincerely,

ARMBRUST & BROWN, L.L.P.



John J. Carlton

Enclosure

- cc: TCEQ Chief Clerk (via fax: 512.239.3311)
- Stefannie Skogen (via fax: 512.29.0606)
- Shari Heino (via fax: 512.703.2785)
- James B. Murphy (via fax: 512.239.6377)
- Phillip Day: (via email: [pbdav@nsb-pklake.com](mailto:pbdav@nsb-pklake.com))
- Jack D McCartney & John T. Bell (via email: [jacksandramccart@aol.com](mailto:jacksandramccart@aol.com))

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

SOAH DOCKET NO. 582-09-4288

TCEQ DOCKET NO. 2009-0505-UCR

2010 JAN -5 PM 4: 06

CHIEF CLERKS OFFICE

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 HEARINGS

**PROCEDURAL SCHEDULE**

On January 5, 2010, a prehearing conference was held. A procedural schedule has been developed with the input of the parties. That schedule is set out below and shall govern this case:

<u>DATE</u>	<u>EVENT</u>
January 18, 2010	Applicant to file initial supplemental discovery responses to all previous discovery.
March 1, 2010	Applicant to prefile its direct case in writing, including all testimony, exhibits, and proposed order of witnesses
March 15, 2010	Deadline for referral for mediation.
March 29, 2010	Protestants and OPIC to file their direct case in writing, including all testimony, exhibits, and proposed order of witnesses
April 29, 2010	Executive Director to file his direct case in writing, including all testimony, exhibits, and proposed order of witnesses.
May 7, 2010	Objections to prefiled testimony and exhibits, and end of deposition discovery, including depositions on written questions.
May 21, 2010	Responses to objections to prefiled testimony and exhibits
May 26, 2010	Prehearing conference.
June 2-4	Hearing on the merits.

The Parties can amend all dates herein by written agreement provided that any changes do not affect the dates scheduled for the hearing on the merits.

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T-650 P.04/04 F-428

The Parties agree that if any of the dates set forth in this Agreed Scheduling Order fall on a Saturday, Sunday or legal holiday, the deadline will be the next business day that is not a Saturday, Sunday or legal holiday.

SIGNED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

---

Administrative Law Judge  
State Office of Administrative Hearings

**ARMBRUST & BROWN, L.L.P.**

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
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**FACSIMILE COVER PAGE**

Date: January 5, 2010

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NAME:	COMPANY:	FACSIMILE NO.:	TELEPHONE NO.:
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Shari Heino	Mathews & Freeland, LLP	512.703.2785	512.404.7800
James Murphy	OPIC	512.239.6377	512.239.4014
Philip Day		Via Email & First Class Mail	
Jack D. McCartney John T. Bell		Via Email & First Class Mail	

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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 Procedural Schedule**

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