



Control Number: 43934



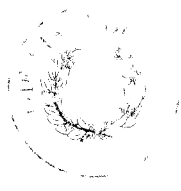
Item Number: 11

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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

43934

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
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*Protecting Texas by Reducing and Preventing Pollution*  
August 15, 2011

CHIEF CLERKS OFFICE

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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Melissa Chao  
Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105, P.O. Box 13087  
Austin, Texas 78711-3087

Re: Water Rate/Tariff Change Application of Wiedenfeld Water Works, Inc.,  
Certificate of Convenience and Necessity No. 12052, in Kerr, Kendall, and  
Medina Counties, Application No. 36172-R; SOAH Docket No. 582-09-3549;  
TCEQ Docket No. 2009-0372-UCR

Dear Ms. Chao:

I have enclosed the Executive Director's Exceptions to the Proposal for Decision on  
Remand. Please let me know if you have any questions.

Sincerely,

*Stefanie Skogen*

Stefanie Skogen  
Staff Attorney  
Environmental Law Division

Enclosure

cc: Mailing list

SOAH DOCKET NO. 582-09-3549  
TCEQ DOCKET NO. 2009-0372-UCR

WATER RATE/TARIFF CHANGE  
APPLICATION OF WIEDENFELD  
WATER WORKS, INC.,  
CERTIFICATE OF CONVENIENCE  
AND NECESSITY NO. 12052, IN  
KERR, KENDALL, AND MEDINA  
COUNTIES, TEXAS,  
APPLICATION NO. 36172-R

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BEFORE THE TEXAS

COMMISSION ON

ENVIRONMENTAL QUALITY

CHIEF CLERK'S OFFICE

2011 AUG 15 AM 9:20

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**EXECUTIVE DIRECTOR'S EXCEPTIONS TO THE PROPOSAL FOR  
DECISION ON REMAND**

The Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ or Commission), by and through a representative of the TCEQ's Environmental Law Division, does not have any exceptions to the Administrative Law Judge's (ALJ's) proposal for decision (PFD) on remand. However, the ED does have several suggested corrections for the proposed order:

**A. Order title**

The ED recommends removing the word "Utilities" to avoid confusion regarding Wiedenfeld Water Works, Inc.'s (Wiedenfeld's) name.

**B. Finding of Fact No. 99**

Wiedenfeld stopped charging its proposed rates in September 2010. Therefore, the ED recommends changing "present" to "September 19, 2010."

**C. Ordering Provision No. 2**

Because Wiedenfeld has already stopped charging its proposed rates, this provision could be deleted.

**D. Ordering Provision No. 3**

As stated above, Wiedenfeld stopped charging its proposed rates in September

## CERTIFICATE OF SERVICE

I certify that on August 15, 2011, a copy of the foregoing document was sent by first class mail, agency mail, electronic mail, and/or facsimile to the persons on the attached mailing list.

*Stefanie Skogen*

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Stefanie Skogen, Staff Attorney  
Environmental Law Division

### Mailing List

**Wiedenfeld Water Works, Inc.**  
**SOAH Docket No. 582-09-3549**  
**TCEQ Docket No. 2009-0372-UCR**

#### **STATE OFFICE OF ADMINISTRATIVE HEARINGS:**

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State Office of Administrative Hearings  
P.O. Box 13025  
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