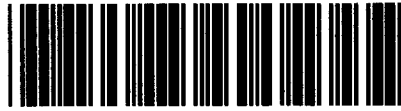


Control Number: 43943



Item Number: 21

Addendum StartPage: 0

06/04/03/MON 04 13 PM

HAZEN&amp;TERRILL

FAX No. 5124749888

SOAH DOCKET NO. 582-05-1005  
TCEQ DOCKET NO. 2004-1384-UCR

IN RE PETITION OF BEXAR  
METROPOLITAN WATER  
DISTRICT TO COMPEL RAW  
WATER COMMITMENT FROM  
GUADALUPE-BLANCO RIVER  
AUTHORITY

§  
§  
§  
§  
§  
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

CHIEF CLERK'S OFFICE

APR 3 2006 10:16

**MOTION TO WITHDRAW  
PETITION TO COMPEL RAW WATER COMMITMENT**

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
AND ADMINISTRATIVE LAW JUDGE:

NOW COMES the Bexar Metropolitan Water District ("BexarMet" or "Petitioner")  
and files this Motion to Withdraw its Petition to Compel, and in support whereof respectfully  
shows as follows:

- 1 BexarMet filed its Original Petition to Compel Raw Water Commitment from  
Guadalupe-Blanco River Authority on November 7, 2003.
- 2 BexarMet filed its First Amended Petition to Compel Raw Water Commitment  
From Guadalupe-Blanco River Authority on January 5, 2005.
- 3 By this Motion, BexarMet withdraws both its Original Petition to Compel and  
its Amended Petition to Compel, and respectfully requests the dismissal of all associated  
proceedings.

WHEREFORE, PREMISES CONSIDERED, BexarMet respectfully prays that this Motion to Withdraw its Petition to Compel Raw Water Commitment be granted, and all associated proceedings dismissed.

**Respectfully submitted,**

**HAZEN & TERRILL, P.C.**

By: 

Paul M. Terrill III  
State Bar No. 00785094  
Howard S. Slobodin  
State Bar No. 24031570  
810 W. 10<sup>th</sup> Street  
Austin, Texas 78701  
(512) 474-9100  
(512) 474-9888 (fax)

**ATTORNEYS FOR PETITIONER  
BEXAR METROPOLITAN WATER DISTRICT**

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2006, a true and correct copy of the foregoing was delivered as specified below, to the following parties of record:

Administrative Law Judge  
State Office of Administrative Hearings

*via hand delivery*

Mike Rogan, Administrative Law Judge  
State Office of Administrative Hearings  
Docketing Division  
P O Box 13025  
Austin, TX 78711-3025  
Tel: 475-4993  
Fax: 475-4994

Docket Clerk  
Texas Commission on Environmental  
Quality

*via hand delivery*

Docket Clerk  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: 239-3300  
Fax: 239-3311

Executive Director  
Texas Commission on Environmental  
Quality

*via fax*

Todd Galiga, Staff Attorney  
Executive Director  
Texas Commission on Environmental Quality  
MC-173  
P O. Box 13087  
Austin, Texas 78711-3087  
Tel: 239-0600  
Fax: 239-0606  
Email: [tgalisa@tceq.state.tx.us](mailto:tgalisa@tceq.state.tx.us)

Office of Public Interest Counsel  
Texas Commission on Environmental  
Quality

*via fax*

Scott Humphrey  
Office of the Public Interest Counsel  
Texas Commission on Environmental Quality  
MC-103  
P O Box 13087  
Austin, Texas 78711-3087  
Tel: 239-6363  
Fax: 239-6377  
Email: [shumphre@tceq.state.tx.us](mailto:shumphre@tceq.state.tx.us)

Guadalupe-Blanco River Authority

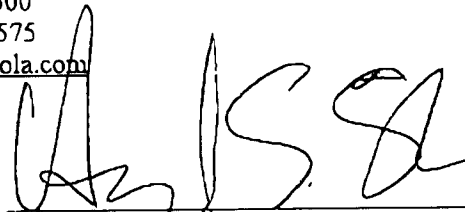
*via fax*

Molly Cagle  
Vinson & Elkins LLP,  
The Terrace 7  
2801 Via Fortuna, Suite 100  
Austin, Texas 78746  
Tel: 542-8552  
Fax: 236-3280  
[mcagle@velaw.com](mailto:mcagle@velaw.com)

Guadalupe-Blanco River Authority  
(courtesy copy)

*via fax*

Roger Nevola  
Law Offices of Roger Nevola  
P.O. Box 2103  
Austin, Texas 78767-2103  
Tel: 499-0500  
Fax: 499-0575  
[roger@nevola.com](mailto:roger@nevola.com)



Howard S. Slodkin

**HAZEN & TERRILL**

A PROFESSIONAL CORPORATION

810 West 10<sup>th</sup> Street  
Austin, Texas 78701-2005  
Tel (512) 474-9100  
Fax (512) 474-9888

April 14, 2006

CHIEF CLERKS OFFICE

2006 APR 17 AM 8:09

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

The Honorable Mike Rogan  
Administrative Law Judge  
State Office of Administrative Hearings  
William P. Clements Building, Jr.  
300 West 15<sup>th</sup> Street  
Austin, Texas 78701

*Via Facsimile: (512) 475-4994*

Re: TCEQ Docket No. 2004-1384-UCR; SOAH Docket No. 582-05-1005; In re Petition  
of Bexar Metropolitan Water District to Compel Raw Water Commitment from  
Guadalupe-Blanco River Authority

Dear Judge Rogan:

In response to the Court's request for clarification regarding BexarMet's Motion to Withdraw its Petition to Compel Raw Water Commitment, please be advised that BexarMet requests dismissal of that Petition without prejudice. A review of the Water Code and the TCEQ's rules provides no guidance on the effects of a dismissal with prejudice in this matter. Because the potential consequences of a dismissal with prejudice are unknown, BexarMet must request a dismissal without prejudice of its Petition to Compel

The purpose of BexarMet's Petition to Compel was to secure water for use in Comal County, Texas. BexarMet was forced to petition the TCEQ because of GBRA's monopolistic exercise of its dominant share of water rights in the Guadalupe River basin. Despite having almost 30,000 acre-feet of water available, GBRA refused to provide water to its competitor — BexarMet. Even given GBRA's anti-competitive refusal to provide BexarMet water, GBRA does not dispute that BexarMet may serve in four service areas in Comal County certificated to BexarMet by the TCEQ and confirmed and ratified by the Texas Legislature in Senate Bill 1494, Act of May 28, 2003; 78th Leg., R.S., ch. 375, 2003 Tex. Gen. Laws 1593 ("SB 1494"). However, GBRA has raised SB 1494 as a bar to BexarMet's hypothetical service in other areas of Comal County in this action. That service is purely hypothetical because BexarMet does not seek to provide water service to any Comal County areas other than its four CCN areas ratified by SB 1494 and a CCN application exempt from SB 1494. GBRA has urged these same SB 1494 claims in another forum — in Cause No. C2003-1201A, *City of Bulverde, Texas, and Guadalupe-Blanco River Authority v. Bexar Metropolitan Water District*, in the 22<sup>nd</sup> Judicial District Court, Comal County, Texas.

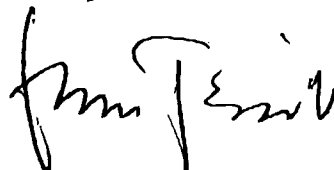
Given GBRA's past behavior, BexarMet's future water needs in the four Comal County CCN areas ratified by SB 1494 could theoretically necessitate another petition to compel against GBRA. BexarMet cannot risk GBRA raising a dismissal with prejudice in this matter as a bar to such further

The Honorable Mike Rogan  
Administrative Law Judge  
April 14, 2006  
Page 2

requests. Such a claim by GBRA would be consistent with its monopolistic use of its control over the state-owned waters of the Guadalupe River basin to attempt to oust BexarMet from service in Comal County completely. Moreover, GBRA would likely attempt to use a BexarMet request for dismissal with prejudice in this case against BexarMet in GBRA's Comal County District Court suit. For those reasons, BexarMet must request that its Petition to Compel in this matter be dismissed without prejudice. Consistent with 30 TEX. ADMIN. CODE § 80.25, BexarMet is seeking an accounting of GBRA's expenses, not including its attorneys' fees, in this proceeding.

Thank you for your consideration in this matter.

Sincerely,



Paul M. Terrill III  
HAZEN & TERRILL, P.C.

encl.

cc: Docket Clerk *Via fax to 239-3311*  
Todd Galiga *Via fax to 239-0606*  
Scott Humphrey *Via fax to 239-6377*  
Molly Cagle *Via fax to 236-3280*  
Roger Nevola *Via fax to 499-0575*

2006/APR/14/FRI 05 49 PM

HAZEN&amp;TERRILL

FAX No. 5124749888

P. 0

**HAZEN & TERRILL**

A PROFESSIONAL CORPORATION

810 West 10<sup>th</sup> Street  
Austin, Texas 78701  
Tel (512) 474-9100  
Fax (512) 474-9888

CHIEF CLERKS OFFICE

2006 APR 17 AM 8:09

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY**FAX COVER SHEET****DATE : April 14, 2006****TIME : 5:48pm****PLEASE DELIVER TO:**

NAME	Mike Rogan, ALJ	FAX NUMBER :	475-4994
	Docket Clerk		239-3311
	Office of the Chief Clerk		
	Todd Galiga		239-0606
	Scott Humphrey		239-6377
	Molly Cagle		236-3280
	Roger Nevola		499-0575
FROM	Jackie Taylor, Paralegal		
CM #	9234		
TOTAL NUMBER OF PAGES SENT (Including coversheet) :			3 pages
IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE.			
REMARKS .			
<i>TCEQ Docket No. 2004-1384-UCR; SOAH Docket No. 582-05-1005; In re Petition of Bexar Metropolitan Water District to Compel Raw Water Commitment from Guadalupe-Blanco River Authority</i>			
See attached April 14, 2006 correspondence from Paul M. Terrill, III.			
<b>CONFIDENTIALITY NOTICE</b>			
This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender which is protected by the attorney-client privilege. The information is intended only for the use of the individual or entity named below. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the documents			



**HAZEN & TERRILL**

A PROFESSIONAL CORPORATION

810 West 10<sup>th</sup> Street  
Austin, Texas 78701  
Tel (512) 474-9100  
Fax (512) 474-9888

CHIEF CLERK'S OFFICE

APR - 3 PM 4:15

OUT  
STATION**FAX COVER SHEET****DATE : April 3, 2006****TIME : 4:04pm****PLEASE DELIVER TO:**

NAME :	Docket Clerk- TCEQ	FAX NUMBER :	239-3300
FROM :	Paul Terrill		
CM #	9234		
TOTAL NUMBER OF PAGES SENT (Including coversheet) :		5 pages	
IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE			
REMARKS :			
<p>Re: TCEQ DOCKET NO. 2004-1384-UCR; SOAH DOCKET NO. 582-05-1005; In re Petition of Bexar Metropolitan Water District to Compel Raw Water Commitment from Guadalupe-Blanco River Authority</p> <p>See attached Motion to Withdraw Petition to Compel Raw Water Commitment.</p>			
<b>CONFIDENTIALITY NOTICE</b>			
<p>This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender which is protected by the attorney-client privilege. The information is intended only for the use of the individual or entity named below. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the documents.</p>			

**SOAH DOCKET NO. 582-05-1005  
TCEQ DOCKET NO. 2004-1384-UCR**

**PETITION OF BEXAR METROPOLITAN §  
WATER DISTRICT TO COMPEL RAW §  
WATER COMMITMENT FROM §  
GUADALUPE-BLANCO RIVER §  
AUTHORITY §**

**BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS**

**ORDER NO. 5  
REQUEST FOR STATUS REPORT**

As this matter has been in abatement for some time, the Administrative Law Judge ("ALJ") requests that Bexar Metropolitan Water District and Guadalupe-Blanco River Authority ("GBRA") submit brief written status reports on the controversy by **April 5, 2006**. Primarily, of course the reports need to address any action taken in district court to resolve the issue relating to the District's legal authority to supply water outside the area defined in its enabling act.

Since the action before SOAH appears to be in large part contingent upon the outcome of district court action, the ALJ has not completed a full analysis of the parties' arguments and citations of authority relating to the propriety of the District's maintaining its claim before TCEQ and SOAH. However, as a preliminary matter, the ALJ does not find persuasive the first basis cited by GBRA for its pending Motion to Dismiss - *i.e.*, the lack of sufficient explanation for the District's "entitlement" to GBRA-supplied water in the petition that initiated action before TCEQ, as required by 30 TAC § 291.44(a)(1) and by § 11.041(a)(1) of the Water Code.

The ALJ believes that these matters of pleading are either (1) merely directory or (2) have been permissibly waived by TCEQ in the processing of the petition prior to referral of the controversy to SOAH, thus placing the question of the pleadings' accuracy beyond SOAH's immediate, derived jurisdiction.

Accordingly, the ALJ does not expect to give this issue further consideration unless the parties submit significant additional analysis or citation of authority supporting its applicability to this case.

SOAH Docket No. 582-05-1005  
TCEQ Docket No. 2004-1384-UCR

Order No. 5

Page 2

### PROCEDURAL QUESTIONS

Routine procedural and logistical questions may be directed to Rita McBride at (512) 475-3419; however, please note that SOAH support personnel are not authorized to provide general advice or the interpretation of regulations or policy.

SIGNED March 22, 2006.

Mike Rogan  
MIKE ROGAN  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**WILLIAM P. CLEMENTS BUILDING, Jr.**  
**300 West Fifteenth Street**  
**Austin, Texas 78701**  
**Phone (512) 475-4993**  
**Facsimile (512) 475-4994**

**SERVICE LIST**

**AGENCY:** TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
(TCEQ)  
**STYLE/CASE:** BEXAR METROPOLITAN WATER DISTRICT  
**SOAH DOCKET NUMBER:** 582-05-1005  
**REFERRING AGENCY CASE:** 2004-1384-UCR

**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE**  
**ALJ MIKE ROGAN**

**REPRESENTATIVE / ADDRESS**

**PARTIES**

LOUIS ROSENBERG  
322 MARTINEZ  
SAN ANTONIO, TX 78205  
(210) 225-5454 (PH)  
(210) 225-5450 (FAX)

**BEXAR COUNTY COURTESY COPY**

MOLLY CAGLE  
ATTORNEY  
2801 VIA FORTUNA, 100  
AUSTIN, TX 78746  
(512) 542-8552 (PH)  
(512) 236-3280 (FAX)

**GBRA**

PAUL TERRILL  
ATTORNEY  
810 W 10TH STREET  
AUSTIN, TX 78701  
(514) 474-9100 (PH)  
(512) 474-9888 (FAX)

**BEXAR METROPOLITAN WATER DIST.**

ROGER NEVALA  
ATTORNEY  
BEXAR COUNTY COURTESY COPY  
PO BOX 2103  
AUSTIN, TX 78767  
(512) 499-0500 (PH)  
(512) 499-0575 (FAX)

**LAW OFFICES OF MARK H. ZEPPA, PC.**

SCOTT HUMPHREY  
ATTORNEY  
OFFICE OF PUBLIC INTEREST COUNSEL  
P.O. BOX 13087  
AUSTIN, TX 78711-3087  
(512) 239-6960 (PH)  
(512) 239-6377 (FAX)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SHANNON STRONG (COURTESY COPY)

AUSTIN, TX 78701  
(210) 225-5454 (PH)  
(210) 225-5450 (FAX)

BEXAR COUNTY METROPOLITAN

TODD GALIGA  
STAFF ATTORNEY, EXECUTIVE DIRECTOR  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
, MC-173 PO 13087  
AUSTIN, TX 78711-3087  
(512) 239-0600 (PH)  
(512) 239-0606 (FAX)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

xc. Docket Clerk, State Office of Administrative Hearings

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**WILLIAM P. CLEMENTS BUILDING, Jr.**  
**300 West Fifteenth Street**  
**Austin, Texas 78701**  
**Phone (512) 475-4993**  
**Facsimile (512) 475-4994**

03/22/2006

DATE:

5

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

**ORDER NO. 5 REQUEST FOR STATUS REPORT**

REGARDING:

**582 05-1005**

DOCKET NUMBER:

**JUDGE MIKE ROGAN**

FROM:

**FAX TO:**

**FAX TO:**

LOUIS ROSENBERG

(210) 225-5450

MOLLY CAGLE

(512) 236-3280

PAUL TERRILL

(512) 474-9888

SHANNON STRONG (COURTESY COPY)

(210) 225-5450

ROGER NEVALA

(512) 499-0575

SCOTT HUMPHREY (TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY)

(512) 239-6377

TODD GALIGA (TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY)

(512) 239-0606

**TCEQ Docket Clerk, Fax Number 512/239-3311**

**NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT RITA MCBRIDE(rmc) AT 512-475-4993**

The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the address via the U.S. Postal Service. Thank you.

CHIEF CLERK'S OFFICE

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**WILLIAM P. CLEMENTS BUILDING, Jr.**

**300 West Fifteenth Street**

**Austin, Texas 78701**

**Phone (512) 475-4993**

**Facsimile (512) 475-4994**

**SERVICE LIST**

**AGENCY:** Texas Commission on Environmental Quality (TCEQ)

**STYLE/CASE:** BEXAR METROPLITIAN WATER DISTRICT

**SOAH DOCKET NUMBER:** 582-05-1005

**REFERRING AGENCY CASE:** 2004-1384-UCR

**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**MIKE ROGAN  
ADMINISTRATIVE LAW JUDGE**

**PARTIES**

**REPRESENTATIVE / ADDRESS**

TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY

SCOTT HUMPHREY  
OFFICE OF PUBLIC INTEREST COUNSEL  
Texas Commission on Environmental Quality  
PO 13087  
AUSTIN, TX 78711-3087  
(512) 239-6960 (PH)  
(512) 239-6377 (FAX)

BEXAR COUNTY METROPOLITAN

SHANNON STRONG (COURTESY COPY)

AUSTIN, TX 78701  
(210) 225-5454 (PH)  
(210) 225-5450 (FAX)

BEXAR METROPOLITAN WATER DIST.

PAUL TERRILL  
ATTORNEY  
810 W 10TH STREET  
AUSTIN, TX 78701  
(514) 474-9100 (PH)  
(512) 474-9888 (FAX)

GBRA

MOLLY CAGLE  
ATTORNEY  
2801 VIA FORTUNA 100  
AUSTIN, TX 78746  
(512) 542-8552 (PH)  
(512) 236-3280 (FAX)

## **PARTIES**

TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY

BEXAR COUNTY COURTESY COPY

## **REPRESENTATIVE / ADDRESS**

Todd Galiga  
Staff Attorney, Executive Director  
Texas Commission on Environmental Quality  
PO 13087 MC-173  
AUSTIN, TX 78711-3087  
(512) 239-0600 (PH)  
(512) 239-0606 (FAX)

LOUIS ROSENBERG  
322 MARTINEZ  
SAN ANTONIO, TX 78205  
(210) 225-5454 (PH)  
(210) 225-5450 (FAX)

---

xc: Docket Clerk, State Office of Administrative Hearings



(Revised - 03/25/04)	FOR SOAH USE ONLY	(req. form)
Date complete request received by SOAH	Processing date set by SOAH: 11/05 10AM	SOAH Docket Number & type of case: 58705-1005

**REQUEST TO DOCKET CASE (Please type or print)****PLEASE CHECK ACTION(S) REQUESTED:**

☒ SETTING OF HEARING ☐ ASSIGNMENT OF ALJ \* ☐ ALTERNATIVE DISPUTE RESOLUTION (ADR)\*

REFERRING AGENCY NAME: TCEQ AGENCY NO. FILE/CASE NO. 2004-1384-UCR

NAME/STYLE OF THE CASE: BEXAR METROPOLITAN

DATE APPLICATION FILED AT AGENCY DOCKET NO SUFFIX, if applicable UCR

PROCEEDING DATE(S) REQUESTED (include range of dates if possible): JANUARY 11 2005

EXPECTED NUMBER OF HOURS (if less than a day) OR DAYS NEEDED FOR PROCEEDING: HOURS DAYS

☐ ADMIN. FINE ☐ GRIEVANCE ☐ ENFORCEMENT ☐ CONTRACT CLAIM (Gov't Code 2260) ☐ OTHER

SPECIAL NEEDS OR ACCOMMODATIONS: HEARING IN AUSTIN, SEATING FOR 15 PEOPLE

IF ADR REQUESTED PLEASE DESCRIBE PROCESS NEEDED:

☐ PREHEARING CONFERENCE REQUESTED

☐ CASE FILE and/or ☐ HEARING IS CONFIDENTIAL (Specify applicable statute)

NAME OF INDIVIDUAL SENDING REQUEST FORM: MELANIE MOHAIR PHONE NO. 239-2578 FAX NO. 239-3311

**PARTIES AND REPRESENTATIVES**

PARTY REPRESENTED BY: ☐ SELF ☒ ATTORNEY

☐ OTHER, if so, relationship:

REPRESENTATIVE'S NAME: TODD GALIGA

PARTY'S NAME:

ADDRESS:

PHONE No. 239-3578  
(Direct Phone Number Please)

FAX No.

PARTY REPRESENTED BY: ☐ SELF ☐ ATTORNEY

☐ OTHER, if so, relationship:

REPRESENTATIVE'S NAME:

PARTY'S NAME

ADDRESS:

PHONE No.:  
(Direct Phone Number Please)

FAX No.

**PLEASE LIST ADDITIONAL PARTIES AND/OR REPRESENTATIVES ON EXTRA FORM PROVIDED.**

SEND TO STATE OFFICE OF ADMINISTRATIVE HEARINGS  
ATTN: Deputy Clerk  
William P. Clements Building  
300 West 15th Street, Suite 504  
Austin, Texas 78701

OR

Post Office Box 13025  
Austin, Texas 78711-3025  
Docket Phone No. (512) 475-3445  
Fax No. (512) 475-4994

\*PLEASE FORWARD A COPY OF THE APPLICATION, APPEAL, OR COMPLAINT WITH THIS REQUEST FORM, AS WELL AS ANY OTHER PLEADING FILED IN THE CASE TO DATE IF REQUESTING ASSIGNMENT OF ALJ or ALTERNATIVE DISPUTE RESOLUTION (ADR). A COPY OF THE NOTICE OF PROCEEDING MUST BE FORWARDED TO SOAH AT THE SAME TIME IT IS MAILED TO THE PARTIES.



STATE OFFICE OF ADMINISTRATIVE HEARINGS  
PUBLIC HEARING REGISTRATION  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY



Date: 1-11-05

Name: Susan Zachos

Occupation: attorney

Mailing Address: 301 Congress Ave, Suite 2000  
Street or P.O. Box

Austin TX 78701  
City State Zip

Daytime Phone: (512) 495-6400 Fax #: (512) 495-6401

E-Mail address (if available): susan-zachos@khh.com

Representing: ☐ Self ☒ Other (specify): Guadalupe Blanco River Authority  
(not in this case)

Title of matter being considered: Petition of Beran Met Water Dist. to  
Compel Raw Water Commitment from GBPA

SOAH Docket No. (if known): 2004-1384-UCR

Your position regarding the matter being considered: ☐ In Favor ☒ Opposed ☐ Undecided ☒ Observer



STATE OFFICE OF ADMINISTRATIVE HEARINGS  
PUBLIC HEARING REGISTRATION  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY



Date: 1/11/2005

Name: ROGER NEVOLA

Occupation: LAWYER

Mailing Address: P.O. BOX 2103  
Street or P.O. Box

AUSTIN TX 78768  
City State Zip

Daytime Phone: (512) 499-0500 Fax #: (512) 499-0575

E-Mail address (if available): roger@nevola.com

Representing: ☐ Self ☒ Other (specify): GUADALUPE-BLANCO RIVER AUTHORITY

Title of matter being considered: BEXAR-METROPOLITAN WATER DISTRICT PETITION

SOAH Docket No. (if known): 582-05-1005

Your position regarding the matter being considered: ☐ In Favor ☒ Opposed ☐ Undecided ☐ Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**PUBLIC HEARING REGISTRATION**  
*ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE*  
**PLEASE PRINT CLEARLY**



Date: 1/11/05

Name: ELSIE PASUNA

Occupation: Auditor

Mailing Address: ED - TCEQ, MC - 153  
Street or P.O. Box

Austin, TX 78711  
City State Zip

Daytime Phone: (512) 239-5367 Fax #: (512) 239-6972

E-Mail address (if available): EPASUNA@TCEQ.STATE.TX.US

Representing: ☐ Self ☐ Other (specify): ED - TCEQ

Title of matter being considered: GBRA appeal

SOAH Docket No. (if known): \_\_\_\_\_

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**PUBLIC HEARING REGISTRATION**  
*ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE*  
**PLEASE PRINT CLEARLY**



Date: \_\_\_\_\_

Name: Brian Dickey

Occupation: \_\_\_\_\_

Mailing Address: TCEQ MC 153  
Street or P.O. Box

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime Phone: ( ) \_\_\_\_\_ Fax #: ( ) \_\_\_\_\_

E-Mail address (if available): \_\_\_\_\_

Representing: ☐ Self ☐ Other (specify): ED

Title of matter being considered: BEXAR Metropolitan to Cooper River  
water

SOAH Docket No. (if known): \_\_\_\_\_

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**PUBLIC HEARING REGISTRATION**  
*ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE*  
**PLEASE PRINT CLEARLY**



Date: 1/11/05

Name: Brian MacLeod

Occupation: Staff Attorney

Mailing Address: P.O. Box 13087  
Street or P.O. Box

Austin, TX 78711-3087  
City State Zip

Daytime Phone: (512) 239-0750 Fax #: (512) 239-0606

E-Mail address (if available): bmaclead@tceq.state.tx.us

Representing: ☐ Self ☒ Other (specify): ED of TCEQ

Title of matter being considered: Bexas Metropolitan 11.041 petition

SOAH Docket No. (if known): 582-05-1005

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☒ Undecided ☐ Observer



STATE OFFICE OF ADMINISTRATIVE HEARINGS  
PUBLIC HEARING REGISTRATION  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY



Date: JANUARY 11, 2005

Name: PAUL TERRILL

Occupation: ATTORNEY

Mailing Address: 810 W. 10<sup>th</sup> ST

Street or P.O. Box

AUSTIN

TX

78701

City

State

Zip

Daytime Phone: (512) 474-9100 Fax #: (512) 474-9888

E-Mail address (if available): PTERRILL@HAZEN-TERRILL.COM

Representing: ☐ Self ☒ Other (specify): BEXAR METROPOLITAN WATER DISTRICT

Title of matter being considered: BEXAR MET PETITION TO COMPEL RAW WATER COMMITMENT

SOAH Docket No. (if known): 582-05-1005

Your position regarding the matter being considered: ☒ In Favor ☐ Opposed ☐ Undecided ☐ Observer



**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**PUBLIC HEARING REGISTRATION**  
**ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE**  
**PLEASE PRINT CLEARLY**



Date: Jan 17 2013

Name: Molly Cagle

Occupation: Att'y

Mailing Address: 2801 Via Fortuna #100  
Street or P.O. Box

Austin TX 78746  
City State Zip

Daytime Phone: (512) 542-8552 Fax #: (512) 236-3280

E-Mail address (if available): mcagle@velaw.com

Representing: ☐ Self ☒ Other (specify): GBRA

Title of matter being considered: Bexar met motion to compe

SOAH Docket No. (if known): 582-05-1005

Your position regarding the matter being considered: ☐ In Favor ☒ Opposed ☐ Undecided ☐ Observer





STATE OFFICE OF ADMINISTRATIVE HEARINGS  
PUBLIC HEARING REGISTRATION  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY



Date: 1-11-05

Name: Todd Galiga

Occupation: Attorney

Mailing Address: Box 13087 MC 173  
Street or P.O. Box

Austin TX 78711  
City State Zip

Daytime Phone: (512) 239-3578 Fax #: (512) 239-0606

E-Mail address (if available): \_\_\_\_\_

Representing: ☐ Self ☒ Other (specify): ED

Title of matter being considered: Boxar-Met 11.041 petition

SOAH Docket No. (if known): 582-05-1005

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer



STATE OFFICE OF ADMINISTRATIVE HEARINGS  
PUBLIC HEARING REGISTRATION  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY



Name: Scott Humphrey Date: 1/12/05  
Occupation: ATTY  
Mailing Address: TEEO MC103  
Street or P.O. Box

City State Zip  
Daytime Phone: ( 214 ) X0574 Fax #: ( 214 ) X6377  
E-Mail address (if available): shumphre@reg.state.tx.us  
Representing: ☐ Self ☐ Other (specify): OLC

Title of matter being considered: BEAR M&T  
SOAH Docket No. (if known): 582-05-1005

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer

MA



STATE OFFICE OF ADMINISTRATIVE HEARINGS  
PUBLIC HEARING REGISTRATION  
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE  
PLEASE PRINT CLEARLY



Date: 1-11-05

Name: Shannon Strong

Occupation: Attorney

Mailing Address: 322 Martinez Street  
Street or P.O. Box

San Antonio, TX 78205  
City State Zip

Daytime Phone: ( 210 ) 225-5454 Fax #: ( 210 ) 225-5450

E-Mail address (if available): sjs@ltrlaw.com

Representing: ☐ Self ☒ Other (specify): Bexar Metropolitan Water District

Title of matter being considered: Petition to Compel

SOAH Docket No. (if known): 582-05-1005

Your position regarding the matter being considered: ☒ In Favor ☐ Opposed ☐ Undecided ☐ Observer