

Control Number: 43943



Item Number: 30

Addendum StartPage: 0

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.
GRANTING GUADALUPE-BLANCO RIVER AUTHORITY'S
REQUEST TO SUBMIT REPLY

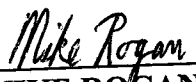
On April 6, 2005, Guadalupe-Blanco River Authority ("GBRA") submitted a request in the captioned action for opportunity to submit a reply to Bexar Metropolitan Water District's response to GBRA's pending Motion to Dismiss. GBRA seeks to submit its reply by April 21, 2005, with the ALJ to withhold ruling upon the Motion to Dismiss until after that date.

Based upon initial review of the pleadings relating to the Motion to Dismiss, the ALJ concludes that the pending request should be GRANTED. GBRA may submit the reply noted above by April 21, 2005. The ALJ will not rule on the Motion to Dismiss before that time.

PROCEDURAL QUESTIONS

Routine procedural and logistical questions may be directed to Brenda Bishop at (512) 463-5766; however, please note that SOAH support personnel are not authorized to provide general advice or the interpretation of regulations or policy.

SIGNED April 7, 2005.



MIKE ROGAN
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

*** MULTI TX/RX REPORT ***

TX/RX NO 1422
PGS. 2
TX/RX INCOMPLETE -----
TRANSACTION OK

- (1) 92102255450
- (2) 92363280
- (3) 94749888
- (4) 94990575
- (5) 92390606
- (6) 92393311
- (7) 94746704

ERROR INFORMATION -----

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

April 07, 2005

2

DATE:
NUMBER OF PAGES INCLUDING THIS COVER SHEET:
REGARDING:

ORDER NO. 3 GRANTING GUADALUPE BLANCO RIVER
582-05-1005
JUDGE MIKE ROGAN

DOCKET NUMBER:
FROM:

FAX NO:

FAX TO:

LOUIS ROSENBERG	(210) 225-5450
MOLLY CAGLE	(512) 236-3280
PAUL TERRILL	(512) 474-9888
ROGER NEVALA	(512) 499-0575
SCOTT . HUMPHREY O	(210) 225-5450
SHANNON STRONG (COURTESY COPY)	(512) 239-0606
TODD GALIGA (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)	(512) 239-3311
DOCKET CLERK (TCEQ) (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)	(512) 474-6704
KENNEDY COURT REPORTING SERVICES	

TCEQ Docket Clerk, Fax Number 512/239-3311
NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT BRENDA BISHOP(bbi) AT 512-475-4993

The information contained in this facsimile message is privileged and confidential information intended only for the use of the recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that the transmission of this communication is strictly prohibited. If you have received this message in error, please do not disseminate the information and return the original message to us at the address via

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

April 07, 2005

2

DATE:

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

REGARDING:

ORDER NO. 3 GRANTING GUADALUPE BLANCO
RIVER

582-05-1005

DOCKET NUMBER:

JUDGE MIKE ROGAN

FROM:

FAX NO:

FAX TO:

LOUIS ROSENBERG

(210) 225-5450

MOLLY CAGLE

(512) 236-3280

PAUL TERRILL

(512) 474-9888

ROGER NEVALA

(512) 499-0575

SCOTT . HUMPHREY ()

Via US Mail

SHANNON STRONG (COURTESY COPY)

(210) 225-5450

TODD GALIGA (TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY)

(512) 239-0606

DOCKET CLERK (TCEQ) (TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY)

(512) 239-3311

KENNEDY COURT REPORTING SERVICES

(512) 474-6704

TCEQ Docket Clerk, Fax Number 512/239-3311

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT BRENDA BISHOP(bbi) 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.

Vinson & Elkins

Facsimile

Molly Cagle mcagle@velaw.com
Tel 512.542.8562 Fax 512.236.3280

From:	Date:	
Molly Cagle	April 6, 2005	
Regarding:	Number of Pages:	Hard Copy Follows:
GUA160/23007	2	No
To:	Fax:	Phone:
Brenda Bishop	512.936.0730	
SOAH		
Message:		
Please see attached.		

Confidentiality Notice: The information contained in this FAX may be confidential and/or privileged. This FAX is intended to be reviewed initially by only the individual named above. If the reader of this TRANSMITTAL PAGE is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this FAX or the information contained herein is prohibited. If you have received this FAX in error, please immediately notify the sender by telephone and return this FAX to the sender at the above address. Thank you.

Vinson & Elkins LLP Attorneys at Law Austin Beijing Dallas
Dubai Houston London Moscow New York Tokyo Washington

2801 Via Fortuna, Suite 100, Austin, Texas 78746-7568
Tel 512.542.8400 Fax 512.542.8612 www.velaw.com

Vinson & Elkins

Molly J. Cagle mcagle@velaw.com
Tel 512.542.8552 Fax 512.236.3280

April 6, 2005

The Honorable Mike Rogan
Administrative Law Judge
State Office of Administrative Hearings
300 West 15th Street, Suite 502B
Austin, Texas 78701

Via Facsimile (512.475.4994)

Re: 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

Dear Judge Rogan:

On Friday, April 1, 2005, Guadalupe-Blanco River Authority ("**GBRA**") received Bexar Metropolitan Water District's ("**BexarMet's**") response to GBRA's Motion to Dismiss in the above referenced matter. GBRA respectfully requests the opportunity to file a reply to BexarMet's response on or before April 21, 2005, which is twenty (20) calendar days from the date of GBRA's receipt of BexarMet's response. GBRA respectfully requests that you not rule on the Motion to Dismiss until GBRA has filed its reply.

Yesterday, April 5, 2005, counsel for GBRA contacted counsel for BexarMet seeking BexarMet's consent to the foregoing request. Counsel for BexarMet, Mr. Terrill, has not yet been able to reach his client's representative to discuss GBRA's request. Thus, while GBRA hopes that BexarMet's consent will be forthcoming, to date BexarMet has indicated neither its consent nor its opposition to GBRA's request.

Thank you for your time and attention to this matter.

Very truly yours,

Molly Cagle
Molly Cagle *By [Signature]*

cc: LaDonna Castañuela, TCEQ Chief Clerk
All Parties and Counsel of Record

557000_1.DOC

Vinson & Elkins LLP Attorneys at Law Austin Beijing Dallas
Dubai Houston London Moscow New York Tokyo Washington

2801 Via Fortuna, Suite 100, Austin, Texas 78746-7568
Tel 512.542.8400 Fax 512.542.8612 www.velaw.com

Vinson & Elkins

Facsimile

Molly Cagle mcagle@velaw.com
Tel 512.542.8552 Fax 512.236.3280

From:	Date:	
Molly Cagle	April 6, 2005	
Regarding:	Number of Pages:	Hard Copy Follows:
GUA160/23007	2	No
To:	Fax:	Phone:
Mike Rogan	512.936-0730 or 475-	
SOAH	4994	
Message:		
Please see attached.		

Confidentiality Notice: The information contained in this FAX may be confidential and/or privileged. This FAX is intended to be reviewed initially by only the individual named above. If the reader of this TRANSMITTAL PAGE is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this FAX or the information contained herein is prohibited. If you have received this FAX in error, please immediately notify the sender by telephone and return this FAX to the sender at the above address. Thank you.

Vinson & Elkins LLP Attorneys at Law Austin Beijing Dallas
Dubai Houston London Moscow New York Tokyo Washington

2801 Via Fortuna, Suite 100, Austin, Texas 78746-7568
Tel 512.542.8400 Fax 512.542.8612 www.velaw.com

Vinson&Elkins

Molly J. Cagle mcagle@velaw.com
Tel 512.542.8552 Fax 512.236.3280

April 6, 2005

The Honorable Mike Rogan
Administrative Law Judge
State Office of Administrative Hearings
300 West 15th Street, Suite 502B
Austin, Texas 78701

Via Facsimile (512.475.4994)

Re: 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

Dear Judge Rogan:

On Friday, April 1, 2005, Guadalupe-Blanco River Authority ("**GBRA**") received Bexar Metropolitan Water District's ("**BexarMet's**") response to GBRA's Motion to Dismiss in the above referenced matter. GBRA respectfully requests the opportunity to file a reply to BexarMet's response on or before April 21, 2005, which is twenty (20) calendar days from the date of GBRA's receipt of BexarMet's response. GBRA respectfully requests that you not rule on the Motion to Dismiss until GBRA has filed its reply.

Yesterday, April 5, 2005, counsel for GBRA contacted counsel for BexarMet seeking BexarMet's consent to the foregoing request. Counsel for BexarMet, Mr. Terrill, has not yet been able to reach his client's representative to discuss GBRA's request. Thus, while GBRA hopes that BexarMet's consent will be forthcoming, to date BexarMet has indicated neither its consent nor its opposition to GBRA's request.

Thank you for your time and attention to this matter.

Very truly yours,

Molly Cagle
Molly Cagle *By [Signature]*

cc: LaDonna Castañuela, TCEQ Chief Clerk
All Parties and Counsel of Record

557000_1.DOC

Vinson & Elkins LLP Attorneys at Law Austin Beijing Dallas
Dubai Houston London Moscow New York Tokyo Washington

2801 Via Fortuna, Suite 100, Austin, Texas 78746-7568
Tel 512.542.8400 Fax 512.542.8612 www.velaw.com