



Control Number: 43943



Item Number: 63

Addendum StartPage: 0

LAW OFFICES OF  
**LOUIS T. ROSENBERG, P.C.**  
A PROFESSIONAL CORPORATION

**LOUIS T. ROSENBERG**  
**ROBERT L. WILSON, III**  
**SHANNON L. STRONG**  
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**SONIA CANTU ROSENBERG**  
Office Manager/Paralegal

**SHELLI L. BAKER**  
Sr. Admin. Assist./Paralegal

August 20, 2004

LaDonna Castañuela, Esq. (MC-105)  
Chief Clerk, TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

*Via First Class Mail*

**Re: *In Re Petition of Bexar Metropolitan Water District to Compel Raw Water  
Commitment from Guadalupe-Blanco River Authority***  
Our File No. 04-91-H (146)

Dear Ms. Castañuela:

Enclosed please find the following document for filing in the above referenced cause:

**NOTICE OF APPEARANCE OF ADDITIONAL COUNSEL**

Please return a file-marked copy in the enclosed postage-paid, self-addressed envelope.

If additional copies are needed for filing, please advise.

Thank you.

Very truly yours,

**LAW OFFICES OF LOUIS T. ROSENBERG, P.C.**



Shannon L. Strong  
SLS:slb

Ms. LaDonna Castañuela  
August 20, 2004  
Page 2 of 2

Enclosures: (1) ***Original*** and ***two copies*** of the Notice of Appearance of  
Additional Counsel;  
(2) Postage paid, self-addressed return envelope.

cc: Thomas C. Moreno, General Manager/CEO ***Via Email***  
Bexar Metropolitan Water District

Paul Terrill, Esq. ***Via Email***

Stephanie Bergeron, TCEQ ***Via Facsimile 239-0606***  
Environmental Law

Robert Martinez, Esq., TCEQ ***Via Facsimile 239-0606***  
Environmental Law

Todd Galiga, Esq., TCEQ ***Via Facsimile 239-0606***  
Environmental Law

North O. West, Esq. ***Via Email***

No. \_\_\_\_\_

IN RE PETITION OF	§	BEFORE THE
BEXAR METROPOLITAN	§	
WATER DISTRICT TO	§	
COMPEL RAW WATER	§	TEXAS COMMISSION ON
COMMITMENT FROM	§	
GUADALUPE-BLANCO	§	
RIVER AUTHORITY	§	ENVIRONMENTAL QUALITY

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**NOTICE OF APPEARANCE OF ADDITIONAL COUNSEL**

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TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

COME NOW, West & West, and The Law Offices of Louis T. Rosenberg, P.C., and hereby provide notice to the Commission and to all parties that they have appeared in this action as additional counsel of Bexar Metropolitan Water District ("BMWD"), along with Hazen & Terrill, P.C., Petitioner in the above-styled and numbered cause.

Correspondence to West & West Attorneys at Law, P.C. and The Law Offices of Louis T. Rosenberg, P.C. should be addressed as follows:

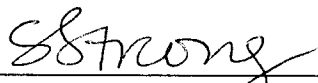
West & West  
Attorneys at Law, P.C.  
2929 Mossrock, Suite 204  
San Antonio, Texas 78230  
Phone: 340-2200  
Fax: 340-2715

Law Offices of Louis T. Rosenberg, P.C.  
De Mazieres Building  
322 Martinez Street  
San Antonio, Texas 78205  
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Fax: (210) 225-5450

Respectfully submitted,

WEST & WEST  
ATTORNEYS AT LAW, P.C.  
2929 Mossrock, Suite 204  
San Antonio, Texas 78230  
Phone: 340-2200  
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By:   
Louis T. Rosenberg  
State Bar No: 17271300  
Robert L. Wilson, III  
State Bar No: 50511773  
Shannon L. Strong  
State Bar No. 24029853  
Connie L. Basel  
State Bar No. 24049483

*Attorneys for Bexar Metropolitan Water District*

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**LOUIS T. ROSENBERG, P.C.**  
A PROFESSIONAL CORPORATION

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**SONIA CANTU ROSENBERG**  
Office Manager/Paralegal  
**SHELLI L. BAKER**  
Sr. Admin. Assist./Paralegal

August 20, 2004

LaDonna Castañuela, Esq. (MC-105)  
Chief Clerk, TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

*Via Facsimile 512/239-3311*  
Total Page(s): 2

Re: NOTICE OF REPRESENTATION

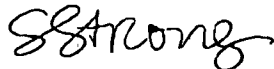
Dear Ms. Castañuela:

This letter will formally advise you on behalf of Bexar Metropolitan Water District ("BMWD") that the Law Offices of Louis T. Rosenberg, P.C. has been retained for purpose of representation in connection with the Petition to Compel Raw Water Commitment from Guadalupe-Blanco River Authority (filed on November 7, 2003 by BMWD).

This letter will confirm to you that this office along with Paul Terrill of Hazen & Terrill, P.C. will be acting as counsel, and that all matters pertaining to the Petition to Compel should be directed accordingly.

Very truly yours,

Law Offices of Louis T. Rosenberg, P.C.



Shannon L. Strong  
SLS/laa

cc: Thomas C. Moreno, General Manager/CEO  
Bexar Metropolitan Water District

*Via Email*

Paul Terrill, Esq.

*Via Email*

From:

AUG/20/2004/FRI 11:44 AM

Aug 20 2004 11:54

P. 02

P. 002/002

Ms. LaDonna Castañuela  
August 20, 2004  
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Stephanie Bergeron, TCEQ  
Environmental Law

*Via Facsimile 239-0606*

Robert Martinez, Esq., TCEQ  
Environmental Law

*Via Facsimile 239-0606*

Todd Galiga, Esq., TCEQ  
Environmental Law

*Via Facsimile 239-0606*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## INTEROFFICE MEMORANDUM

TO: LaDonna Castanuela, Chief Clerk

DATE: September 14, 2004

THRU: *MA* Earl Lott, Manager  
Utilities and Districts Section  
Water Supply Division

FROM: *MA* Michelle Abrams, Team Leader  
Utilities Financial Review Team  
Water Supply Division

SUBJECT: Docket No. 2004-1384-UCR; Petition of Bexar Metropolitan Water District (BexarMet), Certificate of Convenience and Necessity (CCN) No. 10675, to Compel Raw Water Commitment from Guadalupe-Blanco River Authority (GBRA), CCN No. 12977 in Comal County under Texas Water Code Section 13.043(f); Application No. 34494-A

We hereby transfer the official file for the above application to the Chief Clerk's Office. Please refer this application to the State Office of Administrative Hearings (SOAH) and request that a hearing be scheduled.

We received the Petition of Bexar Metropolitan Water District on January 16, 2004. BexarMet began its efforts to secure raw water from GBRA in March of 2003. Despite repeated requests from BexarMet, GBRA refused to commit to the 2000 acre-feet per year. On August 6, 2003, GBRA announced its intention to increase its basin-wide Firm Water Rate from \$80.00 to \$84.00 per acre-foot per year. On August 8, 2003, BexarMet again requested 2000 acre-feet of water. One month later, BexarMet increased its request for a commitment of Canyon Lake water to 3000 acre-feet per year. GBRA has continued to refuse BexarMet's request. Per TWC 11.041 (a), any person entitled to receive or use water from any conserved or stored supply may present to the commission a written petition showing that the party owning or controlling the water supply fails or refuses to supply the available water to the petitioner, or that the price or rental demanded for the available water is not reasonable or just or is discriminatory.

The staff assigned to this case are:

Technical - Brian Dickey

Financial - Elsie Pascua

Legal -

If we may be of further service regarding this matter, please call.

*Michelle Abrams*  
Michelle Abrams, Team Leader

EL/MA/ac

cc: TCEQ Public Interest Counsel; ATTN: Blas Coy  
TCEQ Agency Communications; ATTN: Andy Saenz, Director  
TCEQ Chief Clerk's Office; ATTN: Melanie Mohair  
TCEQ Legal Office; ATTN: Robert Martinez