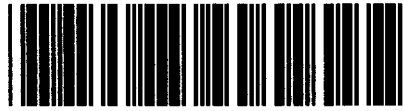


Control Number: 43990



Item Number: 44

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
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

SOAH DOCKET NO. 582-06-0425
TCEQ DOCKET NO. 2005-1516-UCR

APPLICATION OF TAPATIO SPRINGS
SERVICE COMPANY, INC.,
TO AMEND CERTIFICATES
OF CONVENIENCE AND NECESSITY
NOS. 12122 AND 20698 IN KENDALL
COUNTY, TEXAS

§
§
§
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§
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

ORDER NO. 10
PROPOSING TO TAKE OFFICIAL NOTICE

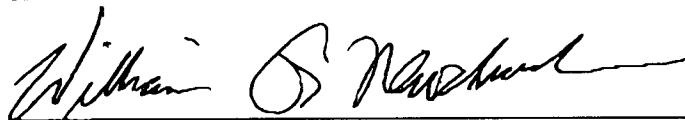
Judge Mike Rogan has retired, and this case has been reassigned to the undersigned Administrative Law Judge (ALJ), who is reviewing the record and arguments and preparing a proposal for decision (PFD) to be issued no later than October 6, 2006.

The ALJ proposes, pursuant to Texas Gov't Code § 2001.090, to take official notice of a portion of the Applicant's tariff. Because the tariff was approved by the Commission, which is presumed to know of its own actions, taking official notice is appropriate.

In particular, the ALJ proposes to notice whether or not the tariff provides, should CDS International, Inc., exercise its option to withdraw from the Non-Standard Service Agreement, that the Applicant may require any future developer to pay the cost of constructing facilities to serve the area that the Applicant seeks to add to its certificate of convenience and necessity. At the hearing, Executive Director witness Daniel K. Smith indicated that tariffs generally contain such a provision, and that is the ALJ's experience as well. However, the Applicant's tariff is not in evidence and has not been officially noticed in this case.

Not later than September 20, 2006, the Applicant shall file with the ALJ an authenticated copy of its tariff. By September 27, 2006, any other party may file any objection thereto.

SIGNED September 13, 2006.



WILLIAM G. NEWCHURCH
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:** Environmental Quality, Texas Commission on (TCEQ)**STYLE/CASE:** TAPATIO SPRINGS SERVICE CO, INC**SOAH DOCKET NUMBER:** 582-06-0425**REFERRING AGENCY CASE:** 2005-1516-UCR**STATE OFFICE OF ADMINISTRATIVE
HEARINGS****ADMINISTRATIVE LAW JUDGE****ALJ WILLIAM G. NEWCHURCH****REPRESENTATIVE / ADDRESS****PARTIES**

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REGARDING:

ORDER NO. 10 - PROPOSING TO TAKE OFFICIAL NOTICE

DOCKET NUMBER

582-06-0425

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