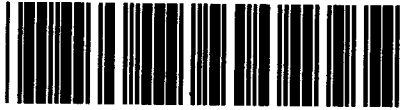




Control Number: 44001



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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

Community Utility Company
Water Rate/Tariff Change re. CCN No. 10350
TCEQ Docket No. 2008-1463-UCR; SOAH Docket No. 582-09-0655

ADR MAILING LIST

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Community Utility Company:

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FOR THE CHIEF CLERK, TCEQ

LaDonna Castañuela
TCEQ Chief Clerk's Office, MC-105
P.O. Box 13087
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SOAH

Sharon Cloninger, Admin Law Judge
State Office of Administrative Hearings
P.O. Box 13025
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FAX 512/475-4994

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Magnolia, Texas 77354
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281/324-1448

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 28, 2009

Sharon Cloninger, Administrative Law Judge
State Office of Administrative Hearings
P.O. Box 13025
Austin, Texas 78711-3025

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

provided ORIGINAL via hand delivery

Re: **Community Utility Company**; Water Rate/Tariff Change re. CCN No. 10350
TCEQ Docket No. 2008-1463-UCR; SOAH Docket No. 582-09-0655

Ms. Castanuela and Judge Cloninger:

On behalf of the ADR Program of the TCEQ, I conducted a mediation on the above-referenced matter on January 21, 2009 in Houston. Enclosed please find the full and final negotiated settlement agreement reached at that meeting, along with a withdrawal form from the one protestant ratepayer who was not a party to the agreement. Should you have questions, please call me at 512/239-0687.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle Lucas", is written over a horizontal line.

Kyle Lucas, Attorney-Mediator

Alternative Dispute Resolution Program, Office of General Counsel
Texas Commission on Environmental Quality
P.O. Box 13087, MC-222
Austin, Texas 78711-3087
512/239-0687 FAX 512/239-4015

cc: attached ADR Mailing List

encl: settlement agreement w/ attached withdrawal form; Brazzell withdrawal

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

TO: Administrative Assistance Team DATE: March 12, 2009
Irma Santana, Utilities Financial Review Team

THRU: *SP for Irma Santana*
Tammy Benter, Team Leader, Utilities Financial Review Team

FROM: *3/11/09*
Elizabeth Flores, Utilities Financial Review Team

SUBJECT: Community Utility Company

CCN Number(s): 10350

Application(s)/Docket Number(s): 36103-R
SOAH Docket No. 582-09-0655
TCEQ Docket No. 2008-1463-UCR

On June 30, 2008, the application referenced above was received from Community Utility Company. The application was assigned Application No. 36103-R, and its purpose was to increase retail water rates to customers in Harris and Montgomery Counties. Notice of the rate change was provided to the customers by the applicant. The Executive Director referred the case to the State Office of Administrative Hearings (SOAH) pursuant to Section 13.187(f).

The Honorable Sharon Cloninger, an administrative law judge (ALJ) of SOAH, conducted a preliminary hearing on December 2, 2008, and designated the following parties: the Applicant represented by Mr. Will Jones, III, and Mr. Les Romo; the Executive Director of the Commission; the Office of Public Interest Counsel; and Ratepayers Ralph Alley; Mechelle Brazzell; Rex Faulk; Linda Hall; Rosetta Haynes; Royce Nichols; and Tom Wysoki. Upon request of the parties, ALJ Cloninger abated the hearing and referred the matter to mediation.

Mediation was held on January 21, 2009, and a settlement agreement was reached. On January 29, 2009, Judge Cloninger remanded the case to the Executive Director for uncontested processing.

Please forward a copy of the application to central records and forward the attached letter and enclosures to the applicant.

Finally, please update the database to reflect the completion and closure of this application as of the date of the signed order.

Case Status: C