



Control Number: 44001



Item Number: 38

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

44001
RECEIVED
2014 DEC 22 AM 7:41
PUBLIC UTILITY COMMISSION
FILING CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING
COMMUNITY UTILITY COMPANY
SOAH Docket No. 582-09-0655
TCEQ Docket No. 2008-1463-UCR

APPLICATION. Community Utility Company, P.O. Box 58, Spring, Texas 78383, has applied to the Texas Commission on Environmental Quality (TCEQ) to change its water rate/tariff effective September 1, 2008 for its service area located in Harris and Montgomery Counties, Texas (Certificate of Convenience and Necessity No. 10350, Application No. 36103-R).

CONTESTED CASE HEARING. The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing on this application at:

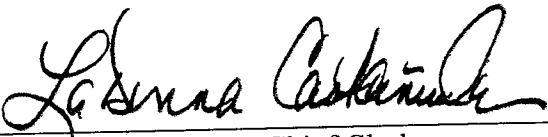
11:00 a.m. – December 2, 2008
State Office of Administrative Hearing
The Preserve at North Loop
2020 North Loop West, Suite 111
Houston, Texas 77018

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 13, Texas Water Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 291; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the evidentiary hearing as a party, you must attend the preliminary hearing and show you would be affected by the petition in a way not common to members of the general public.

INFORMATION. For information concerning the hearing process, please contact the TCEQ Office of the Public Interest Counsel (MC 103), P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-6363. For additional information, contact the TCEQ Water Supply Division, Utilities & Districts Section (MC 153), P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-4691. General information regarding the TCEQ can be found at our web site at www.TCEQ.state.tx.us.

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: November 4, 2008


LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality

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

October 24, 2008

ALJ William Newchurch
State Office of Administrative Hearings
300 W. 15th Street, Suite 502
Austin, Texas 78701

SENT VIA FACSIMILE ONLY, 512-475-4994

Re: Application No. 10350; Community Utility Company
TCEQ Docket No. 2008-1463-UCR
SOAH Docket No. 582-09-0655

Dear Judge Newchurch:

Yesterday Mr. Will C. Jones IV, counsel for Community Utility Company, requested that the preliminary hearing in the case referenced above be re-scheduled as Mr. Bret Fenner is not available on the date of the hearing, December 3, 2008. Mr. Jones offered December 2 or 4 as alternative dates.

As counsel for the TCEQ Executive Director, I have consulted with staff. We have no objection to the hearing being re-scheduled on December 2, 2008. One of the staff is unavailable on December 4, 2008.

If you have any questions, please call me at (512) 239-6635.

Sincerely,

A handwritten signature in cursive script, reading "Ruth A. Takeda".

Ruth A. Takeda, Staff Attorney
Utilities & Districts Section
Water Supply Division

cc: Todd Galiga, Senior Attorney
Heidi Graham
Office of the Chief Clerk, fax 512-475-4994
Office of Public Interest Counsel, fax 512-239-6377
Will C. Jones IV, fax 866-511-5961

Stefanie Skogen, Staff Attorney
Elizabeth Flores

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING COMMUNITY UTILITY COMPANY SOAH Docket No. 582-09-0655 TCEQ Docket No. 2008-1463-UCR

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CONTESTED CASE HEARING. The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing on this application at:


**11:00 a.m. – December 3, 2008
State Office of Administrative Hearing
The Preserve at North Loop
2020 North Loop West, Suite 111
Houston, Texas 77018**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 13, Texas Water Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 291; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the evidentiary hearing as a party, you must attend the preliminary hearing and show you would be affected by the petition in a way not common to members of the general public.

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Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: October 21, 2008


LaDorna Castañuela, Chief Clerk
Texas Commission on Environmental Quality



TCEQ Route Slip

Date: 10/21/08

TO: <u>Elizabeth Flores</u>	FROM: <u>DEANNA AVALOS</u>
Building: _____ Mail Code: <u>153</u>	Building: <u>F</u> Mail Code: <u>105</u>
Division: <u>Water Supply</u>	Division: <u>Commissioners</u>
Section: _____	Section: <u>Office of the Chief Clerk</u>

Attachments(s):

☐

For Information

☐

For Review

☐

For Comment/Response

☐

For Approval

☐

For Signature

☒

As Requested

Comments:

SOAH HEARING NOTICES

2008 OCT 21 PM 3:52

APR 2009

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

October 16, 2008

Chief Docketing Clerk
State Office of Administrative Hearings
300 W. 15th Street, Suite 502
Austin, Texas 78701

SENT VIA FACSIMILE ONLY, 512-475-4994

Re: Application No. 10350; Community Utility Company
TCEQ Docket No. 2008-1463-UCR
SOAH Docket No. 582-09-0655

Dear Chief Docketing Clerk:

Yesterday a notice in the case captioned above was issued for a preliminary hearing on December 3, 2008, in Austin at 10:00 a.m. The TCEQ staff who sent the Notice of Hearing to your office inadvertently listed Austin as the location.

This case is a rate increase application involving a retail public utility providing service in the Houston area. Under Tex. Water Code Sec. 13.187(f), if more than half of the ratepayers of the utility receive service in a county with a population of more than 2.5 million, the hearing must be held at a location in that county. Harris County has a population exceeding 2.5 million, and more than half the ratepayers receive service there. As a result, by law this hearing must be held in Harris County, preferably in Houston. Because of the drive, we also request that the time be noticed for 11:00 a.m., not 10:00 a.m.

If you have any questions, please call me at (512) 239-6635.

Sincerely,

A handwritten signature in cursive script that reads "Ruth A. Takeda".

Ruth A. Takeda, Staff Attorney
Utilities & Districts Section
Water Supply Division

cc: Office of the Chief Clerk
Todd Galiga, Senior Attorney
Heidi Graham

Stefanie Skogen, Staff Attorney
Elizabeth Flores



TCEQ Route Slip

Date: 9-16-08

TO: _____

FROM: A. Stolt

Building: _____

Mail Code: U&D

MC-153

Division: _____

Section: _____

Kayla Murray

MC - 173

Legal - Environmental Law

Attachment(s) for:

- ☐ Information
- ☐ Review
- ☐ Comment/Response

- ☐ Approval
- ☐ Your Signature
- ☐ Signature of: _____

Comments: Please return CCO memo to me.

Thanks!

~~RECEIVED~~

~~SEP 16 2008~~

~~OFFICE OF LEGAL SERVICES~~

RECEIVED

OCT 15 2008

OFFICE OF LEGAL SERVICES



TCEQ Route Slip

Date: 10/16/08

TO: <u>Elizabeth Flores</u>	FROM: <u>R. Takeda</u>
Building: _____	Mail Code: <u>173</u>
Division: _____	Division: <u>Legal</u>
Section: _____	Section: <u>EID</u>

Attachment(s) for:

- ☒ Information
- ☐ Review
- ☐ Comment/Response

- ☐ Approval
- ☐ Your Signature
- ☐ Signature of: _____

Comments: _____

2008 OCT 17 PM 4:23

RECEIVED
TCEQ WATER SUPPLY