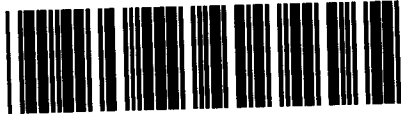


Control Number: 44052



Item Number: 15

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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

RECEIVED

SOAH DOCKET NO. 582-11-0685  
TCEQ DOCKET NO. 2010-1540-UCR 2015 JAN -5 AM 7:19

APPLICATION OF THE CITY OF  
JARRELL TO DECERTIFY A  
PORTION OF ITS CERTIFICATE OF  
CONVEIENCE AND NCESSITY (CCN)  
NO. 10002 FROM JARRELL  
SCHWERTNER WATER SUPPLY  
CORPORATION IN WILLIAMSON  
COUNTY, TEXAS


§  
§  
§  
§  
§  
§  
§  
§

PUBLIC UTILITY COMMISSION  
FILING CLERK  
BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

ORDER NO. 4  
GRANTING REQUEST FOR DISMISSAL

On March 24, 2011, the City of Jarrell (Applicant) filed a request to withdraw its application. No party objected to the motion, and no hearing had been held in this matter. Accordingly, Applicant's request to withdraw its application is GRANTED, and this case is dismissed.

SIGNED April 11, 2011.

  
\_\_\_\_\_  
LILLO D. POMERLEAU  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**AUSTIN OFFICE**  
300 West 15th Street Suite 502  
Austin, Texas 78701  
Phone: (512) 475-4993  
Fax: (512) 322-2061

**SERVICE LIST**

**AGENCY:** Environmental Quality, Texas Commission on (TCEQ)  
**STYLE/CASE:** CITY OF JARRELL  
**SOAH DOCKET NUMBER:** 582-11-0685  
**REFERRING AGENCY CASE:** 2010-1540-UCR

**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE**  
**ALJ LILO D. POMERLEAU**

**REPRESENTATIVE / ADDRESS**

**PARTIES**

BLAS J. COY, JR.  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICE OF PUBLIC INTEREST COUNSEL  
P.O. BOX 13087, MC-103  
AUSTIN, TX 78711-3087  
(512) 239-6363 (PH)  
(512) 239-6377 (FAX)  
bc coy@tceq.state.tx.us

OFFICE OF PUBLIC INTEREST COUNSEL

KERRY E. RUSSELL  
RUSSELL & RODRIGUEZ, LLP  
1633 WILLIAMS DR., BUILDING 2, SUITE 200  
GEORGETOWN, TX 78628  
(512) 930-1317 (PH)  
(866) 929-1641 (FAX)

CITY OF JARRELL

DINNIAH TADEMA  
ATTORNEY  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
LITIGATION DIVISION  
MC-173 P.O. BOX 13087  
AUSTIN, TX 78711-3087  
(512) 239-3400 (PH)  
(512) 239-3434 (FAX)

EXECUTIVE DIRECTOR

TROY BRADSHAW  
JARRELL TOWN CENTER LTD.  
P.O. BOX 488  
SALADO, TX 76571  
(512) 746-4521 (PH)  
(512) 746-4521 (FAX)  
tjbradshaw@earthlink.net

JARRELL TOWN CENTER LTD.

---

PATRICIA COY  
815 W. 5TH  
CLIFTON, TX 76634-1519  
(254) 675-8663 (PH)  
(254) 675-4567 (FAX)  
pcoy@bosquelaw.com

JARRELL-SCHWERTNER WSC

---

---

**R&R**RUSSELL & RODRIGUEZ, L.L.P.  
ATTORNEYS AT LAW1633 WILLIAMS DRIVE  
BUILDING 2, SUITE 200  
GEORGETOWN, TEXAS 78628

E-mail: krussell@txadminlaw.com

PHONE (512) 930-1317

FAX (866) 929-1641

WWW.TXADMINLAW.COM

March 24, 2011

**VIA HAND DELIVERY**

2010-1540-UCR

Ms. Karen Blaschke  
Texas Commission on Environmental Quality  
Utilities & Districts Section  
P.O. Box 13087, MC-153  
Austin, Texas 78711-3087

Re: *Service Agreement Application Under Water Code Section 13.255 from the City of Jarrell, A1295, to Decertify a Portion of Certificate of Convenience and Necessity (CCN) No. 10002 from Jarrell Schwertner Water Supply Corporation (WSC) in Williamson County. Application No. 36697-C*

CN: 602777716; RN: pending (City of Jarrell)  
CN: 600657803; RN: 101457513 (Jarrell Schwertner WSC)

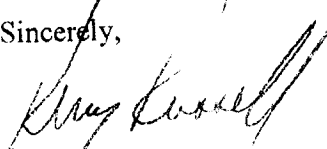
TEXAS  
COMMISSION ON  
ENVIRONMENTAL  
QUALITY2011 MAR 24 PM 05  
CHIEF CLERK'S OFFICE

Dear Ms. Blaschke,

This firm represents the City of Jarrell ("City"). The City and Jarrell Schwertner Water Supply Corporation have been involved in mediation related to this Application. The Parties have been unable to reach a settlement of all issues in this matter. As a result, the City wishes to withdraw this Application. Please consider this letter as a formal Notice of Withdrawal of the *Service Agreement Application Under Water Code Section 13.255 from the City of Jarrell, A1295, to Decertify a Portion of Certificate of Convenience and Necessity (CCN) No. 10002 from Jarrell Schwertner Water Supply Corporation (WSC), in Williamson County. Application No. 36697-C*. By copy of this notice to Judge Pomerlau, we are requesting that this matter be dismissed from the SOAH docket.

Thank you very much for your attention to this matter. If you have additional questions, please do not hesitate to call.

Sincerely,

  
Kerry E. Russellcc: Honorable Dewey Hulme  
Mr. Mel Yantis

Received:

Mar 24 2011 11:47am

From: R&R Law Firm

03/24/2011 10:48

#071 P.003/004

Ms. Karen Blaschke  
March 24, 2011  
Page 2 of 3

Mr. Frank Phelan  
Service List

Ms. Karen Blaschke  
March 24, 2011  
Page 3 of 3

### CERTIFICATE OF SERVICE

I hereby certify that on this 24<sup>th</sup> day of March, 2011, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to the following counsel or party representatives of record:

**State Office of Administrative Hearings**

Honorable Lilo Pomerlau  
300 West 15<sup>th</sup> Street  
Austin, Texas 78701  
Fax: 512/ 475-4994

**Docket Clerk**

Office of the Chief Clerk  
TCEQ - MC 105  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 512/ 239-3311

**Executive Director of the TCEQ**

Ms. Dinniah Tadema, Attorney  
Environmental Law Division  
TCEQ - MC 173  
P.O. Box 13087  
Austin, TX 78711-3087  
Fax: 512/ 239-0606

**Public Interest Counsel**

Mr. Blas Coy, Attorney  
Office of the Public Interest Counsel  
TCEQ - MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 512/ 239-6377

**Jarrell Schwertner WSC**

Ms. Patricia Coy  
815 West 5th Street  
Clifton, Texas 76634  
Fax: 254/ 675-4567

Mr. Troy Bradshaw  
P.O. Box 488  
Salado, TX 76571  
Fax: 254/ 947-3956

  
KERRY E. RUSSELL

## RUSSELL &amp; RODRIGUEZ, L.L.P.

Attorneys at Law

1633 Williams Drive, Bldg. 2, Suite 200, Georgetown, Texas 78628

Phone (512) 930-1317

E-mail: krussell@txadminlaw.com

Fax (866) 929-1641

## FACSIMILE COVER PAGE

March 24, 2011

*Please Deliver the Following page(s) to*

|                         |             |                |
|-------------------------|-------------|----------------|
| Honorable Lilo Pomerlau | Fax Number: | (512) 475-4994 |
| LaDonna Castañuela      | Fax Number: | (512) 239-3311 |
| Mr. Blas Coy            | Fax Number: | (512) 239-6377 |
| Ms. Dinniah Tadema      | Fax Number: | (512) 239-3434 |
| Ms. Patricia Coy        | Fax Number: | (254) 675-4567 |
| Mr. Troy Bradshaw       | Fax Number: | (254) 947-3956 |
| Mr. Mel Yantis          | Fax Number: | (512) 746-2052 |

Client Number: 860-00

From: Kerry E. Russell

Direct Phone: (512) 930-1317

Pages: 4 (Including Cover Sheet)

Re: *Application from the City of Jarrell to Decertify a Portion of Certificate of Convenience and Necessity (CCN) NO. 10002 from Jarrell Schwertner Water Supply Corporation; SOAH Docket No. 582-11-0685; TCEQ Docket No. 2010-1540-UCR*

Comments: Withdrawal of 13 255 Application.

CHIEF CLERKS OFFICE

2011 MAR 24 PM 2:05

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY