



Control Number: 44052



Item Number: 2

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



44052

(Revised - 06/09/09)

## FOR SOAH USE ONLY

(req.frm)

Date complete request received by SOAH:

10/8/10

Proceeding date set by SOAH:

10/25/10 10:00

SOAH Docket Number &amp; type of case:

582-11 - 0685

## REQUEST TO DOCKET CASE (Please type or print)

## PLEASE CHECK ACTION REQUESTED:\*\*

2015 JAN -5 AM 7:17

☒ SETTING OF HEARING☐ ASSIGNMENT OF ALJ \*☐ ALTERNATIVE DISPUTE RESOLUTION (ADR)/MEDIATION

AGENCY CLERK

REFERRING AGENCY NAME: TCEQ

AGENCY NO.:

FILE/CASE NO.: 2010-1540-UCR

NAME/STYLE OF THE CASE: CITY OF JARRELL

DATE APPLICATION FILED AT AGENCY:

DOCKET NO. SUFFIX, if applicable: UCR

PROCEEDING DATE(S) REQUESTED (Include range of dates if possible): OCTOBER 25

EXPECTED NUMBER OF HOURS (If less than a day) OR DAYS NEEDED FOR PROCEEDING: \_\_\_\_\_ HOURS 1 DAYS

☐ ADMIN. FINE☐ GRIEVANCE☐ ENFORCEMENT☐ CONTRACT CLAIM (Gov't. Code 2260)☐ OTHER

SPECIAL NEEDS OR ACCOMMODATIONS: HEARING IN AUSTIN, SEATING FOR 10 PEOPLE.

IF ADR REQUESTED PLEASE DESCRIBE PROCESS NEEDED:

☐ PREHEARING CONFERENCE REQUESTED ☐ INTERPRETER NEEDED (See 1 TAC 155.43(g))☐ CASE FILE and/or ☐ HEARING IS CONFIDENTIAL (Specify applicable statute):

NAME OF INDIVIDUAL SENDING REQUEST FORM: KATHA ANDERSON

PHONE NO.: 239-3316

FAX NO.: 239-3311

## PARTIES AND REPRESENTATIVES

PARTY REPRESENTED BY: ☐ SELF ☐ ATTORNEY☐ OTHER, If so, relationship:

REPRESENTATIVE'S NAME: DINNIAH TADEMA

PARTY'S NAME:

ADDRESS:

PHONE No.: 239-0626

(Direct Phone Number Please)

Email Address: dtadema@tceq.state.tx.us

FAX No.:

PARTY REPRESENTED BY: ☐ SELF ☐ ATTORNEY☐ OTHER, If so, relationship:

REPRESENTATIVE'S NAME:

PARTY'S NAME:

ADDRESS:

PHONE No.:

(Direct Phone Number Please)

Email Address:

FAX No.:

## PLEASE LIST ADDITIONAL PARTIES AND/OR REPRESENTATIVES ON EXTRA FORM PROVIDED.

SEND TO: STATE OFFICE OF ADMINISTRATIVE HEARINGS  
 ATTN.: Deputy Clerk  
 William P. Clements Building  
 300 West 15th Street, Suite 504  
 Austin, Texas 78701

OR  
 Post Office Box 13025  
 Austin, Texas 78711-3025  
 Docketing Phone No. (512) 475-3445  
 Fax No. (512) 475-4994

\*PLEASE FORWARD A COPY OF THE APPLICATION, APPEAL, OR COMPLAINT WITH THIS REQUEST FORM, AS WELL AS ANY OTHER PLEADING FILED IN THE CASE TO DATE IF REQUESTING ASSIGNMENT OF ALJ or ALTERNATIVE DISPUTE RESOLUTION (ADR)/MEDIATION. A COPY OF THE NOTICE OF PROCEEDING MUST BE FORWARDED TO SOAH AT THE SAME TIME IT IS MAILED TO THE PARTIES.

11-11-11

CCN/10002/SO

**CROSS REFERENCE SHEET**

RECEIVED

OCT 25 2011

ICEQ  
CENTRAL FILE ROOM

FILE NAME/NUMBER: City of Jarrell;  
CCN No. 10002

DATE: October 25, 2011

REGARDING:

1 CD for a **SOAH Filings** from December 10, 2010 to July 14, 2011.

1 CD for a **SOAH Hearing** held on October 25, 2010.

**SEE:**

FILE NAME / NUMBER: City of Jarrell; CCN/10002/SO



**R&R**  
RUSSELL & RODRIGUEZ, L.L.P.  
ATTORNEYS AT LAW

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WWW.TXADMINLAW.COM

Email: krussell@txadminlaw.com

August 19, 2009

**VIA CERTIFIED, RETURN RECEIPT REQUESTED, FIRST CLASS U.S. MAIL**

Ms. Sheila Cunningham, General Manager  
Jarrell Schwertner WSC  
P.O. Box 369  
Jarrell, Texas 76537

Re: Jarrell Schwertner WSC

Dear Ms. Cunningham:

As you know, this firm represents the City of Jarrell. City residents currently receive retail water service from Jarrell-Schwertner WSC under CCN 10002. We understand that Jarrell-Schwertner currently has 1,458 customers and 422 of those are within the City limits. We also understand that Jarrell-Schwertner is unable to provide municipal level retail water service within the City limits.

Texas Water Code sections 13.254 and 13.255 provide the City with the option of providing retail water system within the City limits. Since the City's new sewer system is now operational, the City intends to begin providing municipal level retail water service to its residents in the near future. This issue has been the subject of extended discussions involving various parties over the past months. The City appreciates Jarrell-Schwertner's participation in those discussions. The City continues to believe a long term agreement between the City and Jarrell-Schwertner in regard to retail water service is in the best interest of everyone in the Jarrell area.

To initiate the TCEQ's CCN transfer process, the City has authorized us to file the notice required by Texas Water Code §13.255 to begin retail water service within the City limits after 180 days. A copy of the notice is attached to this letter and is also being mailed to the TCEQ Water Supply Division.

The City would like to meet with Jarrell-Schwertner as soon as possible to begin working out the details of a long term water service and supply agreement. We continue to believe the best option for everyone would be for the City to take over all of the Jarrell-Schwertner system

OATH

State of Texas

County of Williamson

I, Troy Clawson being duly sworn, file this application under V.T.C.A., Water Code Section 13.255 as Mayor of the City of Jarrell; that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Commission on Environmental Quality.

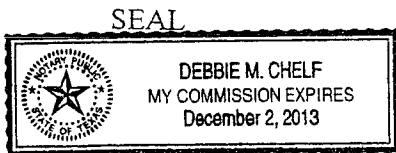
I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

**I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.**

Troy A. Clawson  
AFFIANT  
(Applicant's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, this  
12 day of May, 20 10



Debbie M. Chelf  
NOTARY PUBLIC