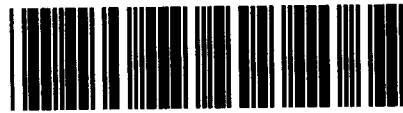




Control Number: 44057



Item Number: 13

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. 582-05-0918  
TCEQ DOCKET NO. 2004-1191-UCR 2015 JAN -5 PM 3:40

IN RE: WATER RATE CHANGE §  
APPLICATION OF DURHAM §  
PARK WATER SUPPLY §  
CORPORATION §  
§

PUBLIC UTILITY COMMISSION  
BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

**STATUS REPORT AND REQUEST FOR CONTINUED ABATEMENT**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, the Executive Director of the Texas Commission on Environmental Quality (“TCEQ” or “Commission”), by and through a representative of the Commission’s Environmental Law Division, and files the Executive Director’s status report recommending that the abatement period be continued for 45 days to allow parties the opportunity to formalize a written settlement agreement. The TCEQ mediator, Kyle Lucas has been assisting parties with a final water rate proposal, and recently confirmed the parties efforts to finalize their settlement agreement in writing.

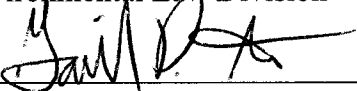
Therefore, the Executive Director respectfully requests that the Administrative Law Judge grant a 45 day abatement extension to allow parties the opportunity to memorialize their agreement in writing. The Executive Director recommends that the abatement period be continued until September 7, 2005, and if necessary the Executive Director will file a written status report by September 13, 2005.

Respectfully submitted,

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

Glenn W. Shankle  
Executive Director

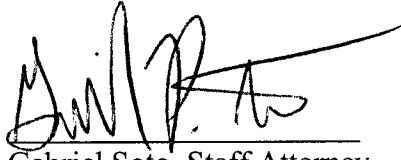
Stephanie Bergeron Perdue, Director  
Environmental Law Division

By: 

Gabriel Soto, Staff Attorney  
Environmental Law Division  
Texas State Bar No. 24037531  
MC-173, P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: (512) 239-3668  
Fax (512)239-0606

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of July 2005, a true and correct copy of the foregoing document was delivered via facsimile, hand delivery, interagency mail, or by deposit in the U.S. Mail to all persons on the attached mailing list.



Gabriel Soto, Staff Attorney  
Environmental Law Division

2005 JUL 22 10:30 AM  
U.S. MAIL  
EPA

**MAILING LIST**  
**DURHAM PARK WATER SUPPLY CORPORATION**  
**APPLICATION NO. 34671-A**  
**SOAH DOCKET NO. 582-05-0918**  
**TCEQ DOCKET NO. 2004-1191-UCR**

**James Stauber**, President  
Durham Park Water Supply Corporation  
900 Glasscock Road  
Liberty Hill, Texas 78642  
*via mail*

**Leonard B. Smith**  
Attorney at Law  
***Representing: Durham Park Water Supply Corporation***  
1103 Cypress Creek Road, Suite 102  
Cedar Park, Texas 78613  
Tel. (512) 474-6707  
Fax (512) 474-6707

**Christina Mann**, Staff Attorney  
Office of the Public Interest Counsel, MC 103  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-6960  
Tel. (512) 239-6960  
Fax (512) 239-6377

**John Nance**  
***Representing: Raterpayers***  
1212 South San Gabriel Loop  
Liberty Hill, Texas 78642-5747  
Tel. (512) 728-0159  
Fax (512) 723-4251

Texas Commission on Environmental Quality  
**Office of the Chief Clerk**  
P.O. Box 13087, MC 105  
Austin, Texas 78711-3087  
Fax (512) 239-3311

Virginia  
Dunham Park  
WCC

Tuesday, April 12, 2005

Virginia Gonzales  
SOAH Docket No. 582-05-0918  
TCEQ Docket No. 2004-1191-UCR

Virginia,

Please make the following changes regarding the manner in which you communicate with me:

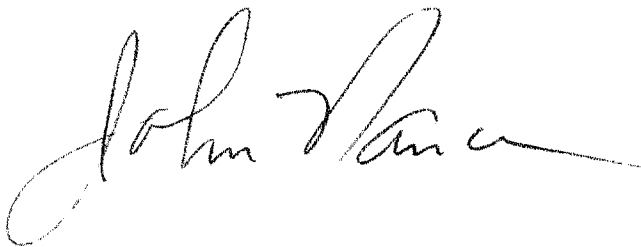
FROM: fax (512-723-4251)

TO: Mail to the following address

John Nance  
212 S. San Gabriel Loop  
Liberty Hill, TX 78642-5747

Please mail every document that was faxed to me since Feb. 28, 2005.

Thank you,  
John Nance



p P 1/1  
*Virginia*

Virginia,

Please make the following changes regarding the manner in which you communicate with me:

FROM: fax (512-723-4251)

TO: Mail to the following address

John Nance  
212 S. San Gabriel Loop  
Liberty Hill, TX 78642-5747

Please mail every document that was faxed to me since Feb. 28, 2005.

Thank you,  
John Nance

*John Nance*  
*4/12/2005*

# STATE OFFICE OF ADMINISTRATIVE HEARINGS

William P. Clements Building  
300 West Fifteenth Street  
Room 502  
Austin, Texas 78701  
Phone (512) 475-4993  
Facsimile (512) 475-4994

DATE:

MAY 23, 2005

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

3

SOAH DOCKET NO.:

582-05-0918

2004-1191-UCR

FROM:

JUDGE RENEE M. RUSCH

FAX TO:	FAX NO.:
KYLE LUCAS	239-4015

**MESSAGE:**

Attached is a fax which SOAH received from John Nance requesting a change in the manner of communication. Per the request, I have mailed to him Order No. 6, issued March 3, 2005. – Susan Bryson

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT SUSAN BRYSON AT 475-4993.

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\*\*\* TX REPORT \*\*\*  
\*\*\*\*\*

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### STATE OFFICE OF ADMINISTRATIVE HEARINGS

**William P. Clements Building  
300 West Fifteenth Street  
Room 502  
Austin, Texas 78701  
Phone (512) 475-4993  
Facsimile (512) 475-4994**

DATE: **MAY 23, 2005**

NUMBER OF PAGES INCLUDING THIS COVER SHEET: **3**  
SOAH DOCKET NO.: **582-05-0918**

FROM: **JUDGE RENEE M. RUSCH**

KYLE LUCAS	239-4015

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Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 22, 2005

Honorable Cassandra Church  
Administrative Law Judge  
State Office of Administrative Hearings  
300 West 15<sup>th</sup> Street  
Austin, Texas 78701  
**VIA FACSIMILE NO. 512-475-4994**

RE: Water Rate Change Application of Durham Park Water Supply Corporation;  
SOAH Docket No. 582-05-0918; TCEQ Docket No. 2004-1191-UCR

Dear Honorable Judge Church:

Enclosed for filing is the Executive Director's Status Report informing the court of the events of the recent mediation referral to Texas Commission on Environmental Quality ("TCEQ") from the State Office of Administrative Hearings in accordance to Order No. 6.

For further inquiries I may be contacted at (512) 239-3668.

Sincerely,

A handwritten signature in black ink, appearing to read "Gabriel Soto". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gabriel Soto  
Staff Attorney  
Environmental Law Division  
Texas Commission on Environmental Quality

CC: Mailing List  
Sheresia Perryman, Water Supply Division (MC-153)  
De'Mon Stanford, Water Supply Division (MC-153)

Enclosures