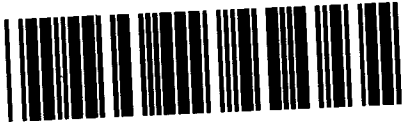


Control Number: 44069



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

RECEIVED

2015 JAN -6 PM 3:29

SOAH DOCKET NO. 582-06-1697  
TCEQ DOCKET NO. 2005-2092-UCR

PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF THE CITY OF  
COLLEGE STATION TO AMEND  
SEWER CERTIFICATES OF  
CONVENIENCE AND NECESSITY IN  
BRAZOS COUNTY

§  
§  
§  
§  
§

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

CHIEF CLERK'S OFFICE


NOV 18 11:27

ON 11/18/09

**ORDER NO. 27**  
**GRANTING REQUEST TO REMAND CASE TO EXECUTIVE DIRECTOR**  
**AND DISMISSAL OF SOAH DOCKET**

On November 13, 2009, the City of College Station (College Station or Applicant) filed a letter noting that a settlement agreement had been reached with all parties, resolving all contested issues. No hearing has been held in this case. Accordingly, College Station's request is GRANTED. This case is remanded to the Executive Director of the Texas Commission on Environmental Quality, and the case is dismissed from the docket of the State Office of Administrative Hearings.

SIGNED November 18, 2009.

  
\_\_\_\_\_  
**LILO 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) 475-4994

**SERVICE LIST**

**AGENCY:** Environmental Quality, Texas Commission on (TCEQ)  
**STYLE/CASE:** CITY OF COLLEGE STATION  
**SOAH DOCKET NUMBER:** 582-06-1697  
**REFERRING AGENCY CASE:** 2005-2092-UCR

**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

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

**REPRESENTATIVE / ADDRESS**

**PARTIES**

MARK ZEPPA  
ATTORNEY  
LAW OFFICE OF MARK H. ZEPPA, P.C.  
4833 SPICEWOOD SPRINGS RD., SUITE 202  
AUSTIN, TX 78759-8436  
(512) 346-4011 (PH)  
(512) 346-6847 (FAX)

MAIN STREET HOMES - CS

BLAS J. COY, JR.  
OFFICE OF THE PUBLIC INTEREST COUNSEL  
MC-103 P.O. BOX 13087  
AUSTIN, TX 78711-3087  
(512) 239-6363 (PH)  
(512) 239-6377 (FAX)

OFFICE OF PUBLIC INTEREST COUNSEL

DOCKET CLERK  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
PO BOX 13087  
AUSTIN, TX 78711  
(512) 239-3300 (PH)  
(512) 239-3311 (FAX)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

LEONARD H DOUGAL  
ATTORNEY AT LAW  
JACKSON WALKER, I.L.P.  
100 CONGRESS AVENUE, SUITE 1100  
AUSTIN, TX 78701  
(512) 236-2000 (PH)  
(512) 236-2002 (FAX)

WELLBORN SPECIAL UTILITY DISTRICT

---

ROBIN A. MELVIN  
401 CONGRESS AVE., SUITE 2200  
AUSTIN, TX 78701  
(512) 480-5688 (PH)  
(512) 480-5888 (FAX)

J. W. MCFARLANE, TRUSTEE

---

KAYLA MURRAY  
STAFF ATTORNEY  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
ENVIRONMENTAL LAW DIVISION  
P.O. BOX 13087  
AUSTIN, TX 78711-3087  
(512) 239-4761 (PH)  
(512) 239-0606 (FAX)  
kmmurray@tceq.state.tx.us

EXECUTIVE DIRECTOR

---

WILLIAM D DUGAT  
BICKERSTAFF HEATH DELGADO ACOSTA, LLP  
3711 S. MOPAC EXPRESSWAY, BLDG. ONE, SUITE 300  
AUSTIN, TX 78746  
(512) 472-8021 (PH)  
(512) 320-5638 (FAX)

CITY OF COLLEGE STATION

---

xc: Docket Clerk, State Office of Administrative Hearings

# Bickerstaff Heath Delgado Acosta LLP

3711 S. MoPac Expressway Building One, Suite 300 Austin, Texas 78746 (512) 472-8021 Fax (512) 320 5638 www.bickerstaff.com

November 13, 2009

The Honorable Lilo D. Pomerleau  
Administrative Law Judge  
State Office of Administrative Hearings  
300 W. 15<sup>th</sup> Street, Suite 504  
Austin, TX 78711-3025

Re: SOAH Docket No. 582-06-1697; TCEQ Docket No. 2005-2092-UCR; *City of College Station's Application to Amend Sewer Certificate of Convenience and Necessity in Brazos County*

Dear Judge Pomerleau:

The City of College Station, Wellborn Special Utility District, and Main Street Homes ("Parties") have entered into a settlement agreement resolving the dispute in this docket. Under the terms of the Settlement Agreement, the Parties are filing a Joint Motion to Withdraw Protests and Remand. Counsel for the City of College Station has conferred with Kayla Murray, counsel for the Executive Director. The Executive Director does not oppose the Motion to Remand.

Should you have questions or need to reach me, please call (512) 472-8021.

Sincerely,



William D. Dugat III

WDD/dfb

cc: All Parties of Record (*via facsimile and/or mail*)

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2009 NOV 13 PM 4:03  
CHIEF CLERKS OFFICE