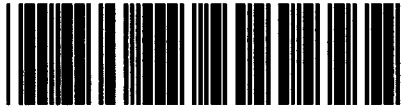


Control Number: 44069



Item Number: 58

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

44669

RECEIVED

SOAH DOCKET NO. 582-06-1697  
TCEQ DOCKET NO. 2005-2092-UCR 2015 JAN -7 AM 9:38


PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF THE CITY OF	§	BEFORE THE STATE OFFICE
COLLEGE STATION TO AMEND	§	OF
SEWER CERTIFICATES OF	§	ADMINISTRATIVE HEARINGS
CONVENIENCE AND NECESSITY IN	§	
BRAZOS COUNTY	§	

**ORDER NO. 3**  
**GRANTING MOTION TO WITHDRAW**

On November 6, 2006, J.W. McFarlane, Trustee; Edward and Sue Valenta; Mary Chester Dubois Trust and Lionel Pierre, II Trust; Eliza Wooten Ryder; Sean Eubanks; Peach Creek Partners, Ltd.; McFarlane Interests, Ltd.; Paul Clark; Duckhaven HOA; Duckhaven Ltd.; Indian Lakes HOA; and Smiling Mallard Development, Ltd. (together, Movants) filed a motion to withdraw. Movants have reached an agreement with the City of College Station (Applicant). This motion is GRANTED and, after issuance and service of this order, Movants will be removed from the service list.

**SIGNED November 8, 2006.**

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

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**WILLIAM P. CLEMENTS BUILDING, Jr.**

**300 West Fifteenth Street  
Austin, Texas 78701  
Phone (512) 475-4993  
Facsimile (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**

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CITY OF COLLEGE STATION

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOCKET CLERK  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**COPY**

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

APPLICATION OF THE CITY OF	§	BEFORE THE STATE OFFICE
COLLEGE STATION TO AMEND	§	OF
SEWER CERTIFICATES OF	§	ADMINISTRATIVE HEARINGS
CONVENIENCE AND NECESSITY	§	
IN BRAZOS COUNTY	§	

**MOTION TO WITHDRAW**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

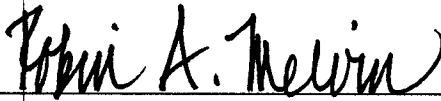
J.W. McFarlane, Trustee, Edward and Sue Valenta, Mary Chester Dubois Trust and Lionel Pierre, II Trust, Eliza Wooten Ryder, Sean Eubanks, Peach Creek Partners, Ltd., McFarlane Interests, Ltd., Paul Clark, Duckhaven HOA, Duckhaven, Ltd., Indian Lakes HOA, and Smiling Mallard Development, Ltd., parties in the above referenced matter, file this Motion to Withdraw.

I.

J.W. McFarlane, Trustee, Edward and Sue Valenta, Mary Chester Dubois Trust and Lionel Pierre, II Trust, Eliza Wooten Ryder, Sean Eubanks, Peach Creek Partners, Ltd., McFarlane Interests, Ltd., Paul Clark, Duckhaven HOA, Duckhaven, Ltd., Indian Lakes HOA, and Smiling Mallard Development, Ltd. have reached an agreement with the City of College Station, and they hereby move to withdraw as parties in the above referenced matter.

Respectfully submitted,

Robin A. Melvin  
State Bar No. 13929590  
GRAVES, DOUGHERTY, HEARON & MOODY,  
A Professional Corporation  
401 Congress Avenue, Suite 2200  
Austin, Texas 78701  
(512) 480-5600  
(512) 480-5688 - Fax

By:   
Robin A. Melvin

**ATTORNEYS FOR PROTESTANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing has been served by first class mail, on this the 1<sup>st</sup> day of November, 2006, to:

**SOAH**

Honorable Lilo D. Pomerleau  
Administrative Law Judge  
State Office of Administrative Hearings  
300 West 15<sup>th</sup> Street, Suite 504  
Austin, Texas 78701

**City of College Station**

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**Office of Public Interest Counsel**

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Austin, Texas 78711-3087

**Office of the Chief Clerk**

LaDonna Castanuela  
Office of the Chief Clerk  
P.O. Box 13087  
Austin, Texas 78711-3087

**Wellborn Special Utility District**

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**Main Street Homes – CS**

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**TCEQ Executive Director**

Paul Tough, Staff Attorney  
TCEQ, Environmental Law Division  
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**Stella H. Wilkes**

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HP  
✓

**COPY**

November 1, 2006

Rommel Corro, Docket Clerk  
State Office of Administrative Hearings  
300 West 15th Street, Suite 502  
P.O. Box 13025  
Austin, Texas 78711-3025

Via Messenger

Re: SOAH Docket No. 582-06-1697; TCEQ Docket No. 2005-2092 UCR; Application  
of the City of College to Amend Sewer Certificates of Convenience and Necessity  
in Brazos County; Before the State Office of Administrative Hearings

Dear Mr. Corro:

Please find enclosed the original and one (1) copy of our Motion to Withdraw.  
Please file the original, and return a file marked copy to our courier.

Thank you and please call with any questions or concerns.

Yours truly,

GRAVES, DOUGHERTY, HEARON & MOODY  
A Professional Corporation

By: Robin A. Melvin  
Robin A. Melvin

RAM/mah  
Enclosures  
✓cc: Service List