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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

CERTIFIED MAIL

April 8, 2004

Ms. Emily W. Rogers
Bickerstaff, Heath, Smiley
Pollan, Kever & McDaniel, L.L.P.
816 Congress Avenue, Suite 1700
Austin, Texas 78701-2443

Re: Application from the Brazos River Authority, Lower Colorado River Authority and the City of Liberty Hill to Obtain a Sewer Certificate of Convenience and Necessity (CCN) in Williamson County; Application No. 34399-C

Dear Ms. Rogers:

The Texas Commission on Environmental Quality (TCEQ) received protests to your referenced application. The Commission's Chief Clerk has assigned Docket No. 2004-0455-UCR to this matter. Any further communications should refer to this docket number. V.T.C.A. Water Code, Section 13.246 provides that affected parties may protest the application and request a hearing on whether a CCN should be granted. The referenced application has been protested by Summerlyn Joint venture, Foster San-Gabriel Investments, Ltd., and Foster Development Ltd. (collectively, the "Summerlyn Developments"), Chisholm Trail Special Utility District, and several individuals. Protests for this application vary and include the following reason for protests; it would preclude pursuing other service option, the location of the wastewater treatment plant would adversely affect the quality of life, and retail water service is already being provided to the portions of the area requested in this application. Staff estimates 40 people to attend this hearing.

This matter has been referred to the State Office of Administrative Hearings to schedule a hearing. When a hearing has been scheduled, you will receive a notice of hearing that outlines when and where the hearing will be held.

In order to review the application the staff of the TCEQ may need additional information regarding your utility's service. You may be receiving Staff Request for Information (RFI's) within a few weeks. We would appreciate your cooperation in providing the information requested.

If you have questions concerning this process or the material that you should bring with you to the hearing, please contact Mr. Prabin Basnet at (512) 239-0881 or if by correspondence, include MC 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Abrams".

Michelle Abrams, Team Leader
Utilities & Districts Section

Water Supply Division
P.O. Box 13087

Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tceq.state.tx.us

DH/JLS/MA/pb/ac

Mailing List for
Docket No. 2004-0455-UCR
(Application No. 34399-C)

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