

Control Number: 44205



Item Number: 6

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

SOAH DOCKET NO. 582-04-6308  
TCEQ DOCKET NO. 2004-0455-UCR

RECEIVED

2015 JAN -9 PM 1:54

IN RE: THE APPLICATION BY THE  
BRAZOS RIVER AUTHORITY, LOWER  
COLORADO RIVER AUTHORITY, AND  
THE CITY OF LIBERTY HILL TO OBTAIN  
A SEWER CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
WILLIAMSON COUNTY

§  
§  
§  
§  
§  
§  
§

BEFORE THE STATE OFFICE  
PUBLIC UTILITY COMMISSION  
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

**ORDER NO. 1  
ABATING FURTHER PROCEEDINGS  
AND SETTING A REPORT DATE**

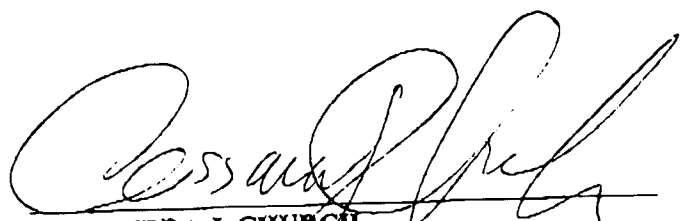
On August 30, 2004, a preliminary hearing was held in this case in Austin, Texas. The following were designated as parties:

PARTY	REPRESENTATIVES
Brazos River Authority, Applicant	Emily Rogers, attorney
Lower Colorado River Authority, Applicant	Emily Rogers, attorney
City of Liberty Hill, Applicant	Kerry Russell, attorney, and Art Rodriguez, city attorney
Executive Director (ED)	Geoffrey P. Kirshbaum and Dawn Burton, staff attorneys
Public Interest Counsel (OPIC)	Blas Coy, Jr., attorney
Chisholm Trail Special Utility District, Protestant	Tony Corbett, attorney

At the joint request of the parties, further proceedings, including setting a hearing and prehearing schedule, were abated for 30 days to permit continued settlement negotiations. On or before **October 1, 2004**, the parties shall file a progress report or propose a procedural schedule.

Dates on which the ALJ would be available for a hearing on the merits, or for conferencing on procedural issues, may be obtained from the ALJ's clerk, Patricia Pena, at 512/475-1515.

SIGNED August 31, 2004.

  
CASSANDRA J. CHURCH  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**  
**WILLIAM P. CLEMENTS BUILDING**  
300 West Fifteenth Street  
Austin, Texas 78701  
Phone (512) 475-4993  
Facsimile (512) 475-4994

**SERVICE LIST**

**AGENCY:** TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
(TCEQ)

**STYLE/CASE:** THE APPLICATION BY THE BRAZOS RIVER AUTHORITY,  
LOWER COLORADO RIVER AUTHORITY, AND THE CITY OF  
LIBERTY HILL TO OBTAIN A SEWER CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN WILLIAMSON COUNTY

**SOAH DOCKET NUMBER:** 582-04-6308

**TCEQ DOCKET NUMBER:** 2004-0455-UCR

STATE OFFICE OF ADMINISTRATIVE  
HEARINGS

CASSANDRA J. CHURCH  
ADMINISTRATIVE LAW JUDGE

---

**PARTIES**

**REPRESENTATIVE/ADDRESS**

TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY

GEOFFREY P KIRSHBAUM  
DAWN BURTON  
STAFF ATTORNEYS  
TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY  
MC-173  
P.O. BOX 13087  
AUSTIN, TX 78711-3087  
TEL 512/239-6257  
FAX 512/239-0606

OFFICE OF PUBLIC INTEREST COUNSEL OF  
THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

BLAS COY, JR.  
OFFICE OF THE PUBLIC INTEREST COUNSEL  
TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY  
MC-103  
P.O. BOX 13087  
AUSTIN, TX 78711-3087  
TEL 512/239-6363  
FAX 512/239-6377

## SERVICE LIST

PAGE 2

SOAH DOCKET NO. 582-04-6308  
TCEQ DOCKET NO. 2004-0455-UCR

BRAZOS RIVER AUTHORITY  
LOWER COLORADO RIVER AUTHORITY

EMILY ROGERS  
ATTORNEY  
816 CONGRESS, SUITE 1700  
AUSTIN, TEXAS 78701  
TEL 512/472-8021  
FAX 512/320-5638

CITY OF LIBERTY HILL

KERRY RUSSELL, ATTORNEY  
ART RODRIGUEZ, CITY ATTORNEY  
102 W. MORROW, #103  
GEORGETOWN, TEXAS 78626  
TEL 512/930-1317  
FAX 512/930-7742

CHISHOLM TRAIL SPECIAL UTILITY  
DISTRICT

TONY CORBETT  
FREEMAN & CORBETT, L.L.P.  
8500 BLUFF STONE COVE, SUITE B-104  
AUSTIN, TEXAS 78759  
TEL 512/451-6689  
FAX 512/453-0865

---

xc: Docket Clerk, State Office of Administrative Hearings  
Docket Clerk, Office of the Chief Clerk, TCEQ, Fax No. (512) 239-3311

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**William P. Clements Building  
300 West Fifteenth Street  
Room 502**

**Austin, Texas 78701  
Phone (512) 475-4993  
Facsimile (512) 936-0730**

DATE:

August 31, 2004

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

4

SOAH DOCKET NO.:

582-04-6308

TCEQ DOCKET NO.:

2004-0455-UCR

REGARDING:

**ORDER NO. 1 - ABATING FURTHER PROCEEDINGS  
AND SETTING A REPORT DATE**

FROM:

JUDGE CASSANDRA J. CHURCH

FAX TO:	FAX NO.:
Blas Coy, Jr. (TCEQ - OPIC)	239-6377
Docket Clerk (TCEQ)	239-3311
Geoffrey Kirshbaum and Dawn Burton (TCEQ)	239-3434
Emily Rogers ( Brazos River Authority & Lower Colorado River Authority)	320-5638
Kerry Russell and Art Rodriguez (City of Liberty Hill)	930-7742
Tony Corbett (Chisholm Trail Special Utility District)	453-0865

xc: State Office of Administrative Hearings Docketing

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT PATRICIA PENA at 475-4993.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

# Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, L.L.P.

816 Congress Avenue

Suite 1700

Austin, Texas 78701

(512) 472-8021

Fax (512) 320-5638

www.bickerstaff.com

September 27, 2004

Ms. LaDonna Castañuela, Chief Clerk  
Office of the Chief Clerk - MC 105  
Texas Commission on Environmental Quality  
12100 Park 35 Circle, Building F, 1st Floor  
Austin, Texas 78711-3087

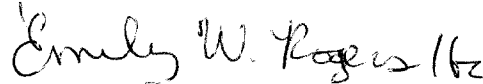
RE: SOAH Docket No. 582-04-6308; TCEQ Docket No. 2004-0455-UCR; Application from the Brazos River Authority, Lower Colorado River Authority, and the City of Liberty Hill to Obtain a Sewer Certificate of Convenience and Necessity (CCN) in Williamson County

Dear Ms. Castañuela:

Enclosed please find an Agreed Motion to Abate Hearing, which was faxed to you today for filing in connection with the referenced CCN matter. Please file the original and have the copy file-stamped and returned to me in the self-addressed, stamped envelope.

If you have any questions, please give me a call at (512) 472-8021.

Sincerely,



Emily W. Rogers

EWR/bc  
Enclosures