



Control Number: 44205



Item Number: 9

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

44205

RECEIVED

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

2015 JAN -9 PM 1:55

PUBLIC UTILITY COMMISSION  
FILING CLERK

CHIEF CLERK'S OFFICE

2004 OCT 29 PM 12:34

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2004 OCT 29 PM 12:34

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

OF

ADMINISTRATIVE HEARINGS

AGREED MOTION TO ABATE HEARING

TO THE HONORABLE JUDGE CHURCH:

On August 30, 2004, the Lower Colorado River Authority (LCRA), the Brazos River Authority (BRA), the City of Liberty Hill (Liberty Hill), Chisholm Trail Special Utility District (Chisholm), and the Executive Director of the TCEQ participated in a preliminary hearing in the above-styled case. The parties agreed to abate the hearing for 30 days to continue to negotiate a settlement. LCRA requested that the abatement period be extended until November 1, 2004. Since that time, the parties have had further discussions about the settlement agreement and continue to negotiate its terms. For this reason, the parties respectfully request that the abatement of this case be extended to December 30, 2004. LCRA and BRA have conferred with Chisholm, Liberty Hill, the Executive Director, and the Public Interest Counsel and none oppose this motion.

Respectfully submitted,


BICKERSTAFF, HEATH, SMILEY, POLLAN  
KEVER & MC DANIEL, L.L.P.

816 Congress Avenue, Suite 1700

Austin, Texas 78701

(512) 472-8021

(512) 320-5638 [Fax]

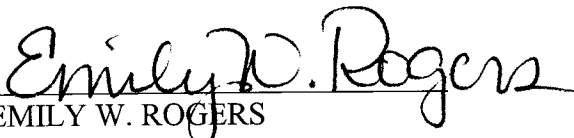
By:   
EMILY W. ROGERS

State Bar No. 24002863

**ATTORNEY FOR THE BRAZOS RIVER AUTHORITY  
AND THE LOWER COLORADO RIVER AUTHORITY**

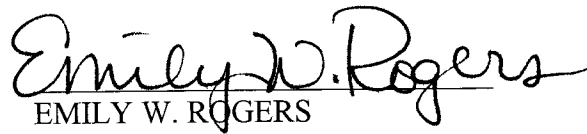
CERTIFICATE OF CONFERENCE

I, Emily Rogers, attorney for the Brazos River Authority and the Lower Colorado River Authority, has conferred with the attorneys for the Executive Director, City of Liberty Hill, Chisholm Trail Special Utility District, and the Public Interest Counsel and none opposed this motion.

  
EMILY W. ROGERS  
State Bar Number 24002863

CERTIFICATE OF SERVICE

I hereby certify, by my signature below, that a true and correct copy of the above and foregoing was forwarded via First Class Mail, hand delivery or facsimile on 29<sup>th</sup> of October, 2004 to those persons on the attached mailing list.

  
EMILY W. ROGERS  
State Bar Number 24002863

**Mailing List**  
**LCRA, BRA, Liberty Hill CCN Application**  
**SOAH Docket No. 582-04-6308**  
**TCEQ Docket No. 2004-0455-UCR**

Kerry Russell  
Arturo Rodriguez  
Russell, Moorman & Rodriguez, L.L.P.  
102 West Morrow, Ste. 103  
Georgetown, Texas 78626  
(512) 930-1317  
(512) 930-7742 FAX

Representing City of Liberty Hill

Tony Corbett  
Freeman & Corbett, L.L.P.  
8500 Bluff Stone Cove, Suite B-104  
Austin, TX 78759  
(512) 451-6689  
(512) 453-0865 FAX

Representing Chisholm Trail SUD

Geoffrey Kirshbaum, Staff Attorney (MC-173)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087  
(512) 239-6257  
(512) 239-0606 FAX

Texas Commission on Environmental Quality  
Executive Director

Blas Coy (MC-103)  
Office of Public Interest Counsel  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087  
(512) 239-6363  
(512) 239-6377 FAX

Office of the Public Interest Counsel of the Texas  
Commission on Environmental Quality

Cassandra J. Church  
Administrative Law Judge  
State Office of Administrative Hearings  
300 W. 15th St., Rm. 502  
Austin, Texas 78701  
(P.O. Box 13025, 78711-3025)  
(512) 475-4993  
(512) 475-4994 FAX

Docket Clerk  
Office of the Chief Clerk - MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
(512) 239-3300  
(512) 239-3311 FAX

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

110 Congress Avenue

Suite 1700

Austin, Texas 78701

(512) 472-8021

Fax (512) 320-6038

www.bickerstaff.com

December 29, 2004

Via Facsimile and U.S. Mail

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

CHIEF CLERK'S OFFICE

2004 DEC 29 11:15

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 Agreed Motion to Abate Hearing in connection with the referenced 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

cc: All Parties on Record (via facsimile and U.S. mail)

**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

December 29, 2004

Via Facsimile Only

Cassandra J. Church  
Administrative Law Judge  
State Office of Administrative Hearings  
300 W. 15<sup>th</sup> Street, Suite 502  
Austin, Texas 78711-3025

CHIEF CLERK'S OFFICE

2004 DEC 29 11:12:16

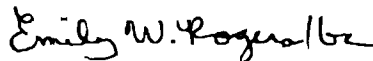
RE: SOAH Docket No. 582-04-6308; TCEQ Docket No. 2004-0455-UCR; Application from the Brazos River Authority, Lower Colorado River Authority, and the City of Liberty Hill to Obtain a Sewer Certificate of Convenience and Necessity (CCN) in Williamson County

Dear Judge Church:

Enclosed please find a copy of Agreed Motion to Abate Hearing in connection with the above-referenced matter. This document is being filed today with the TCEQ.

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

Sincerely yours,



Emily W Rogers

EWR/bc

Enclosure

cc: All Parties on Record