



Control Number: 44212



Item Number: 15

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
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

44212

RECEIVED MATHEWS & FREELAND, L.L.P.

2015 JAN 12 AM 10:18

ATTORNEYS AT LAW

JIM MATHEWS
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PUBLIC UTILITY COMMISSION
FILED CLERK

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CHIEF CLERK

July 13, 2006

Teletype and U.S. Mail

Judge Rogan
State Office of Administrative Hearings
300 W. 15th Street, Suite 502
Austin, TX 78701-1649

RE: SOAH Docket No. 582-06-1640, TCEQ Docket No. 2006-0125-UCR,
City of Ovilla Application to Amend Water Certificates of Convenience
and Necessity No. 11059 and No. 11459

Dear Judge Rogan:

The City of Ovilla and the City of Glenn Heights have reached an agreement in principle to settle their disputes regarding the captioned matter. Today, the cities met with representatives of the Texas Commission on Environmental Quality ("TCEQ") to discuss the procedures to be followed to implement the terms of that settlement agreement. The cities are optimistic that in the relatively near future they will be able to execute a settlement agreement, and file a joint motion with SOAH asking that Ovilla's application be remanded to the TCEQ so that the agency may revise the cities' CCNs to implement the terms of the settlement agreement. Accordingly, the City of Ovilla and the City of Glenn Heights request that this matter be abated for an additional forty-five days so that the cities may move forward with the settlement process. During today's meeting, the Executive Director indicated he would not oppose this request.

Please do not hesitate to contact me if you have any questions regarding this request.

Sincerely,



Robert Pressley

cc: Monte Akers
Gabriel Soto
Public Interest Council
Chief Clerk, TCEQ

MATHEWS & FREELAND, L.L.P.

Jim Mathews
Joe Freeland

ATTORNEYS AT LAW

(512) 404-5655
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P.O. Box 1568
Austin, Texas 78768-1568

May 26, 2006

Judge Newchurch
State Office of Administrative Hearings
300 W. 15th Street, Suite 502
Austin, TX 78701-1649

CHIEF CLERKS OFFICE

MAY 26 PM 4:39

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

RE: SOAH Docket No. 582-06-1640, TCEQ Docket No. 2006-0125-UCR,
City of Ovilla Application to Amend Water Certificates of Convenience and
Necessity No. 11059 and No. 11459

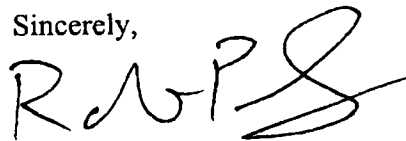
Dear Judge Newchurch:

The City of Ovilla filed an application with the Texas Commission on Environmental Quality ("TCEQ") to amend its water Certificate of Convenience and Necessity ("CCN") No. 11459. The City of Glenn Heights requested a contested case hearing on Ovilla's application. The TCEQ granted Glenn Heights' request and referred the application to the State Office of Administrative Hearings for a hearing. SOAH has set a preliminary hearing on Ovilla's application for May 31, 2006.

The two cities have agreed in principle to a resolution of their disputes regarding Ovilla's CCN application. The City of Ovilla has notified the Executive Director of the cities' agreement in principle. The City of Ovilla, the City of Glenn Heights and the Executive Director request that this matter be abated for 45 days so that the cities may attempt to finalize their negotiations and execute a settlement agreement.

Please do not hesitate in contacting me if you have any questions regarding this request for abatement.

Sincerely,



Robert Pressley

cc: Chief Clerk, TCEQ
Public Interest Council

MATHEWS & FREELAND, LLP L.L.P.

ATTORNEYS AT LAW

P.O. Box 1568
Austin, Texas 78768-1568

Jim Mathews
Joe Freeland

CHIEF CLERKS OFFICE

703 (512) 404-7800
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MAY 26 PM 4:39

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Fax

To:	Company	Fax	Phone
Judge Newchurch	SOAH	475-4994	

Cc:	Company	Fax	Phone
Chief Clerk	TCEQ	239-3311	
Public Interest Council	TCEQ	239-6377	
Monte Akers		250-0749	
Gabe Soto	TCEQ	239-0606	

From:	Fax	Phone
Jim Mathews	512/703-2785	512/404-7800

Number of Pages (including this one): 2

Date: 5/26/06

To confirm receipt, or if you do not receive all pages, please call: Nina Hall

Reference: SOAH Docket No. 582-06-1640, TCEQ Docket No. 2006-0125-UCR, City of Ovilla Application to Amend Water Certificates of Convenience and Necessity No. 11059 and No. 11459

Urgent For Review Please Comment Please Reply Please Recycle

Mailing List For Application Nos. 35087- C & 35088-C
City of Ovilla

Mr. Monte Akers
Bovey, Akers & Bojorquez, LLP
Attorneys at Law
12325 Hymeadow Drive, Suite 3-200
Austin, Texas 78750

Mr. George A Tellez
The Trees of Ovilla
P.O. Box 2806
Red Oak, Texas 75154

Mr. Davie W. Embry
601 Cardinal Drive
Ovilla, Texas 75154

Mr. James H. Williams
3121 South Hampton Road
Glenn Heights, Texas 75154

TCEQ:

TCEQ Region 4 Dallas Office
Debbie Reyes, MC-153, Water Supply Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INTEROFFICE MEMORANDUM

TO: LaDonna Castanuela, Chief Clerk

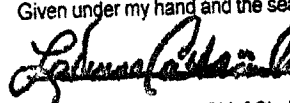
DATE: February 14, 2006

THRU: Doug Holcomb, P.E. Section Manager
Utilities & Districts Section
Water Supply Division

THE STATE OF TEXAS
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a
Texas Commission on Environmental Quality document,
which is filed in the permanent records of the Commission.
Given under my hand and the seal of office on

FROM: Debbie Reyes
Utilities & Districts Section
Water Supply Division

 **MAY 03 2006**

LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality

SUBJECT: Docket No. 2006-0125-UCR; Application from the City of Ovilla, Certificate of Convenience and Necessity (CCN) No. 11459, to Decertify a Portion of CCN No. 11059 from the City of Glenn Heights and to Amend CCN No. 11459 in Dallas and Ellis Counties; Application No. 35087-C

Application from the City of Ovilla to Obtain a Sewer CCN and to Decertify a Portion of CCN No. 20427 from the City of Glenn Heights in Dallas and Ellis Counties; Application No. 35088-C

CN: 600706675; RN: 104710140

We hereby transfer the official file for the above application to the Chief Clerk's Office. Please refer the application to the State Office of Administrative Hearings and request that a hearing be scheduled.

Staff estimates 15 people to attend this hearing.

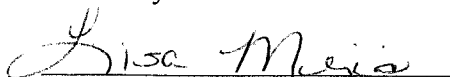
Mr. Monte Akers, on behalf of the City of Glenn Heights, states Glenn Heights does not agree with the decertification. Mr. Davie W. Embry, Mr. George A Tellez, and Mr. James H. Williams have varied concerns.

The staff assigned to this case are:

Technical - Brian Dickey and Debbie Reyes

Legal - _____

If we may be of further service regarding this matter, please call.


Lisa Mejia, Acting Team Leader

LM/DR/ac

cc: TCEQ Public Interest Counsel; ATTN: Blas Coy
TCEQ Agency Communications; ATTN: Andy Saenz, Manager
TCEQ Chief Clerk's Office; ATTN: Melanie Mohair
TCEQ Legal Division; ATTN: Robert Martinez

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 14, 2006

Mr. John McDonald, City Administrator
City of Ovilla
105 South Cockrell Hill Road
Ovilla, Texas 75154

Re: Application from the City of Ovilla, Certificate of Convenience and Necessity (CCN) No. 11459, to Decertify a Portion of CCN No. 11059 from the City of Glenn Heights and to Amend CCN No. 11459 in Dallas and Ellis Counties; Application No. 35087-C

Application from the City of Ovilla to Obtain a Sewer CCN and to Decertify a Portion of CCN No. 20427 from the City of Glenn Heights in Dallas and Ellis Counties; Application No. 35088-C

CN: 600632129; RN: 102678265 (water) and pending (sewer)

Dear Mr. McDonald:

The Texas Commission on Environmental Quality (TCEQ) has received protests regarding the application referenced above. The Commission's Chief Clerk has assigned Docket No. 2006-0125-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 amended. The application has been protested by the following:

Mr. Monte Akers
Mr. Davie W. Embry
Mr. George A. Tellez
Mr. James H. Williams

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 which explains when and where the hearing will be held.

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

If you have questions about this process or what material you should bring with you to the hearing, please contact Ms. Debbie Reyes at (512) 239-4683 or Mr. Brian Dickey at (512) 239-0963.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Mejia".

Lisa Mejia, Acting Team Leader
Utilities & Districts Section
Water Supply Division

LM/DR/ac

cc: See Mailing List

Mailing List For Application Nos. 35087- C & 35088-C
City of Ovilla

Mr. Monte Akers
Bovey, Akers & Bojorquez, LLP
Attorneys at Law
12325 Hymeadow Drive, Suite 3-200
Austin, Texas 78750

Mr. George A Tellez
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3121 South Hampton Road
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TCEQ:

TCEQ Region 4 Dallas Office
Debbie Reyes, MC-153, Water Supply Division