



Control Number: 44212



Item Number: 18

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

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RECEIVED

SOAH DOCKET NO. 582-06-1640
TCEQ DOCKET NO. 2006-0125-UCR

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APPLICATIONS OF THE CITY OF
OVILLA TO AMEND A WATER
CERTIFICATE OF CONVENIENCE
AND NECESSITY, OBTAIN A SEWER
CERTIFICATE OF CONVENIENCE
AND NECESSITY, AND DECERTIFY
PORTIONS OF THE CERTIFICATES
OF CONVENIENCE AND NECESSITY
OF THE CITY OF GLENN HEIGHTS,
IN DALLAS AND ELLIS COUNTIES,
TEXAS

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PUBLIC UTILITY COMMISSION
BEFORE THE STATE CLERK
OFFICE
OF ADMINISTRATIVE
HEARINGS

ORDER EXTENDING ABATEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the City of Glenn Heights, and files this Motion to Extend Abatement for 30 days, which should be the final such motion, and would respectfully show unto the Court the following, to-wit:

1. As described in its previous motion of January 18, the City of Glenn Heights has been gathering the documentation necessary to submit a Section 13.248 application (Application) to the Texas Commission on Environmental Quality (TCEQ or Commission), which will serve to finalize a settlement agreement between the City of Glenn Heights and the City of Ovilla. All those documents have either been obtained or are promised, but the meeting of the City Council of Glenn Heights at which it is scheduled to approve the settlement agreement in this matter is scheduled for 7:30 p.m. on March 19, today, when the current abatement period ends. It is anticipated that the City Council will approve the settlement and that this matter can be completed with no additional abatement beyond April, 2007.

2. The City of Glenn Heights has obtained consent to this Motion from Mr. Gabriel Soto of the Commission and from Robert Pressley, attorney for the City of Ovilla.

Wherefore, premises considered, the City of Glenn Heights prays that the Honorable Judge abate this matter for an additional 30 days as provided in the attached order.

Respectfully submitted,

AKERS & BOULWARE-WELLS, LLP
816 Congress Ave., Ste. 1725
Austin, TX 78701
(512) 404-7880
(512) 320-5638 (FAX)

By: 

Monte Akers

State Bar No. 00953800

Attorneys for City of Glenn Heights

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the above and foregoing Motion was served by facsimile on this the 19th day of March, 2007, as follows:

Texas Commission on Environmental Quality
Office of the Chief Clerk
P.O. Box 13087
Austin, TX 78711-3087
FAX: 512-239-3311

VIA FACSIMILE

Texas Commission on Environmental Quality
Gabriel Soto, Attorney
MC-173 P.O. Box 13087
Austin, TX 78711-3087
FAX: 512-239-0606

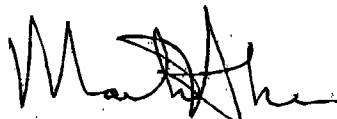
VIA FACSIMILE

Office of the Public Interest Counsel
Blas J. Coy, Jr.
MC-103 P.O. Box 13087
Austin, TX 78711-3087
FAX: 512-239-6377

VIA FACSIMILE

MATHEWS & FREELAND, LLP
Robert Pressley
327 Congress, Suite 300
Austin, TX 78701
FAX: 512-703-2785
Attorneys for City of Ovilla

VIA FACSIMILE



Monte Akers

**SOAH DOCKET NO. 582-06-1640
TCEQ DOCKET NO. 2006-0125-UCR**

**APPLICATIONS OF THE CITY OF
OVILLA TO AMEND A WATER
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AND NECESSITY, OBTAIN A SEWER
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PORTIONS OF THE CERTIFICATES
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IN DALLAS AND ELLIS COUNTIES,
TEXAS**

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**BEFORE THE STATE

OFFICE

OF ADMINISTRATIVE

HEARINGS**

ORDER EXTENDING ABATEMENT

On March 19, 2007, the City of Glenn Heights submitted a motion to extend the abatement of the case schedule for an additional 30 days. While the parties have settled, they need additional time to complete a Section 13.248 application to the Texas Commission on Environmental Quality (TCEQ) to finalize the settlement and TCEQ needs time to review the Section 13.248 application.

The motion is granted and this matter is abated until the _____ day of April, 2007.

SIGNED on this the ___ day of _____, 2007.

**WILLIAM G. NEWCHURCH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

AKERS & BOULWARE-WELLS, LLP
Attorneys at Law

816 Congress, Suite 1725 ♦ Austin, Texas 78701 ♦ Phone: (512) 404-7880 ♦ Fax: (512) 320-5638

FAX COVER SHEET

Date: **March 19, 2007**

Recipient: **Judge Newchurch**

Client I.D. #: **3177-1140**

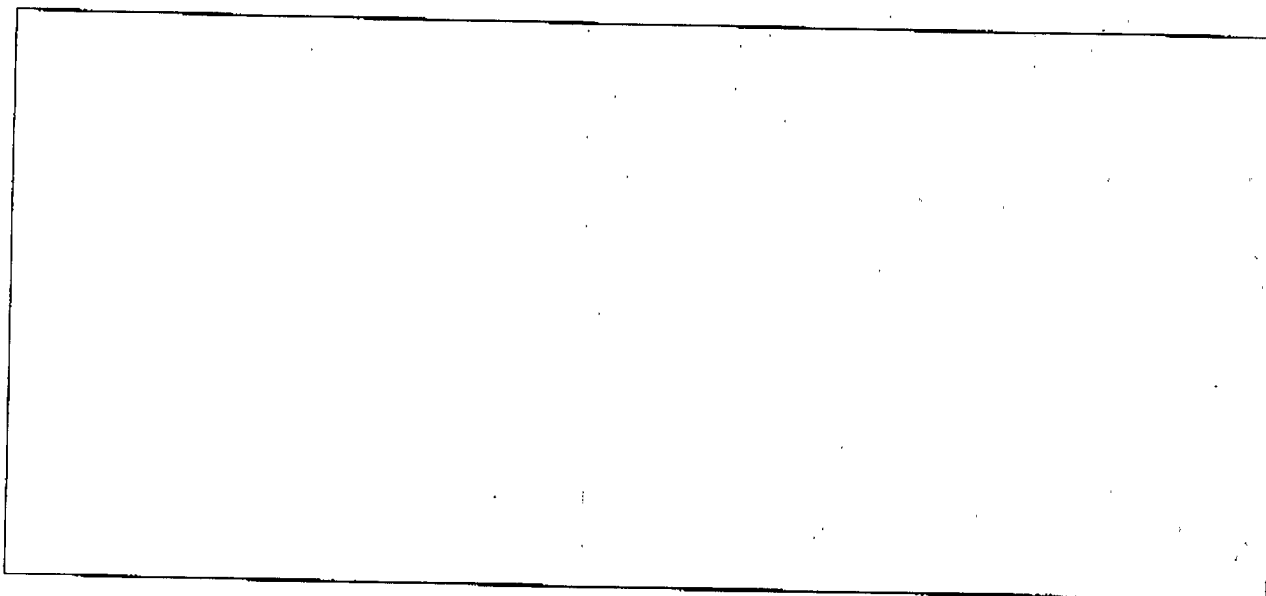
Organization: **SOAH**

Phone Number:

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Pages including cover: **5**



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