



Control Number: 44268



Item Number: 6

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

to complete request received by SOAH: 11/13/07 10:00 SOAH Docket Number & type of case: 582-08-0132

2015 JAN 13 PM 2:05 **REQUEST TO DOCKET CASE (Please type or print)**

PLEASE CHECK ACTION(S) REQUESTED:

☒ **SETTING OF HEARING** ☐ **ASSIGNMENT OF ALJ *** ☐ **ALTERNATIVE DISPUTE RESOLUTION (ADR)***

REFERRING AGENCY NAME: TCEQ AGENCY NO.: FILE/CASE NO.: 2007-0358

NAME/STYLE OF THE CASE: CITY OF ORANGE

DATE APPLICATION FILED AT AGENCY: DOCKET NO. SUFFIX, if applicable: UCR

PROCEEDING DATE(S) REQUESTED (Include range of dates if possible): NOVEMBER 13, 2007

EXPECTED NUMBER OF HOURS (If less than a day) OR DAYS NEEDED FOR PROCEEDING: HOURS [1] DAYS

☐ **ADMIN. FINE** ☐ **GRIEVANCE** ☐ **ENFORCEMENT** ☐ **CONTRACT CLAIM (Gov't Code 2260)** ☒ **OTHER**

SPECIAL NEEDS OR ACCOMMODATIONS: Hearing in Austin, Seating for 12 people

IF ADR REQUESTED PLEASE DESCRIBE PROCESS NEEDED:

☐ **PREHEARING CONFERENCE REQUESTED**

☐ **CASE FILE** and/or ☐ **HEARING IS CONFIDENTIAL (Specify applicable statute):**

NAME OF INDIVIDUAL SENDING REQUEST FORM: EMILY REYNA PHONE NO.: (512) 239-3304 FAX NO.: 239

PARTIES AND REPRESENTATIVES

PARTY REPRESENTED BY: ☐ **SELF** ☒ **ATTORNEY**

☐ **OTHER, If so, relationship:**

REPRESENTATIVE'S NAME: BRIAN MACLEOD

PARTY'S NAME:

ADDRESS:

PHONE No.: (512) 239-0750
(Direct Phone Number Please)

FAX No.:

PARTY REPRESENTED BY: ☐ **SELF** ☐ **ATTORNEY**

☐ **OTHER, If so, relationship:**

REPRESENTATIVE'S NAME:

PARTY'S NAME:

ADDRESS:

PHONE No.:
(Direct Phone Number Please)

FAX No.:

PLEASE LIST ADDITIONAL PARTIES AND/OR REPRESENTATIVES ON EXTRA FORM PROVIDED.

END TO: STATE OFFICE OF ADMINISTRATIVE HEARINGS
ATTN.: Deputy Clerk
William P. Clements Building
300 West 15th Street, Suite 504
Austin, Texas 78701

OR

Post Office Box 13025
Austin, Texas 78711-3025
Docket Phone No. (512) 475-3445
Fax No. (512) 475-4994

***PLEASE FORWARD A COPY OF THE APPLICATION, APPEAL, OR COMPLAINT WITH THIS REQUEST FORM, AS WELL AS ANY OTHER PLEA, TO THE AGENCY OF ORIGIN. A COPY OF THE NOTICE OF HEARING WILL BE MAILED TO THE PARTIES. A COPY OF THE NOTICE OF HEARING WILL BE MAILED TO THE PARTIES. A COPY OF THE NOTICE OF HEARING WILL BE MAILED TO THE PARTIES.**

OCC FAXED TO SOAH ON SEPTEMBER 12, 2007

*** TX REPORT ***

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300 WEST 15TH STREET, STE. 502
AUSTIN, TEXAS 78701
(512) 475-4993
FAX (512) 475-4994
DOCKET (512) 475-3445**

CONFIRMATION OF REQUEST TO DOCKET CASE

TO: EMILY REYNA VIA FACSIMILE 239-3311
TX COMM ON ENVIRONMENTAL QUALITY

FROM: NATALIE HOWARD
DEPUTY CLERK

DATE: September 12, 2007

RE: SETTINGS OF HEARING(S)

At your request, the following hearing(s) have been set:

<u>Docket Number</u>	<u>Case</u>	<u>Date</u>	<u>Time</u>	<u>Hearing Location</u>
582-08-0128 2007-1208-UCR	Tim Bennett Engineering	10/23/07	10:00 am	<u>WPC Bldg.</u> <u>300 West 15th St.</u> <u>4th Floor Street</u> <u>Austin, TX 78701</u>
582-08-0129 2007-1270-UCR	MB Wastewater Services	10/30/07	10:00 am	same as above
582-08-0130 2007-1185-UCR	Southern Utilities Co	11/07/07	10:00 am	same as above
582-08-0131 2007-1296-UCR	RCH Water Supply	11/07/07	10:00 am	same as above
582-08-0132 2007-1252-UCR	City of Orange	11/13/07	10:00 am	same as above

**STATE OFFICE OF ADMINISTRATIVE HEARINGS
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AUSTIN, TEXAS 78701
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582-08-0131 2007-1296-UCR	RCH Water Supply	11/07/07	10:00 am	same as above
582-08-0132 2007-0358-UCR	City of Orange	11/13/07	10:00 am	same as above
582-08-0133 2007-1289-UCR	Bandera River Ranch	11/14/07	10:00 am	same as above
582-08-0134 2007-1288-UCR	T. Johnson Industries	12/04/07	10:00 am	same as above
582-08-0135 2007-1346-UCR	Menlow Water Supply Corp	12/11/07	10:00 am	same as above



STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE
PLEASE PRINT CLEARLY



Date: 11/13/07

Name: Brian MacLeod

Occupation: Staff Attorney

Mailing Address: See Card
Street or P.O. Box

City

State

Zip

Daytime Phone: (512) 239-0750 Fax #: (512) 239-0606

E-Mail address (if available): bmacleod@tceq.state.tx.us

Representing: ☐ Self ☒ Other (specify): ED of TCEQ

Title of matter being considered: City of Orange

SOAH Docket No. (if known): 582-08-0132

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer

Applicant



STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE
PLEASE PRINT CLEARLY



Date: _____

Name: JOHN CASH SMITH

Occupation: CITY ATTORNEY, DRANGE TX.

Mailing Address: BOX 188
Street or P.O. Box

DRANGE TX. 77630
City State Zip

Daytime Phone: (409) 886-7766 Fax #: (409) - 886-7740

E-Mail address (if available): JOHN CASH 32@GBC GLOBAL.NET

Representing: ☐ Self ☒ Other (specify): CITY OF DRANGE -

Title of matter being considered: CITY OF DRANGE #. APPL TO DECERTIFY

SOAH Docket No. (if known): SB2-DB-0132

Your position regarding the matter being considered: ☐ In Favor ☐ Opposed ☐ Undecided ☐ Observer

Receivables
Company

STANDARD INDUSTRIAL INVESTMENT

STANDARD INDUSTRIAL INVESTMENT

STANDARD INDUSTRIAL INVESTMENT

STANDARD INDUSTRIAL INVESTMENT

Name William J. Brown 4/17/67

Occupation Welder

Mailing Address 2125 17th

City San Francisco State CA Zip 94116

Daytime Phone 415-241-1111

E-Mail Address (optional) William.Brown@SFS.com

Emergency (Name & Phone No.)

Title of member (if applicable)

SOARD No. 512-11-1137

Your present signature (Name & Address) William J. Brown



STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION
ALL PERSONS IN ATTENDANCE ARE REQUESTED TO COMPLETE
THIS FORM PROMPTLY



Date: 11/13/07

Name: M. K. Kader

Occupation: Attorney

Mailing Address: 505 W. 11th St.

Austin TX 78701
City State Zip

Daytime Phone: (512) 434-1235 Fax #: ()

E-Mail address (if available): m.k.kader@att.net

Representing: ☐ Self ☒ Other (specify): Agua Texas, Inc.

Title of matter being considered: City of Austin CAN App.

SOAH Docket No. (if known): SB02-08-0132

Your position regarding the matter being considered: ☐ In Favor ☒ Opposed ☐ Undecided ☐ Observer

North Orange Water & Sewer

STATE OFFICE OF ADMINISTRATIVE HEARINGS
PUBLIC HEARING REGISTRATION

ALL PERSONS APPEARING ARE REQUESTED TO COMPLETE
THIS FORM CAREFULLY

Date: 11/13/07

Name: Bret L. Fennell

Occupation: Engineer

Mailing Address: P.O. Box 9000

Avon TX 76709
City State Zip

Daytime Phone: (512) 264-9134 Fax: (512) 264-9134

E-Mail address (if available): b.fennell@avonwater.com

Representing: ☒ Self ☐ Other North Orange Water & Sewer

Title of matter being contested: City of Orange

SOAH Docket No. (if known): 512-09-0132

Your position regarding the matter being contested: ☒ Opposed ☐ Unopposed ☐ Other

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Name Eric Salcedo

Occupation Attorney

Mailing Address 1000 Park Street

Albany, NY 12202

Daytime Phone (H) 518-452-1234

E-Mail address (H) esalcedo@att.net

Representing U.S. District Court

Title of matter being contested Civil Case

SOAH Docket No. (H) 98-102

Your present position with respect to the matter Attorney

STANDARD FORM NO. 10
APPLICATION FOR EMPLOYMENT
U.S. DEPARTMENT OF THE ARMY
WASHINGTON, D.C.

11/5/47

Name: J. J. SMITH

Occupation: Decorated Soldier

Mailing Address: 1000 15th St. S.E. Washington D.C. 20003

Home Address: 1000 15th St. S.E. Washington D.C. 20003

Daytime Phone: (202) 341-1234

Evening Phone: (202) 341-1234

Emergency Contact: 1000 15th St. S.E. Washington D.C. 20003

City of Birth: Washington D.C.

State of Birth: District of Columbia

SSAN: 1000 15th St. S.E. Washington D.C. 20003

Your present position: 1000 15th St. S.E. Washington D.C. 20003

STATE OFFICE OF ADMINISTRATIVE HEARINGS

STATE HEARING INFORMATION

ALL PERSONS APPEARING ARE REQUESTED TO COMPLETE
PLEASE INDICATE

Date 11/13/07

Name: Steve Blackburn

Occupation: Environmental Compliance Mgr

Mailing Address: 1125 E. Jordan Lane
State of TX Box

Austin TX 78723
CN

Daytime Phone: (512) 844-6475 Fax: (512) 990-4410

E-Mail address (if available): skblackburn@earthlink.net

Representing: ☐ Self ☒ As an Agent, I am

Title of matter being contested: 582-08-0132 Capital Energy CCH

SOAH Docket No. (if known): 582-08-0132

Your position regarding the matter being contested: ☐ Oppose ☒ Support ☐ Dismissed ☐ Obsolete


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NOTICE OF HEARING CITY OF ORANGE SOAH Docket No. 582-08-0132 TCEQ Docket No. 2007-0358-UCR

APPLICATION. City of Orange, P.O. Box 520, Orange, Texas 77631, has applied with the Texas Commission on Environmental Quality (TCEQ) to decertify portions of water Certificates of Convenience and Necessity (CCN) No. 11157 from Aqua Utilities, Inc. dba Aqua Texas, Inc., CCN No. 11642 from North Orange Water & Sewer, LLC dba Country Squire Water and Sewer, CCN No. 12400 from G. Kelly Brewer, and to amend CCN No. 11398 in Orange County, Texas (Application No. 35496-C).

City of Orange has also applied with TCEQ to decertify portions of sewer CCN No. 20453 from Aqua Utilities, Inc. dba Aqua Texas, Inc., CCN No. 20564 from North Orange Water & Sewer, LLC dba Country Squire Water and Sewer, and to amend CCN No. 20535 in Orange County, Texas (Application No. 35497-C).

CONTESTED CASE HEARING. The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing on this application at:

10:00 a.m. - November 13, 2007 William P. Clements Building 300 West 15th Street, 4th Floor Austin, Texas 78701 The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 13, Texas Water Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 291; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the evidentiary hearing as a party, you must attend the preliminary hearing and show you would be affected by the petition in a way not common to members of the general public.

INFORMATION. For information concerning the hearing process, please contact the TCEQ Office of the Public Interest Counsel (MC 103), P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-6363. For additional information, contact the TCEQ Water Supply Division, Utilities & Districts Section (MC 153), P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-4691. General information regarding the TCEQ can be found at our web site at www.tceq.state.tx.us.

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at 512- 475-3445, at least one week prior to the hearing.

Issued: September 20, 2007 LaDonna Castañuela, Chief Clerk Texas Commission on Environmental Quality

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