



Control Number: 45702



Item Number: 169

Addendum StartPage: 0

SOAH DOCKET NO. 473-16-5296.WS  
PUC DOCKET NO. 45702

APPLICATION OF THE CITY OF § BEFORE THE STATE OFFICE  
CIBOLO FOR SINGLE CERTIFICATION §  
IN INCORPORATED AREA AND TO §  
DECERTIFY PORTIONS OF GREEN § OF  
VALLEY SPECIAL UTILITY §  
DISTRICT'S SEWER CERTIFICATE OF §  
CONVENIENCE AND NECESSITY IN §  
GUADALUPE COUNTY § ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 15  
GRANTING MOTION FOR LEAVE TO EXTEND PAGE LIMIT FOR BRIEF;  
ADMITTING EVIDENCE; TAKING OFFICIAL NOTICE

On September 22, 2017, the City of Cibolo (Cibolo or the City) filed a motion for leave to exceed the page limit for its initial brief in this phase. No objections were received. The motion is **GRANTED**.

On October 4, 2017, after conferring with Green Valley Special Utility District (Green Valley or GVSUD) and the staff (Staff) of the Public Utility Commission of Texas (Commission), Cibolo filed a Joint Response to SOAH Order No. 14. The Administrative Law Judge (ALJ) appreciates the parties' work on that filing. The ALJ clarifies that all evidence admitted during the first phase is evidence for purposes of the second phase of this proceeding.

As requested in the joint response, the following joint exhibits, which are attachments to pleadings filed in this case, are **ADMITTED IN EVIDENCE** without objection:

169

Joint Ex. No.	Description
1	Cibolo's Notice to GVSUD of Intent to Serve
2	Cibolo's Second Supplement to Application
3	Cibolo's Reply Brief to Threshold Legal/Policy Issues at pages 1 and 24, and Attachment 4 at pages 41-96
4	Cibolo's Supplements to Application
5	Updated Reports and Correspondence with the Texas Commission on Environmental Quality (TCEQ)
6	TCEQ-Certified Copies of the City's Compliance History
7	September 29, 2017 Notice of Compliance letter to the City from TCEQ

The joint response describes the location of those exhibits in the administrative record. The ALJ has marked each of those exhibits, which will be included in the evidentiary record the State Office of Administrative Hearings (SOAH) returns to the Commission. In future filings, the parties should cite those exhibits as Joint Ex. \_\_.

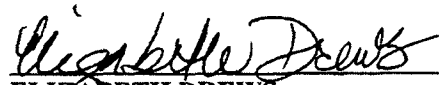
As requested in the joint response, **OFFICIAL NOTICE IS TAKEN** of the following:

- TCEQ has granted the City Public Drinking Water System No. TX0940018 and TCEQ's online records reflect the same at: [http://dww2.tceq.texas.gov/DWW/JSP/WaterSystemDetail.jsp?tinwsys\\_is\\_number=2101&tinwsys\\_st\\_code=TX&wsnumber=TX0940018&DWWState=TX](http://dww2.tceq.texas.gov/DWW/JSP/WaterSystemDetail.jsp?tinwsys_is_number=2101&tinwsys_st_code=TX&wsnumber=TX0940018&DWWState=TX) (last visited September 29, 2017).
- As of September 29, 2017, TCEQ's online records indicated that the City has a satisfactory compliance history rating, which can be found at: <http://www2.tceq.texas.gov/oce/ch/index.cfm?fuseaction=main.SearchCN&fortnidd=recn&cnid=600705719&doit=Submit> (last visited September 29, 2017).
- TCEQ's online records indicated that the City's public drinking water system has been determined to be a "superior water system," which can be found at: [http://dww2.tceq.texas.gov/DWW/JSP/WaterSystemDetail.jsp?tinwsys\\_is\\_number=2101&tinwsys\\_st\\_code=TX&wsnumber=TX0940018&DWWState=TX](http://dww2.tceq.texas.gov/DWW/JSP/WaterSystemDetail.jsp?tinwsys_is_number=2101&tinwsys_st_code=TX&wsnumber=TX0940018&DWWState=TX) (last visited September 29, 2017).

- As of September 22, 2017, the TCEQ website indicated that the City had three active violations.
- As of September 29, 2017, TCEQ's online records indicated that the City does not have any active violations for its public drinking water system, which can be found at: [http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.novdetail&addn\\_id=871584622002136&re\\_id=695492702002009](http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.novdetail&addn_id=871584622002136&re_id=695492702002009) (last visited September 29, 2017).
- City of Cibolo's Proof of Service of Application (Docket Item No. 8).
- GVSUD's Plea to the Jurisdiction (Docket Item No. 11).
- Commission Staff's Recommendation on Administrative Completeness (Docket Item No. 150).
- GVSUD's Response to Staff's Recommendation on Administrative Completeness (Docket Item No. 155).

For convenience, the record SOAH returns to the Commission will include a copy of the filings listed above, and of the documents accessed using the URLs listed above that the ALJ printed on October 5, 2017. The ALJ has marked those documents as officially noticed.

**SIGNED October 9, 2017.**

  
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**ELIZABETH DREWS**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**