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47556

Garcia, Desiree

From: Journeay, Stephen
Sent: Tuesday, October 17, 2017 4:14 PM
To: agency_req_rep@oag.texas.gov
Cc: Hubenak, Priscilla; Preister, David; Billings-Ray, Kellie (Kellie.Billings-Ray@oag.texas.gov); Secord, Linda; Journeay, Stephen; Hernandez, Nancy; Garcia, Desiree; Pemberton, Margaret; Commissioners Offices
Subject: Request representation related to PUC Docket No. 47556; McCoy WSC v. City of Jourdanton, No. 5:17-cv-972
Attachments: McCoy_Templnj.pdf; McCoy_TRO.pdf; McCoyWSC_petition.pdf; McCoy_summons.pdf

RECEIVED
 2017 OCT 17 PM 4:28

Mr. Jim Davis, Deputy, Attorney General for Civil Litigation

Re: McCoy Water Supply Corp. v. City of Jourdanton, et al., No. 5:17-cv-972

Dear Mr. Davis:

The Public Utility Commission of Texas was served with a summons in the above referenced cause number on October 13, 2017. This letter is to request representation by the Attorney General in this matter. A copy of the complaint and summons are attached. Also attached are an application for a TRO and an application for temporary injunction.

This lawsuit relates to PUC Docket No. 45556 – Petition of HMSC, LLC for Expedited Release of Lands from McCoy Water Supply Corporation Certificate of Convenience and Necessity No. 10649. This suit is not an appeal of a commission order, as this docket is still being processed. Rather, the suit seeks to preclude the Commission from acting on this application and seeks declarations that portions of the Texas Water Code are preempted by federal law.

If you need further information, please call me at 512-936-7215

Stephen Journeay, Director

Commission Advising and Docket Management
Public Utility Commission of Texas

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