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SOAH DOCKET NO. 473-18-2486. W
PUC DOCKET NO. 47795

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APPLICATION OF THE CITY OF § BEFORE THE STATE OFFICE
HUTTO TO AMEND A SEWER §
CERTIFICATE OF CONVENIENCE § OF
AND NECESSITY IN WILLIAMSON §
COUNTY § ADMINISTRATIVE HEARINGS

**REPLY BRIEF IN RESPONSE TO SOAH ORDER NO. 4 ADDRESSING
STANDING OF SUBMITTED INTERVENOR REQUESTS**

COME NOW, Dana R. Boehm, DVM, Emzy Boehm, Troy and Jennifer Boehm
Cynthia D, Krueger, Raymond Naivar, Diane Naivar, Terry Dolan, Wynette Norman
Lessner on behalf of Isaac W. Norman and the Norman Family (collectively, “Boehm
Alliance”), and file their Reply Brief in Response to SOAH Order No. 4 Addressing
Standing of Submitted Intervenor Requests. Pursuant to SOAH Order No. 4 issued in the
above-referenced docket on June 12, 2018, this brief is timely filed.

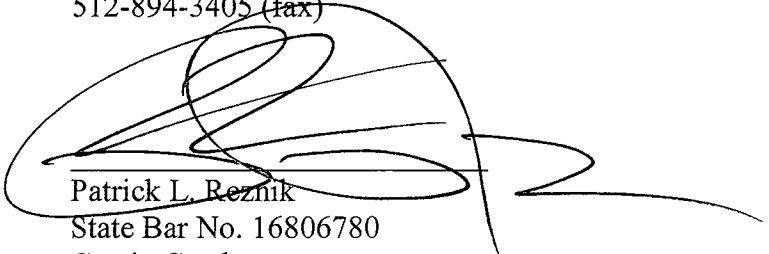
Commission Staff correctly cites to Tex. Water Code Ann. § 13.246(a) requiring
“notice of the application to be given to affected parties” and to Tex. Water Code Ann.
§ 13.002(1) and 16 Tex. Admin. Code § 24.3(5) defining that “any landowner within an
area for which a certificate of public convenience and necessity is filed” is an “affected
person.” “Area” is not defined or limited to “service area.” Therefore, whether intervenors
have established a justiciable interest that would be adversely affected by the granting of
Hutto’s requested Certificate of Convenience and Necessity is a matter for the ALJ’s
discretion and not prohibited by law. The Boehm Alliance landowners respectfully request
that this ALJ grant their Motions to Intervene and allow them to conduct discovery
pursuant to Subsection H 16 Tex. Admin. Code.

WHEREFORE, PREMISES CONSIDERED, the Boehm Alliance landowners respectfully request that their Motions to Intervene be granted, that they be allowed to participate in this proceeding as a party with all rights thereof to the full extent that they desire to do so, and for such further relief to which they may be entitled.

Respectfully submitted,

BRAUN & GRESHAM, PLLC

P.O. Box 1148 (Mailing)
Dripping Springs, Texas 78620
14101 Hwy. 290 W., Bldg. 1100 (Physical)
Austin, Texas 78737
512-894-5426 (telephone)
512-894-3405 (fax)



Patrick L. Reznik
State Bar No. 16806780
Cassie Gresham
State Bar No. 24045980
Shane D. Neldner
State Bar No. 24062435

**ATTORNEYS FOR THE BOEHM
ALLIANCE**

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on July 3, 2018, in accordance with Public Utility Commission Procedural Rule 22.74.



Patrick L. Reznik