

Control Number: 49926



Item Number: 47

Addendum StartPage: 0



**PUC DOCKET NO. 49926
SOAH DOCKET NO. 473-20-3997.WS**

APPLICATION OF CRYSTAL CLEAR SPECIAL UTILITY DISTRICT FOR A NAME CHANGE TO AMEND ITS SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN COMAL, HAYS, AND GUADALUPE COUNTIES	§ § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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AGREED MOTION TO ABATE PROCEDURAL SCHEDULE AND DISCOVERY

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW Crystal Clear Special Utility District (“Crystal Clear” or the “Applicant”) and, with the agreement of the other Parties in this docket, hereby files this Agreed Motion to Abate Procedural Schedule and Discovery. In support, Crystal Clear respectfully shows the following:

I. BACKGROUND

Crystal Clear and Intervenor MCLB Land, LLC are the co-applicants for a Texas Pollutant Discharge Elimination System (“TPDES”) permit in a pending Texas Commission on Environmental Quality (“TCEQ”) contested case proceeding in SOAH Docket No. 582-20-4141, TCEQ Docket No. 2020-0411-MWD (the “TCEQ Proceeding”). Intervenor the City of San Marcos and Carson Select Investments, LP have also been granted intervenor status in the TCEQ Proceeding. Although a procedural schedule has not yet been adopted in the TCEQ Proceeding, a proposal for decision is anticipated in March 2021 consistent with the 180-day deadline set forth in 30 TAC § 50.1(d)(2).

II. MOTION TO ABATE

Crystal Clear has conferred with Intervenor and Staff regarding the potential abatement of the procedural schedule and discovery period in this proceeding pending the resolution of the pending TCEQ Proceeding. Intervenor and Staff support this Agreed Motion.

The outcome of the TCEQ Proceeding could result in rendering the contested case in this proceeding moot because Crystal Clear will not continue to seek to amend its CCN to incorporate the new areas if the TCEQ Proceeding does not result in the granting of a TPDES permit. Thus, abatement of this docket would not be for the purpose of delay, but for the purpose of conserving the resources of the Parties, SOAH and the Commission, which resources may not be required to be expended depending on the outcome of the TCEQ Proceeding. Abatement would also prevent the processing delays associated with Crystal Clear's refiling of the application, which has already been deemed administratively-complete and properly noticed.

III. PRAYER

WHEREFORE, PREMISES CONSIDERED, the Parties request that this Agreed Motion to Abate Procedural Schedule and Discovery be granted pending the issuance of a final non-appealable order in the pending TCEQ Proceeding and that the ALJ issue an order consistent with the relief requested herein.

Respectfully submitted,

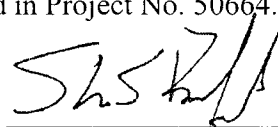
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**ATTORNEYS FOR CRYSTAL CLEAR
SPECIAL UTILITY DISTRICT**

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on September 22, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.


Shan S. Rutherford