



## Filing Receipt

**Received - 2021-10-01 02:49:33 PM**  
**Control Number - 49926**  
**ItemNumber - 53**

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

<b>APPLICATION OF CRYSTAL CLEAR</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>SPECIAL UTILITY DISTRICT FOR A</b>	<b>§</b>	
<b>NAME CHANGE TO AMEND ITS</b>	<b>§</b>	
<b>SEWER CERTIFICATE OF</b>	<b>§</b>	<b>OF</b>
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>COMAL, HAYS, AND GUADALUPE</b>	<b>§</b>	
<b>COUNTIES</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**STATUS REPORT AND AGREED MOTION TO CONTINUE IN ABEYANCE**

TO THE ADMINISTRATIVE LAW JUDGE:

On September 22, 2020, Crystal Clear Special Utility District (Crystal Clear) filed an agreed motion to abate the procedural schedule and discovery. The motion explains that the outcome of this immediate docket could be rendered moot depending upon the outcome of Texas Commission on Environmental Quality (TCEQ) Docket No. 2020-0411-MWD / SOAH Docket No. 582-20-4141 (TCEQ proceeding). On July 2, 2021, the State Office of Administrative Hearings (SOAH) administrative law judge (ALJ) issued SOAH Order No. 6 Continuing Abatement and Setting Deadline for Status Report, which set a deadline of October 1, 2021 to file a status report with updated information on the TCEQ proceeding and whether to continue the abatement. Therefore, this pleading is timely filed.

On June 14, 2021, the TCEQ issued its Final Order in the TCEQ proceeding. On July 2, 2021, the City of San Marcos (the “City”), Chris Carson and Carson Select Investments, LP (“Carson”) filed a Joint Motion for Rehearing, which has been overruled by operation of law. Additionally, both the City,<sup>1</sup> and Carson Select Investment, LP and Chris Carson<sup>2</sup> filed their

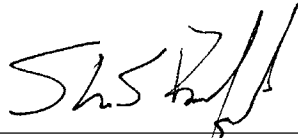
---

<sup>1</sup> Cause No. D-1-GN-21-003110; *City of San Marcos v. TCEQ*; in the 459<sup>th</sup> District Court, Travis County, Texas.

<sup>2</sup> Cause No. D-1-GN-21-003085; *Carson Select Investments, LP and Chris Carson v. TCEQ*; in the 98<sup>th</sup> District Court, Travis County, Texas.

respective appeals of the TCEQ's Final Order. The TCEQ has appeared and answered in both of those appeals. The appeals are currently pending before the Travis County district court. As such, a determination of whether the instant docket has been rendered moot cannot be made at this time. Therefore, Crystal Clear respectfully requests that an order be issued to continue this docket in abeyance and to direct the parties to provide an additional status update on or before May 1, 2022. Crystal Clear has conferred with counsel for each party in this proceeding and is authorized to indicate that all parties agree to the continued abatement of this proceeding.

Respectfully submitted,

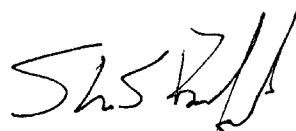
By: 

Shan S. Rutherford  
State Bar No. 24002880  
TERRILL & WALDROP  
810 West 10<sup>th</sup> Street  
Austin, Texas 78701  
Tel: (512) 474-9100  
Fax: (512) 474-9888  
srutherford@terrellwaldrop.com

**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 October 1, 2021, in accordance with the Orders Suspending Rules, issued in Project No. 50664.

  
Shan S. Rutherford