

Buddy Garcia, *Chairman*  
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 Bryan W. Shaw, Ph.D., *Commissioner*  
 Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 28, 2008

TEXAS  
 COMMISSION  
 ON ENVIRONMENTAL  
 QUALITY  
 2008 MAR 28 PM 2:54  
 CHIEF CLERKS OFFICE

- To: Persons on the attached mailing list (By mail and facsimile as indicated)
- Re: Consideration of the application by TXU Mining Company LP for Water Use Permit No. 5931 to construct and maintain five reservoirs and to divert an amount not to exceed 1,000 acre-feet of water per year for mining purposes and/or domestic and livestock purposes, hearing requests, and related responses and replies; TCEQ Docket No. 2007-1138-WR

The above-named matter is scheduled to be considered by the Texas Commission on Environmental Quality (Commission) at its April 2, 2008, public meeting. The Applicant by letter dated March 27, 2008, has explained that direct negotiations have been ongoing since February and a settlement has been reached with the Brazos River Authority (BRA). In the letter, the Applicant, the BRA, and Dow Chemical Company all request a continuance for a period not to exceed 60 days. The Applicant advises us that it has consulted counsel for the Office of Public Interest Counsel and the Executive Director, and they do not oppose the continuance request. Accordingly, the above-described matters are continued to the Commission's public meeting scheduled to begin at 9:30 A.M. on **Wednesday, June 4, 2008**. The meeting will take place in Room 201S of Building E, 12100 Park 35 Circle, Austin, Texas.

If you have any questions about this matter, please contact Tracy Gross, Assistant General Counsel, or Celeste Baker, Assistant General Counsel, at 512-239-5500.

Very truly yours,

Les Trobman  
 General Counsel

### Mailing List

[h:/counsel/baker/letters/08/continuance/TXUMining.com](http://counsel/baker/letters/08/continuance/TXUMining.com)

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