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November 2, 2009

Via Facsimile and U.S. First Class Mail

Texas Commission on Environmental Quality  
Office of the Chief Clerk  
MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2009 NOV -2 PM 3:15  
CHIEF CLERKS OFFICE

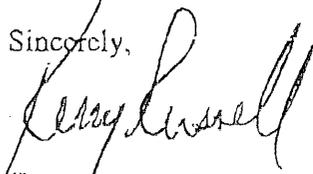
Re: *Application of APAC-Texas, Inc. for Renewal of Air  
Quality Permit No. 8597 in Collin County, Texas; TCEQ  
Docket No. 2009-0848-AIR*

To the Texas Commission on Environmental Quality:

This law firm represents the City of Frisco ("City"). Based on the settlement agreement reached through TCEQ mediation, the City of Frisco hereby withdraws its requested for an evidentiary hearing in the above referenced matter.

Please feel free to contact me at the number listed above if you have any questions.

Sincerely,



Kerry E. Russell

cc: Mr. George Purefoy, City Manager  
Mr. Richard Abernathy, City Attorney

RUSSELL & RODRIGUEZ, L.L.P.

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Please Deliver the Following page(s) to:

TCEQ Chief Clerk

Fax No.: (512) 239-3311

Client Number: 160-00

From: Kerry E. Russell

Direct Phone: (512) 930-1317

Pages: 2 (Including Cover Sheet)

Re: Application of APAC-Texas, Inc. for renewal of Air Quality Permit No. 8597 in Collin County, Texas

Comments: City of Frisco's Withdrawal of Protest Letter

CHIEF CLERKS OFFICE

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY