



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 10, 2015

To: Persons on the attached mailing list (By mail and facsimile as indicated)

Re: An Application by Calpine Hidalgo Energy Center L.P., Brownsville Public Utilities Board and Calpine Operating Services Company, Inc. for TPDES Permit No. WQ0004138000 and the related Hearing Requests; TCEQ Docket No. 2014-1445-IWD.

This letter addresses the timeliness of a filing for the above referenced matter. Specifically, Derek Seal, representing the applicant in this matter, attempted to file a response to the hearing request on February 9, 2015. The applicant states that it was unable to file a timely response because TCEQ's eFiling system was down or only available intermittently. The Office of the Chief Clerk has confirmed the TCEQ's eFiling system was temporarily unavailable during the afternoon of February 9, 2015.

30 Texas Administrative Code ("TAC") § 55.254(e) provides that a written response to a hearing request may be filed no later than 23 days before the Commission meeting at which the Commission is scheduled to evaluate the hearing request. The Commission is scheduled to consider this matter at its March 4, 2015 agenda meeting. Therefore, the deadline to file a response brief for this matter was February 9, 2015.

The Office of the General Counsel ("OGC") recognizes that the TCEQ's eFiling system was unavailable during the latter portions of the February 9, 2015 deadline to file a written response to the hearing request. OGC finds that extending the deadline by one day is appropriate under the circumstances. Therefore, OGC on its own motion extends the deadline to file response briefs in the above-referenced matter to 5:00 p.m. on February 10, 2015, pursuant to 30 TAC §10.3.

If you have any questions concerning this matter, please contact Barham A. Richard, Assistant General Counsel, at (512) 239-0107.

Respectfully,

A handwritten signature in black ink, appearing to read "Tucker Royall", written over a white background.

Tucker Royall
General Counsel

Mailing List

Mailing List
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and Calpine Operating Services Company, Inc.
TCEQ Docket No. 2014-1445-IWD

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