

WEBB & WEBB

ATTORNEYS AT LAW
712 SOUTHWEST TOWER
211 EAST SEVENTH STREET
AUSTIN, TEXAS 78701

STEPHEN P. WEBB
CWENDOLYN HILL WEBB

TELEPHONE: (512) 472-9990
FACSIMILE: (512) 472-3183

April 13, 2016

Mr. Tucker Royall, General Counsel, MC 101
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**Re: City of Dallas Application for Permit Amendment
Certificate of Adjudication No. 08-2462I**

**Subject: *Request for Extension of time for Commission consideration of Hearing
Requests***

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2016 APR 14 AM 10:07
CHIEF CLERKS OFFICE

Dear Mr. Royall;

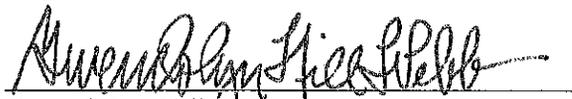
The above referenced water rights permit amendment Application No. 08-2462I has been scheduled for the May 11, 2016 TCEQ Commission agenda. On behalf of my client, the City of Dallas, I am requesting that the Commission postpone its consideration of hearing requests and delay the entire schedule in this matter as appropriate for the June 22, 2016 agenda. Dallas is now working to resolve protests filed by the hearing requestors and we all—Dallas and the protesting parties—are hopeful that our efforts will either resolve the issues completely or significantly reduce the matters at issue in any contested case hearing. Unfortunately, it is unlikely that Dallas can complete its work in time to address the current April 18, 2016 deadline for the parties to present pre-Agenda materials.

Please accept this letter as Dallas' formal request for a postponement of the Commission's consideration of hearing requests at the May 11, 2016 agenda, and a request to move that item to the June 22, 2016 TCEQ agenda. Applicant and the protestants would also like to see the date for responses to be filed to be extended, also, so that written Responses to Hearing Requests are due Tuesday, May 31, 2016 (allowing for the Memorial Day holiday), and Replies to Responses are due Tuesday, June 14, 2016. Hopefully, Dallas is close to resolution with the protestants and the other parties; it makes sense to direct our efforts in that direction rather than initiating the contested case hearing process at this time. I have contacted all of the

protestants and have heard from all parties except the Environmental Defense Fund that there is no objection to the postponement. The Executive Director has also stated that there is no objection to the postponement, and I have not heard yet from the Office of Public Interest Counsel.

Thank you for your continued consideration in this matter. Please let me know if I can provide any additional information or assistance. I look forward to hearing from you soon.

Sincerely,


Gwendolyn Hill Webb
ATTORNEY FOR THE CITY OF DALLAS

cc: Attached Mailing List

Kim Wilson, Director, Water Availability Division
Lori Hamilton, Manager, Water Rights Permitting and Availability Section
Iliana Delgado, Team Leader, Water Rights Permits
Jo M. Puckett, P. E., Director, City of Dallas Water Utilities
Denis W. Qualls, P. E., Manager, Dallas Water Utilities Planning Division

MAILING LIST
CITY OF DALLAS

DOCKET NO. 2016-0049-WR; CERTIFICATE OF ADJUDICATION NO. ADJ 2462

FOR THE EXECUTIVE DIRECTOR:

Todd Galiga, Senior Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC 173
P.O. Box 13087
Austin, Texas 78711-3087
Phone: (512) 239-0600
Fax: (512) 239-0600

Chris Kozlowski, Technical Staff
Texas Commission on Environmental Quality
Water Availability Division, MC 160
P.O. Box 13087
Austin, Texas 78711-3087
Phone: (512) 239-1801
Fax: (512) 239-2214

Brian Christian, Director
Texas Commission on Environmental Quality
Small Business and Environmental Assistance
Division
Public Education Program, MC 160
P.O. Box 13087
Austin, Texas 78711-3087
Phone: (512) 239-1801
Fax: (512) 239-2214

FOR OFFICE OF PUBLIC INTEREST COUNSEL:

Eli Martinez, Attorney
Office of Public Interest Counsel
Texas Commission on Environmental Quality
Public Interest Counsel
P.O. Box 13087
Austin, Texas 78711-3087
Phone: (512) 239-6363
Fax: (512) 239-6377

FOR ALTERNATIVE DISPUTE RESOLUTION:

Kyle Lucas, Attorney
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC 222
P.O. Box 13087
Austin, Texas 78711-3087
Phone: (512) 239-4010
Fax: (512) 239-4015

FOR THE CHIEF CLERK:

Bridget C. Bohac
Texas Commission on Environmental Quality
Office of Chief Clerk, MC 105
P.O. Box 13087
Austin, Texas 78711-3087
Phone: (512) 239-330
Fax: (512) 239-3311

REQUESTER(S)/INTERESTED PERSONS:

See attached list.

MAILING LIST: REQUESTER(S)/INTERESTED PERSON(S)

REQUESTER(S):

Colette J. Barron-Bradsby, Attorney
Texas, Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744-3218

Myron Hess, Attorney
National wildlife Federation
505 E. Huntland Drive, Suite 485
Austin, Texas 78752-3737

Mary E. Kelly, Senior Attorney
Environmental Defense
44 East Avenue, Suite 304
Austin, Texas 78701-4334

Mary E. Kelly, Attorney
44 East Avenue, Suite 100
Austin, Texas 78701-4384

Edmond R. McCarthy, Jr., Attorney
Jackson, Sjoberg McCarthy & Townsend,
711 W. 7th Street
Austin, Texas 78701-2711

Martin C. Rochelle, Attorney
Lloyd, Gosselink, Rochelle & Townsend PC
816 Congress Avenue, Suite 1900
Austin, Texas 78701-2478

Fred B. Werkenthin, Jr., Attorney
Booth, Ahrens, & Werkenthin PC
206 E. 9th Street, Suite 1501

WITHDRAW OF REQUEST(S):

Brad B. Castleberry, Attorney
Lloyd, Gosselink, Rochelle & Townsend PC
816 Congress Avenue, Suite 1900
Austin, Texas 78701-2478

Robin A. Melvin, Attorney
Graves, Dougherty, Hearon & Moody
P.O. Box 98
Austin, Texas 78767-0098

INTERESTED PERSON(S):

Lyn Clancy, Associate General Counsel
Lower Colorado River Authority
P.O. Box 220
Austin, Texas 78767-0220