

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 20, 2009

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

Re: Motion to Overturn concerning the Executive Director's December 29, 2008 order regarding the applications by Kendall County Utility Co., Inc. and Tapatio Springs Service Co., Inc.; Application Nos. 35933-R, 35934-R, and 35935-R; TCEQ Docket No. 2008-0304-UCR; SOAH Docket No. 582-08-2241.

This letter is in response to the above-referenced Motion filed by Alex Valdes on behalf of Tapatio Springs Homeowners Assoc. and Tapatio Ridge Homeowners Assoc., (Movants). Title 30 of the Texas Administrative Code, Chapter 50 authorizes an extension of time for taking action on the Motion up to 90 days after the date written notice of the Executive Director's action is mailed to an applicant. In this case, notice regarding the permit issuance was mailed on January 14, 2009. Accordingly, this letter shall serve as the order extending the time for the Commission to act on this Motion until **Friday, March 13, 2009**.

In addition, the Office of General Counsel hereby sets this matter for consideration at the Texas Commission on Environmental Quality's public meeting on **Wednesday, March 11, 2009**, beginning at **9:30 a.m.**, pursuant to the Commission's Resolution issued on February 2, 2009, in Docket No. 2009-0059-RES. The meeting will take place in Room 201S of Building E, 12118 N. Interstate 35, Austin, Texas.

The Commission will take oral argument on this matter. The Movants should be prepared to present the matter to the Commission and will have three minutes of oral argument time. The Executive Director, the Office of Public Interest Counsel, Kendall County Utility Co., Inc. and Tapatio Springs Service Co., Inc., will also each have three minutes of oral argument time.

If you have any questions about this matter, please contact Elaine Lucas, Assistant General Counsel, at (512) 239-6215.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Les Trobman".

Les Trobman
General Counsel

Mailing List

Mailing List
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TCEQ Docket No. 2008-0304-UCR
SOAH Docket No. 582-08-2241

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