

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 17, 2009

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

Re: TCEQ Docket No. 2009-1599-UCR. Consideration of the request by Glidden Fresh Water Supply District No. 1 for an Emergency Order compelling the City of Columbus to provide an emergency interconnection for temporary sewer service.

On September 29, 2009, Glidden Fresh Water Supply District No. 1 ("Glidden") filed a petition with the Commission requesting the Commission to issue an emergency order requiring the City of Columbus ("Columbus") to continue providing wastewater service to Glidden. Glidden alleged that Columbus had indicated that it intended to prevent the piping of Glidden's wastewater to Columbus' wastewater treatment plant by sealing the pipe with concrete. Glidden also alleged that alternative options were not available for treatment of Glidden's wastewater. On October 1, 2009, the Commission conducted an emergency agenda hearing and issued an Emergency Order requiring Columbus to continue to provide continuous and adequate sewer service to Glidden and authorizing Columbus to charge Glidden for the cost of sewer service according to the rates and conditions set out in the "Interim agreement for sewer treatment services" entered into by Glidden and Columbus on February 6, 2009. The term of the Emergency Order is 90 days. Complete copies of the petition and the Emergency Order may be obtained from the Office of the Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087.

The Commission will conduct a public hearing to determine whether to affirm, modify or set aside the Commission's Emergency Order at:

**December 9, 2009, 9:30a.m.**  
**Texas Commission on Environmental Quality**  
**Room 201S, Building E**  
**12100 Park 35 Circle**  
**Austin, Texas**

The hearing will be conducted in accordance with Title 30, Texas Administrative Code (TAC), Chapter 10, (relating to Commission meetings). If a contested case hearing is held, it shall be conducted under the Administrative Procedures Act, Chapter 2001, Texas Government Code, and 30 TAC Chapter 80. Representatives of Glidden and Columbus should attend the hearing to represent their respective interests.

The Commission will take oral argument on this matter. Glidden, Columbus, the Executive Director, and Office of Public Interest Counsel are notified that oral presentations shall be limited to five minutes each, excluding time for answering questions raised by the Commissioners.

Please be advised that the Office of General Counsel has established a deadline for the parties to file any written materials before the Agenda hearing. Briefs from any party may be filed with regard to the above-referenced matter no later than **Monday, November 30, 2009, at 5:00 p.m.** Please limit your briefs to the issues regarding whether or not to affirm, modify or set aside the Commission's Emergency Order and not the wholesale rate appeal concerning the contract that is currently pending at the State Office of Administrative Hearings under TCEQ Docket No. 2009-0120-UCR, SOAH Docket No. 582-09-255. Please reference TCEQ Docket No. 2009-1599-UCR in the briefings filed on this matter. The parties must file an original and 7 copies of all briefs with the Office of the Chief Clerk and must serve copies to those persons listed on the attached mailing list no later than the filing deadline.

If you have questions concerning this matter, please contact Todd Burkey, Assistant General Counsel, at 512/239-2941.

Respectfully,

A handwritten signature in black ink, appearing to read "Les Trobman". The signature is written in a cursive, flowing style.

Les Trobman  
General Counsel

Mailing List

Mailing List  
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Glidden Fresh Water Supply District No. 1  
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