

Bryan W. Shaw, Ph.D., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 16, 2014

To: Persons on the Attached Mailing List (by mail and facsimile as indicated)

Re: Appeal of the Executive Director's Use Determination regarding DCP Sand Hills Pipeline, LLC; Application No. 17494; TCEQ Docket No. 2014-0288-MIS-U.

The above-referenced appeal (Appeal) was filed by the Edwards Central Appraisal District ("Appellant"), which requests Commission consideration of the positive use determination for nondestructive pipeline testing expenditures issued on February 6, 2014, by the Executive Director to DCP Sand Hills Pipeline, LLC ("Applicant") for Application No. 17494. As is our general practice with regard to Use Determination appeals, this office is requesting the filing of legal briefs or responses to the Appeal by the Executive Director, the Office of Public Interest Counsel, and the Applicant; and the subsequent filing of a legal reply to the responses by the Appellant. The briefs should contain a full discussion of the parties' legal and factual reasons for their positions.

This letter is to notify the Applicant, the Executive Director, and the Office of Public Interest Counsel that they may file a response brief in the Commission's Office of Chief Clerk (OCC) on or before **5:00 P.M. on Wednesday, June 4, 2014**. The Appellant may file a reply brief to the response briefs on or before **5:00 P.M. on Monday, June 16, 2014**. To be considered timely, an original and seven copies of any response or reply brief must be received in the OCC on or before the applicable 5:00 P.M. deadline. All briefs filed with the OCC should also be addressed to the attention of the Agenda Docket Clerk and be marked with the TCEQ Docket number provided above. All responses and replies must be filed with the Chief Clerk of the TCEQ. Responses and replies may be filed with the Chief Clerk electronically at <http://www10.tceq.state.tx.us/epic/efilings/> or by filing an original and 7 copies with the Chief Clerk of the TCEQ. All response and reply briefs should also be mailed to all other persons on the attached mailing list on the same day mailed or filed in the Office of Chief Clerk. You will be notified by subsequent letter of the Commission meeting during which the Commissioners will consider this matter.

Chapter 17 of the Commission's rules (30 Texas Administrative Code Chapter 17) contains the requirements applicable to Use Determinations, including the rules that address the review standards and appeal process. The website of the Texas Secretary of State (<http://www.sos.state.tx.us/tac/index.shtml>) contains a complete copy of the Texas Administrative Code, including Chapter 17 of Title 30.

If you have any questions about the briefing schedule or related matters, please contact Elaine Lucas, Assistant General Counsel, at 512-239-6215.

Respectfully,

A handwritten signature in black ink that reads "Anne Idsal".

Anne Idsal  
General Counsel

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