

TCEQ DOCKET NO. 2014-0943-UCR

PETITION FROM MEADOW RIDGE FARM, LP, FOR AN EXPEDITED RELEASE FROM HIGH POINT WATER SUPPLY CORPORATION'S CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 10841 IN KAUFMAN COUNTY, TEXAS	§ § § § § § §	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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EXECUTIVE DIRECTOR'S SUPPLEMENTAL RESPONSE TO MEADOW RIDGE FARM, LP'S AND HIGH POINT WATER SUPPLY CORPORATION'S JOINT MOTION TO OVERTURN THE EXECUTIVE DIRECTOR'S ORDER

TO THE HONORABLE COMMISSIONERS:

The Executive Director (ED) of the Texas Commission on Environmental Quality hereby replies to Meadow Ridge Farm, LP's (Petitioner) and High Point Water Supply Corporation's (High Point WSC) Joint Motion to Overturn the Executive Director's Order (MTO) granting Petitioner's petition for an expedited release from High Point WSC's Certificate of Convenience and Necessity (CCN) in Kaufman County, Texas. The ED signed an Order granting Petitioner's request for an expedited release from High Point WSC's CCN area on May 28, 2014. This response is filed in order to supplement the ED's reply to the MTO filed on July 9, 2014, as requested by the TCEQ General Counsel on July 10, 2014.

In the joint MTO, the parties stated that they have been involved in discussions regarding water service to Petitioner's land and believe that an agreement may be reached. Both parties joined in requesting that the ED's Order be overturned to allow for further attempts to reach an agreement. The ED agrees with all of the dates and factual background included in the MTO.

There was no error in the ED's approval of Petitioner's petition for an expedited release from High Point WSC's CCN No. 10841 and none was alleged in the MTO. The petition for expedited release met all applicable statutory requirements. The ED's only basis for not objecting to the joint MTO is to accommodate the parties' statement that they are actively working toward an agreement to resolve their issues. The ED also recognizes that the parties submitted an earlier request to withdraw the petition, but the ED had already acted on the petition and could not withdraw it at that time. The ED recognizes that the parties do not yet have a signed agreement but that, if they do reach an agreement, Petitioner's land removed from High Point WSC's CCN under the petition will be returned to the CCN. The ED also notes that,

in the event no agreement is reached, Petitioner would be required to submit a new petition for expedited release.

Ultimately, the ED has no objection to granting the parties' joint motion but defers to the Commissioners on whether there is a valid basis to grant the MTO and return the 418.3131 acres of Petitioner's property subject to the ED's Order to High Point WSC's CCN No. 10841.

Respectfully submitted,

Robert Martinez, Director
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By: 

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REPRESENTING THE EXECUTIVE
DIRECTOR OF THE TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on this 17th day of July 2014, a true and correct copy of the foregoing document was filed with the Chief Clerk, Texas Commission on Environmental Quality, and delivered to the following persons via electronic filing, electronic mail, or first class mail.



Jessica Gray
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