

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 25, 2014

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

Re: Joint Motion to Overturn the Executive Director's Granting of a Petition for Expedited Release from a Certificate of Convenience and Necessity Held by Talty Water Supply Corporation; TCEQ Docket No. 2014-0944-UCR; CCN No. 10850; Application No. 37877-C.

This letter is in response to a Joint Motion to Overturn ("Motion") concerning the above-referenced matter filed on July 3, 2014 by Royse World Land, LP ("Royce World") and Talty Water Supply Corporation ("Talty") (collectively referred to as "Movants"). Complete copies of the Motions and Permit may be obtained from the Office of Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087.

The Office of General Counsel, having reviewed the Motion and related filings, has decided to set this matter for the Texas Commission on Environmental Quality's public meeting of **Wednesday, August 6, 2014**, beginning at **9:30 A.M.**, pursuant to the Commission's Resolution issued on August 14, 2006 in Docket No. 2006-0973-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 item to the Commission and will have five minutes each of oral argument time. The Executive Director and the Office of Public Interest Council will each have five minutes of oral argument time.

If you have any questions about this matter, please contact Barham A. Richard, Assistant General Counsel, at (512) 239-0107.

Respectfully,

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

Anne Idsal
General Counsel

Mailing List

Mailing List
Talty Water Supply Corporation
TCEQ Docket No. 2014-0944-UCR

Angela M. Stepherson
Coats Rose
Two Lincoln Centre
5420 LBJ Freeway, Suite 600
Dallas, Texas 75240
972/982-8450 FAX 972/982-8451
astepherson@coatsrose.com

Corey Trail
Talty Water Supply Corporation
P.O. Box 890
Forney, Texas 75126-0890

Gregory A. Shumpert
Shumpert Law Office
302 West Nash Street
Terrell, Texas 75160

Jessica Gray
Todd Galiga
TCEQ Environmental Law Division MC 173
P.O. Box 13087
Austin, Texas 78711-3087
512/239-0600 FAX 512/239-0606

Vic Mcwherter
TCEQ Office of Public Interest Counsel MC 103
P.O. Box 13087
Austin, Texas 78711-3087
512/239-6363 FAX 512/239-6377

Docket Clerk
TCEQ Office of Chief Clerk MC 105
P.O. Box 13087
Austin, Texas 78711-3087
512/239-3300 FAX 512/239-3311

Brian Christian
TCEQ SBEA Division
Public Participation and Education Program MC 108
P.O. Box 13087
Austin, Texas 78711-3087
512/239-4000 FAX 512/239-5678

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 10, 2014

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

Re: Joint Motion to Overturn the Executive Director's Granting of a Petition for Expedited Release from a Certificate of Convenience and Necessity Held by Talty Water Supply Corporation; TCEQ Docket No. 2014-0944-UCR; CCN No. 10850; Application No. 37877-C.

The above-referenced Joint Motion to Overturn ("MTO") was filed on July 3, 2014 by Royse World Land, LP ("Royce World") and Talty Point Water Supply Corporation ("Talty") (collectively referred to as "Movants"). The MTO requests that the Commission overturn the Executive Director's (the "ED") granting of Royse World's petition for the expedited release from Certificate of Convenience and Necessity No. 10850 held by Talty. Movants state that they were discussing settlement and that they wish to continue working to this end. Movants further state that Royse World intended to withdraw its petition but was unable to do so prior to the ED granting the petition.

Title 30 of the Texas Administrative Code (TAC) Chapter 50 authorizes an extension of time for taking action on a Motion up to 90 days after the date written notice of the Executive Director's action is mailed to an applicant. In this case, the Executive Director's letter was mailed on June 16, 2014. Accordingly, this letter shall serve as the order extending the timeline for the Commission to act on the MTOs until **August 12, 2014**.

This office is requesting the filing of legal briefs or responses to the Joint MTO by the ED, and the Office of Public Interest Counsel; and the subsequent filing of legal replies to the responses by Movants. The briefs should contain a full discussion of the parties' legal and factual reasons for their positions. Additionally, the parties should limit their arguments to those germane to the issues raised in the Joint MTO filed by Movants.

This letter is to notify the ED and the Office of Public Interest Counsel that they may file response briefs in the Commission's Office of Chief Clerk (OCC) on or before **5:00 P.M. on Friday, July 18, 2014**. Movants may file their reply briefs to the response briefs on or before **5:00 P.M. on Wednesday, July 23, 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 seven 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 OCC.

If you have any questions about the briefing schedule or related matters, please contact Barham A. Richard, Assistant General Counsel, at 512-239-0107.

Respectfully,

A handwritten signature in black ink, appearing to read "Anne Idsal".

Anne Idsal
General Counsel

Mailing List

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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Mailing List
Talty Water Supply Corporation
TCEQ Docket No. 2014-0944-UCR

Angela M. Stepherson
Coats Rose
Two Lincoln Centre
5420 LBJ Freeway, Suite 600
Dallas, Texas 75240
972/982-8450 FAX 972/982-8451
astepheron@coatsrose.com

Corey Trail
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Gregory A. Shumpert
Shumpert Law Office
302 West Nash Street
Terrell, Texas 75160

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TCEQ Environmental Law Division MC 173
P.O. Box 13087
Austin, Texas 78711-3087
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Vic Mcwherter
TCEQ Office of Public Interest Counsel MC 103
P.O. Box 13087
Austin, Texas 78711-3087
512/239-6363 FAX 512/239-6377

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Austin, Texas 78711-3087
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Brian Christian
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P.O. Box 13087
Austin, Texas 78711-3087
512/239-4000 FAX 512/239-5678