

Jeffrey Martin Hewlett  
10370 Highway 6  
Meridian, Texas 76665  
254-717-2022

August 21, 2008

LaDonna Castanuela  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Application of the City of Meridian to Amend its Water and Sewer Certificate of Convenience and Necessity (CCN) No. 10884 and 20349 in Bosque County, Texas, Application Nos. 35057-C and 35058-C; SOAH Docket No. 582-06-1367; TCEQ Docket No. 2005-2089-UCR

Dear Ms Castanuela:

Please find enclosed the original and eleven copies of Mr. Jeffrey Martin Hewlett's Response to the Executive Director's Exceptions to the Proposal for Decision Brief for the above referenced case. Please let me know if you have any questions.

Sincerely,

  
Jeffrey Martin Hewlett  
10370 Hwy 6  
Meridian, TX 76665  
Ph. No. (254) 717-2022

Enclosure  
cc: Service List

2008 AUG 21 PM 2:30  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

SOAH DOCKET NO. 582-06-1367  
TCEQ DOCKET NO. 2005-2089-UCR

2008 MAR 21 PM 2:30

CHIEF CLERKS OFFICE

APPLICATION OF THE CITY OF	§	BEFORE THE
MERIDIAN TO AMEND ITS WATER	§	
AND SEWER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY (CCN)	§	TEXAS COMMISSION ON
NOS. 10884 AND 20349 IN BOSQUE	§	
COUNTY, APPLICATION NOS. 35057-C	§	
AND 35058-C	§	ENVIRONMENTAL QUALITY

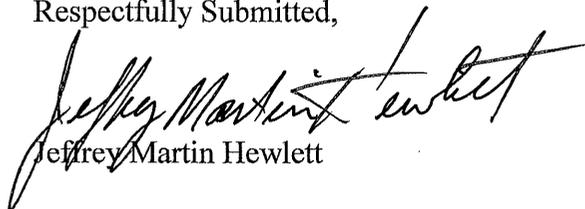
**JEFFREY MARTIN HEWLETT'S RESPONSE TO THE EXECUTIVE DIRECTOR'S EXCEPTIONS TO THE PROPOSAL FOR DECISION**

NOW COMES Jeffrey Martin Hewlett (Mr. Hewlett), Protestant and files this response to the Executive Director's exceptions to the Administrative Law Judge's (ALJ's) Proposal for Decision (PFD) with regard to the City of Meridian's applications to amend water and sewer CCN Nos. 10884 and 20349. Mr. Hewlett provides his response as follows:

Mr. Hewlett does not agree with the ED that the characterization of the letters associated to the properties located outside the extraterritorial jurisdiction (ETJ) in the applied for area constitute valid request for service, letters attached for review.<sup>1</sup> When read, the letters merely indicate interest and inquiry. The ALJ refers to the letters as letters of inquiry or interest 8 times in the PFD<sup>2</sup>. More concerning, there was no known effort to contact these landowners to verify their intentions.

In conclusion, Mr. Hewlett applauds the ED's position in limiting applicants from abusing the application process and the staff's pristine work with this one noted exception. Mr. Hewlett can only conclude that Commission policy prevents or does not compel such diligence. Mr. Hewlett's position is the City of Meridian's applications should be limited to the City of Meridian's ETJ.

Respectfully Submitted,



Jeffrey Martin Hewlett

<sup>1</sup> Ex. ED-3, provided as attachment 1.

<sup>2</sup> PFD sec. B., Need for Additional Service, pages 5, 6, 7, 9, & 10.

I hereby certify that on August 21, 2008, a true and correct copy of the foregoing document (Jeffrey Martin Hewlett's Response to the Executive Director's Exceptions to the Proposal for Decision) has been sent via e-mail, facsimile, first class mail or hand-delivered to the following counsel of record:

Honorable Kerry Sullivan  
Administrative Law Judge  
300 West 15<sup>th</sup> Street  
Austin, Texas 78701  
Fax: (512) 475-4994

Russell & Rodriguez, L.L.P.  
Attn: Arturo Rodriguez  
102 West Morrow Street, Suite 103  
Georgetown, Texas 78626  
Fax: (512) 930-7742

Mr. Scott Humphrey, Attorney  
Office of Public Interest Counsel  
TCEQ-MC103  
Austin, Texas 78711-3087  
Fax: 239-6377

Ms. Stefannie Skogen, Attorney  
Environmental Law Division  
TCEQ-MC173  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 239-0606

Docket Clerk  
Office of the Chief Clerk MC-105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
Fax: 239-3311

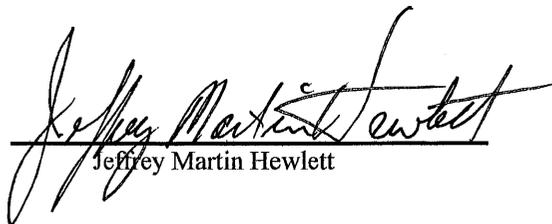
  
\_\_\_\_\_  
Jeffrey Martin Hewlett

EXHIBIT  
tabbles  
EO-3

**CITY OF MERIDIAN**

**Meridian, Texas**  
Top of the Hill Country

P.O. BOX 306 • MERIDIAN, TEXAS 76665 • (254) 435-2381 • FAX (254) 435-2904

In the State of Texas

§  
§  
§

County of Bosque

I, Tanya Ramez City Secretary for the City of Meridian, Texas, hereby certify that the attached document is a true and correct copy of a document taken from the official City files of the City of Meridian, Texas, and is maintained in the regular course of business of the City of Meridian, Texas. Given under my hand and the seal of office on Sept. 5, 2006.

Tanya Ramez

City Secretary  
City of Meridian, Texas

**T. Anthony Reid, P.E.**  
214 Co. Rd. 2137  
Meridian, Texas 76665-2817

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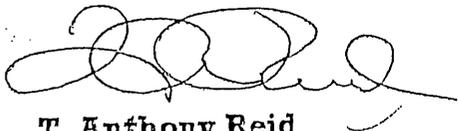
August 27, 2005

Honorable Clark Vandergriff  
Mayor  
City of Meridian  
P. O. Box 306  
Meridian, Texas 76665

Dear Mayor Vandergriff:

Municipally provided water and wastewater service to my property located at 214 Co. Rd. 2137, Meridian, Texas would be of great value and I would be interested in using these services if they were available. I hope that the City of Meridian will be in a position to provide these services to my property at some point in the future.

Sincerely,



T. Anthony Reid

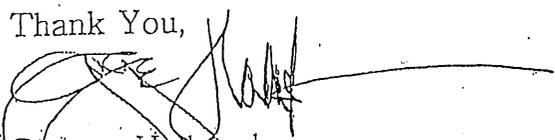
July 28, 2005

Marie Garland, City Administrator  
City of Meridian  
P.O. Box 306  
Meridian, Texas 76665

Dear Marie,

At present time I am utilizing the water service from the City of Meridian. I am interested in the possibility of connecting to sewer service some time in the future. Please inform me if the City of Meridian is planning on extending the city sewer service in this area.

Thank You,



George Hallmark  
8295 Hwy 22  
Meridian, Texas 76665

July 28, 2005

Marie Garland  
City of Meridian  
P.O. Box 306  
Meridian, TX 76665

Dear Ms. Garland,

Having property near CR 2110, Meridian, and beginning plans to build some houses on this property, I am very concerned about water and/or sewer services. Not knowing the City's plan for future water or sewer service, I am requesting that you consider providing these services to this area near Meridian.

Sincerely,

*Barbara Walters*

Barbara Walters  
P.O. Box 921  
Challis, ID 83226-0921

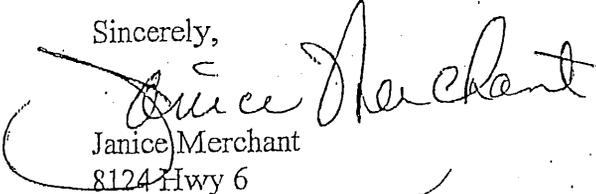
August 1, 2005

Honorable Mayor Clark Vandergriff  
City of Meridian, Texas  
P.O. Box 205  
Meridian, TX 76665

Dear Mayor Vandergriff,

I heard that the City may be extending their water or sewer services in the near future. I could be interested in connecting to these services if they were to become available. Please let me know if this becomes a possibility.

Sincerely,



Janice Merchant  
8124 Hwy 6  
Meridian, TX 76665

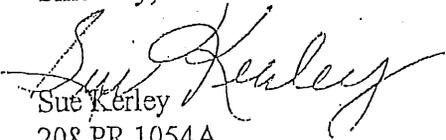
August 1, 2005

Mayor & City Council Members  
City of Meridian  
P.O. Box 306  
Meridian, Texas 76665

Honorable Mayor and City Council,

As you know, I have property located at 208 PR 1054A and am currently using city water service. I understand that the city will be using surface water in the near future and I appreciate your securing a future water supply. I am also concerned about the availability of sewer service to this property if I ever wanted to develop the property. I am requesting that you consider providing sewer service to this area.

Sincerely,

  
Sue Kerley  
208 PR 1054A  
Meridian, Texas 76665

August 2, 2005

Mayor and Council Members  
City of Meridian  
P.O. Box 306  
Meridian, Texas 76665

Dear Mayor and City Council,

I am wanting to develop my property located at the corner of Hwy 174 and CR 2515 in Meridian, Texas. I am interested in the possibility of water and sewer services to that property. I also have property located at 6848 Hwy 22 in Meridian. I am already connected to city water, but would be interested in sewer service if it were available in this area.

Thank You,



Byron Howard  
6848 Hwy 22  
Meridian, Texas 76665

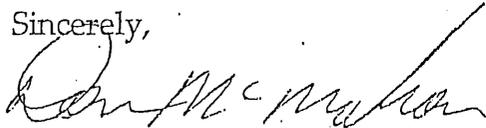
August 1, 2005

Mayor Clark Vandergriff  
Meridian City  
PO Box 306  
Meridian, TX 76665

Dear Mayor,

My property is located quite a distance from the City limits on CR 1100. I may be developing this property in the future and would like to know the city's plan for extending the water or sewer service to this area. Thank you for your consideration of this matter.

Sincerely,



Don McMahon  
399 CR 1100  
Meridian, Texas 76665

August 4, 2005

City of Meridian  
111 N. Main  
Meridian, Texas 76665

Dear Mayor or City Council,

I am interested in water and/or sewer service to my property located at 9115 Hwy 6, Meridian, Texas. I hope that the City at some point in the future will be able to provide these services to my property.

Thank You,



Billy Pederson  
9115 Hwy 6  
Meridian, Texas 76665

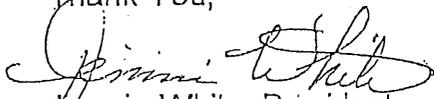
August 4, 2005

Meridian City Council  
111 N. Main  
Meridian, TX 76665

Dear City Council,

As you know, the Meridian Cemetery Association recently purchased some property for a new cemetery on Highway 144 just outside of Meridian. Could you advise us on the possibility of water or sewer service in the future.

Thank You,

  
Jimmie White, President  
Meridian Cemetery Association  
Hwy 144  
Meridian, Texas 76665

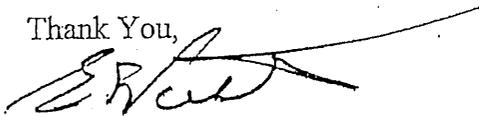
August 1, 2005

Mayor Vandergriff  
City of Meridian  
PO Box 306  
Meridian, Texas 76665-0306

Dear Mayor,

I am inquiring the possibilities of obtaining city water or sewer service to property located at 356 Hwy 174 near Meridian. I may have plans in the future to develop the property located there. Please notify me of the city's intentions in this area.

Thank You,



Edwin Nichols  
356 Hwy 174  
Meridian, Texas 76665

August 3, 2005

Marie Garland  
City of Meridian  
PO Box 306  
Meridian, TX 76665

RE: Water and/or sewer services.

Dear Marie,

As we talked on the phone yesterday, I may be interested in water and/or sewer services on my property located at 42 CR 2357 close to Meridian, Texas, if they were available. Please let me know what the Council decides concerning these services.

Thank You,



Larry & Sherry Davis  
42 CR 2357  
Meridian, Texas 76665