

State Office of Administrative Hearings



Shelia Bailey Taylor
Chief Administrative Law Judge

March 20, 2007

CHIEF CLERKS OFFICE

MAR 20 AM 10:59

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

TO ALL PARTIES OF RECORD
(See Attached Service List)

VIA FACSIMILE OR REGULAR MAIL

Re: SOAH Docket No. 582-06-2770; TCEQ Docket No. 2006-0199-MWD; *The Application of the City of Weston for Domestic Wastewater Permit No. WQ0014602001*

Dear Parties:

All Proposals for Decision (PFD) written by Administrative Law Judges (ALJ) at the State Office of Administrative Hearings must be submitted for review before they are sent to the parties in a case. I submitted the PFD for this case to the Natural Resources Team Leader for review on March 11, 2007. Since that date was a Sunday, I marked the submission date as March 12, 2007. I left Austin for several days and did not return to the State Office of Administrative Hearings until late in the day on March 16, 2007, and the PFD had already been reviewed by that time. I discussed the reviewer's suggestions with him and left the office.

On Sunday, March 18, 2007, I again worked on the PFD and made the corrections suggested by the PFD reviewer. After I had completed all work on the PFD, I opened my mail from the previous week and, by mistake, read part of the enclosed letter that Ms. Ringley had sent. Until I had read part of the letter, I did not realize it was from Ms. Ringley and that the other parties did not receive copies. A copy of her letter is attached so that all the parties will be aware of the communication.

The ALJ urges the parties to be mindful of this statement from Order No. 1, "[f]ilings should be sent to all parties contemporaneously (i.e., the same day) with any filing to the ALJ . . ." This requirement is based on TEX. GOV'T CODE ANN. § 2001.061, which prohibits an employee of a state agency assigned to make findings of fact and conclusions of law in a contested case from communicating directly or indirectly with a party to a case about an issue of fact or law.

Thank you in advance for your cooperation with the order.

Sincerely,

Sarah G. Ramos
Administrative Law Judge

SGR/ed
Enclosure

March 2007

Dear Judge Ramos,

I am somewhat dissapointed in myself for not writing to you earlier! It's hard to believe so much time has already passed since our January SOAH Hearing here in McKinney.

In regards to the hearing... I have felt compelled to let you know how much I appreciated your kindness and your continued patience with all of us "rookies." I am certain you are used to a bit more professionalism! I sincerely Thank You.

Many thanks also for understanding about our scheduled family trips over the holidays. To refresh your memory, instead of scheduling the hearing during Christmas break you agreed to wait until January after our vacations were over. I can't tell you enough what a relief that was! Our trip in particular was very memorable and special to us!

Regardless of the final outcome - I feel the long process has been well worth our efforts. It is important to me to believe in our governmental systems. I do not believe "you can't fight City Hall." I choose to believe "you never know unless you try!"

Happy Easter Judge Ramos!

sincerely, Anna Dowell Kingly

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STYLE/CASE: CITY OF WESTON

SOAH DOCKET NUMBER: 582-06-2770

REFERRING AGENCY CASE: 2006-0199-MWD

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