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Les Trobman, General Counsel  
Texas Commission on Environmental Quality  
PO Box 13087  
Austin Texas 78711-3087

APR 12 2010

Texas Commission on Environmental Quality  
Commissioners' Offices

RE: Rate/Tariff Change Application of HHJ, Inc. dba Decker Utilities; SOAH  
Docket No.582-08-1719; TCEQ Docket No. 2008-0164-UCR.

Dear Mr. Trobman:

On March 17, 2010, Administrative Law Judge (ALJ) Sharon Cloninger issued an Amended Proposal for Decision (PFD) in the above referenced matter adopting the ED's recommendations. Protestants would like to have addressed, rate case surcharges. Protestants have made two written settlement proposals. On October 20, 2008 at 11:33 a.m., Pro Se Protestants Mrs. Stacy McCoy-Moquin and Mr. Larry Osborne, in agreement, via email service, submitted a settlement proposal to Applicant Robert Weedn, of Decker Utilities through his attorney Mark Zeppa. Mr. Zeppa, on behalf of his client, refused our settlement proposal on October 20, 2008 at 12:06 p.m. via email service. This proposal, in fact, does meet **TCEQ Rules 291.28(9)** A utility may not recover any rate case expenses incurred after the date of a written settlement offer by all ratepayer parties if the **revenue generated** by the just and reasonable rate determined by the commission after a contested case hearing **is less than or equal to the revenue that would have been generated by the rate contained in the written settlement offer.** Although, I do not know if it is proper at this time to submit copies of our proposal to the TCEQ, I will submit those at the direction or instructions of this Commission, Judge Cloninger, OPIC, or the ED.

Thank you for your consideration in this matter. Please advise if you require any additional information.

Sincerely,

Stacy Y. McCoy-Moquin  
Stacy Y. McCoy-Moquin  
Pro Se Protestant

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COMMISSION  
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CHIEF CLERK'S OFFICE

cc: Hon. Sharon Cloninger, State Office of Administrative Hearings, 301 West 15<sup>th</sup>  
Street, Suite 400, Austin, Texas 78701  
HHJ, Mark H. Zeppa, Attorney, Law Offices of Mark H. Zeppa, P.C., 4833  
Spicewood Springs Road, Ste 202, Austin, Texas 78759-8346 via facsimile at  
(512) 346-6847 Via email  
Sheresia Perryman, TCEQ, Water Supply Division, MC 153  
Heidi Graham, TCEQ, Water Supply Division, MC 153  
Blas Coy, TCEQ, Office of Public Interest Counsel, MC-103 via email at  
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Larry Osborne, 32126 Anne Lane, Pinehurst, Texas 77362 via email at  
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Stacy McCoy-Moquin, 12011 Rhonda Lane, Pinehurst, Texas 77362, via email at  
stacy\_moquin@yahoo.com

Erin Selvera - ED's office via email  
Amy Swanholm - OPIC via email

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