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June 9, 2010

Via Electronic Filing

Ms. LaDonna Castañuela
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: In the Matter of the Application by Farmersville Investors, L.P.
for TPDES Permit No. WQ0014778001
TCEQ Docket No. 2008-1305-MWD; SOAH Docket No. 582-09-2895

Dear Ms. Castañuela:

Enclosed for electronic filing please find the original of Applicant's Response to Protestants' Motion for Continuance in the above-referenced matter.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

John R. Moore

JRM/jg
1145789
ENCLOSURES

cc: Service List (via facsimile)
Mr. Kyle Kruppa
Mr. Brad B. Castleberry

**SOAH DOCKET NO. 582-09-2895
TCEQ DOCKET NO. 2008-1305-MWD**

APPLICATION OF FARMERSVILLE	§ TO THE COMMISSIONERS
	§
INVESTORS, LP, FOR TPDES	§ OF THE TEXAS COMMISSION ON
	§
PERMIT NO. WQ0014778001	§ ENVIRONMENTAL QUALITY

**APPLICANT’S RESPONSE TO
MOTION FOR CONTINUANCE**

**TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY:**

COMES NOW APPLICANT, Farmersville Investors, LP (“Farmersville”), and files its Response to the Motion for Continuance filed by Protestants James A. and Shirley Martin. Protestants initially request a continuance for two weeks. However, Protestants note that the counsel for the Office of Public Interest Counsel may have a scheduling conflict at the time of the Commissioners’ agenda on June 30, 2010 (two weeks after the scheduled consideration). In their prayer, Protestants request a continuance “until June 30, 2010, or the next available agenda meeting after June 30.”

The next available Agenda meeting after June 30 is July 28, 2010. Due to the conflict of counsel for the Office of Public Interest Counsel, Protestants are effectively seeking a six-week continuance. The requested continuance would prevent the Commissioners from acting on the matter within the time-lines set forth in 30 TAC §80.267(a) (Decision), and (b) (Prompt Decision). Applicant therefore opposes Protestants’ motion for continuance.

Respectfully submitted,

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By: 
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ATTORNEYS FOR APPLICANT
FARMERSVILLE INVESTORS, LP

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of June, 2010, a true and correct copy of the foregoing Applicant's Response to Motion for Continuance was provided by U.S. mail, hand-delivery, or facsimile to the persons listed below:

FOR THE CHIEF CLERK:

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**FOR THE STATE OFFICE OF
ADMINISTRATIVE HEARINGS:**

The Honorable Sharon Cloninger
Administrative Law Judge
P. O. Box 13025
Austin, Texas 78711-3025
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**REPRESENTING THE EXECUTIVE
DIRECTOR:**

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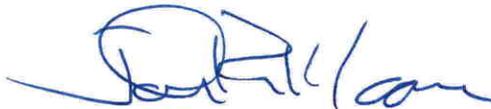
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