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LaDonna Castañuela
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
Austin, Texas 78711-3087

March 10, 2011

via e-file

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

Dear Ms. Castañuela,

No other party filed exceptions regarding issues raised in Protestants James A. and Shirley Martin's Exceptions to the Proposal for Decision in the above-referenced matter. Therefore, Protestants rely on their Exceptions.

Protestants agree with recommended changes to Finding of Fact No. 40 made by the Office of Public Interest Counsel (OPIC) in their March 9, 2011, Reply to the Executive Director's Exceptions to the ALJ's Proposal for Decision. Protestants only Reply to Exceptions is this letter concurring with OPIC's proposed changes.

Thank you for your assistance in these matters. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Richard W. Lowerre
Attorney for Protestants
James A. and Shirley Martin

cc: Service List

CERTIFICATE OF SERVICE

By my signature below, I certify that on the 10th day of March, 2011 a true and correct copy of the foregoing document was served upon the following via hand-delivery, deposit in the U.S. mail, facsimile transmission, and/or electronic mail.

Richard W. Lowerre

FOR THE ADMINISTRATIVE LAW JUDGE:
The Honorable Sharon Cloninger
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