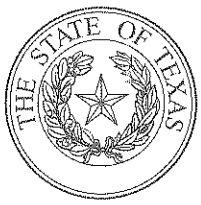
State Office of Administrative Hearings



Cathleen Parsley
Chief Administrative Law Judge

December 13, 2010

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

Re: SOAH Docket No. 582-10-0294; TCEQ Docket No.2008-1617-WR; In Re: Application No. 14-1318C by City of San Angelo for Amendment to Certificate of Adjudication No. 14-1318

Dear Mr. Trobman:

In my December 7, 2010 letter addressing exceptions and replies to the above-referenced Proposal for Decision, I stated that the Executive Director (ED) of the Texas Commission on Environmental Quality had not replied to exceptions filed by the Concho River Basin Conservancy Association (Protestant). On December 8, 2010, the ED notified the State Office of Administrative Hearings that an attempt to send a reply to Protestant's exceptions by facsimile on November 29, 2010, was not successful. Attached to the December 8, 2010 letter was the ED's reply.

Having reviewed and considered the ED's reply, I continue to recommend no changes to the PFD other than the ED's proposed change to Finding of Fact No. 74.

Sincerely,

Sharon Cloninger

SHARON CLONINGER
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

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cc: Mailing List

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AGENCY: **Environmental Quality, Texas Commission on (TCEQ)**

STYLE/CASE: **SAN ANGELO WATER SUPPLY CORP.**

SOAH DOCKET NUMBER: **582-10-0294**

REFERRING AGENCY CASE: **2008-1617-WR**

STATE OFFICE OF ADMINISTRATIVE HEARINGS

ADMINISTRATIVE LAW JUDGE
ALJ SHARON CLONINGER

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CONCHO RIVER BASIN WATER CONSERVANCY ASSOCIATION

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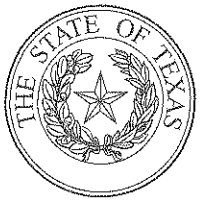
xc: Docket Clerk, State Office of Administrative Hearings

State Office of Administrative Hearings



Cathleen Parsley
Chief Administrative Law Judge

December 7, 2010

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

Re: SOAH Docket No. 582-10-0294; TCEQ Docket No.2008-1617-WR; In Re: Application No. 14-1318C by City of San Angelo for Amendment to Certificate of Adjudication No. 14-1318

Dear Mr. Trobman:

On November 16, 2010, the Executive Director (ED) of the Texas Commission on Environmental Quality filed an exception to Finding of Fact No. 74 in the Proposal for Decision (PFD) in the above-referenced case. The City of San Angelo (Applicant) supports the ED's exception. The Concho River Basin Conservancy Association (Protestant) and the Office of Public Interest Counsel (OPIC) did not reply to the ED's exception. I agree with the ED's proposed change to Finding of Fact No. 74 and recommend its adoption by the Commission.

Protestant also filed exceptions to the PFD on November 16, 2010. Applicant disagrees with Protestant's exceptions. The ED and the OPIC did not reply to Protestant's exceptions. Having reviewed and considered Protestant's exceptions, I recommend no changes to the PFD other than the ED's proposed change to Finding of Fact No. 74.

Sincerely,

Sharon Cloninger

Sharon Cloninger
Administrative Law Judge

SC/lh
cc: Mailing List

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SERVICE LIST

AGENCY: Environmental Quality, Texas Commission on (TCEQ)

STYLE/CASE: SAN ANGELO WATER SUPPLY CORP.

SOAH DOCKET NUMBER: 582-10-0294

REFERRING AGENCY CASE: 2008-1617-WR

STATE OFFICE OF ADMINISTRATIVE HEARINGS

ADMINISTRATIVE LAW JUDGE
ALJ SHARON CLONINGER

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Note: ALSO FOR DOCKET NOS. 582-10-0292 & 582-10-0293 JOINED FOR HEARING PURPOSES

xc: Docket Clerk, State Office of Administrative Hearings