

Bryan W. Shaw, Ph.D, *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 7, 2011

TO: All Persons on Mailing List

RE: **SOAH Docket No. 582-09-2005; TCEQ Docket No. 2009-0033-AIR.**  
Application by **Las Brisas Energy Center, LLC** for State Air Quality Permit  
No. 85013, Hazardous Air Pollutant Permit No. HAP-48, PAL-41, and Prevention  
of Significant Deterioration Permit No. PSD-TX-1138 in **Nueces County**, Texas.

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality on **January 26, 2011 at 9:30 A.M.** in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas.

30 TAC § 80.263 provides as follows:

In proceedings where a judge has held a public hearing and has issued a proposal for decision or other report to the commission, all oral presentations before the commission shall be limited to five minutes each, excluding time for answering questions, unless the chairman or general counsel establishes other limitations. Before the commission meeting, the general counsel may allot time for oral presentations. Oral presentations and responses to questions shall be directed to the commission.

In recognition of the complexity of this case, I have been directed by the General Counsel to inform you that he has established the time for oral argument as 8 minutes for the Applicant; 8 minutes for the Protestants, collectively; 5 minutes for the Executive Director; and 5 minutes for the Office of Public Interest Counsel. The Protestants should apportion their 8 minutes among themselves prior to the public meeting and contact Cheli Castro, Agenda Coordinator, Office of the Chief Clerk at (512) 239-0534 by **5:00 p.m. Monday, January 24, 2011** to let her know how the time will be apportioned. The Applicant may save part of its time for rebuttal, as it bears the burden of proof.

Furthermore, if the Commissioners need additional information, they may ask questions of the parties after oral argument is completed. In light of the oral argument time periods previously found sufficient in complex matters and given the Commissioners' ability to question the parties to clarify any issues, the General Counsel has determined that the time periods provided should be sufficient.

Should you need any additional information, please contact Melissa Chao at the Texas Commission on Environmental Quality, Office of the Chief Clerk, (512) 239-3300.

Sincerely,

A handwritten signature in black ink that reads "LaDonna Castañuela". The signature is written in a cursive style with a large, sweeping initial "L".

LaDonna Castañuela  
Chief Clerk

LDC/mc

**MAILING LIST**  
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**SOAH DOCKET NO. 582-09-2005**  
**TCEQ DOCKET NO. 2009-0033-AIR**

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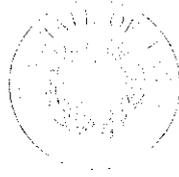
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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 23, 2010

To: Persons on the attached mailing list (By mail and facsimile as indicated)

Re: Application of Las Brisas Energy Center, LLC for State Air Quality Permit No. 85013, HAP48, PAL41, and PSD-TX-1138; TCEQ Docket No. 2009-0033-AIR; SOAH Docket No. 582-09-2005; **Notification of new deadline for reply briefs**

The Administrative Law Judges (ALJs) issued their Proposal for Decision on Remand and Proposed Order in the above-referenced matter on December 1, 2010. Accordingly, pursuant to 30 TAC § 80.257(a), exceptions were due no later than December 21, 2010 and replies would normally be due by December 31, 2010. However, in light of the fact that the Texas Commission on Environmental Quality (TCEQ) is scheduled to close at noon on December 31, 2010, I have decided, pursuant to 30 TAC § 80.257(b) and in keeping with past practice under similar circumstances, to extend the deadline for filing reply briefs. Reply briefs in the above-referenced matter are now due by **5:00 pm on Monday, January 3, 2011.**

All reply briefs shall be filed with the Chief Clerk of the TCEQ by the above-specified deadline. Briefs along with certification of service to the parties in the matter must be filed electronically at <http://www10.tceq.state.tx.us/epic/efilings/> or by filing an original and seven copies with the Chief Clerk of the TCEQ. All briefs must reference the following assigned docket numbers: TCEQ Docket No. 2009-0033-AIR; SOAH Docket No. 582-09-2005.

If you have any questions concerning this matter, please contact me at (512) 239-5525 or Jim Rizk, Assistant General Counsel, at (512) 239-5530.

Very truly yours,

A handwritten signature in black ink that reads "Les Trobman".

Les Trobman  
General Counsel

Mailing List

Mailing List  
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TCEQ Docket No. 2009-0033-AIR  
SOAH Docket No. 582-09-2005

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