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December 20, 2010

Via e-file

La Donna Castanuela
Office of the Chief Clerk - MC 105
Texas Commission on Environmental Quality
12100 Park 35 Circle
Building F, 1st Floor
Austin, TX 78759

Re: SOAH Docket No. 582-10-1868; TCEQ Docket No. 2009-1865-UCR;
*Application of East Cedar Creek Fresh Water Supply District, CCN No. 11682, to
Acquire Facilities and Transfer a Portion of CCN No. 11206 from the City of
Mabank and to Amend its CCN No. 11682, Located in Henderson County*

Dear Ms. Castanuela:

Enclosed for filing is the City of Mabank's Exceptions in connection with the above-referenced matter. A copy is being served on each of the parties.

Should you have questions or need to reach me, please call (512) 472-8021.

Sincerely,



William D. Dugat III

WDD/dfb
Enclosure

cc: Mailing List

00501268

**SOAH DOCKET NO. 582-10-1868
TCEQ DOCKET NO. 2009-1865-UCR**

APPLICATION OF EAST CEDAR	§	BEFORE THE STATE OFFICE
CREEK FRESH WATER SUPPLY	§	
DISTRICT, CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY	§	
(CCN) NO. 11682, TO ACQUIRE	§	OF
FACILITIES AND TRANSFER A	§	
PORTION OF CCN NO. 11206 FROM	§	
THE CITY OF MABANK AND TO	§	
AMEND ITS CCN NO 11682,	§	
LOCATED IN HENDERSON COUNTY	§	ADMINISTRATIVE HEARINGS

CITY OF MABANK'S EXCEPTIONS

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, the City of Mabank ("City"), co-applicant in the above-referenced Water Code Section 13.301 sale-transfer-merger ("STM") application, and files this, its Exceptions to the Administrative Law Judge's ("ALJ") Proposal for Decision ("PFD"). The City takes no exception to the PFD and does not contest the ALJ's findings or reports. Mabank points out what it believes to be one typographic error.

1. In the Proposed Order, page 3, Finding No. 18 should provide '. . . water production capacity at 0.6 gpm."

The City of Mabank prays that these findings be corrected and the PFD with Proposed Order adopted.

Respectfully submitted,

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By: 
William D. Dugat III
State Bar No. 06173600

ATTORNEYS FOR CITY OF MABANK

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that on this 20th day of December, 2010, a true and complete copy of the foregoing was sent to the following by facsimile, overnight delivery, or by first class mail:

The Honorable Katherine L. Smith
Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street, Suite 502
Austin, Texas 78701
Phone: (512) 475-4993
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