

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

February 11, 2011

TO: All Persons on Mailing List

RE: **SOAH Docket No. 582-10-1868; TCEQ Docket No. 2009-1865-UCR.**
Application of **East Cedar Creek FWSD**, for 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 in **Henderson County**, Texas

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality on **February 23, 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.

The General Counsel has directed me to extend the time for oral argument to 6 minutes for the Applicants (East Cedar Creek FWSD and the City of Mabank) collectively, 6 minutes for the Protestant, 5 minutes for the Executive Director; and 5 minutes for the Office of Public Interest Counsel. The Applicants should apportion their 6 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. on Monday, February 21, 2011** to let her know how the time will be apportioned. The Applicants may save part of their time for rebuttal, as they bear the burden of proof. Parties should present their arguments on the Proposal for Decision during their allotted oral argument time.

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 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 long, sweeping tail on the final letter.

LaDonna Castañuela
Chief Clerk

LDC/mc

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

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