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August 22, 2011

**VIA Hand Delivery**

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

RE: SOAH Docket No. 582-10-1944; TCEQ Docket No. 2009-1925-UCR; Appeal of Navarro County Wholesale Ratepayers to Review the Wholesale Rate Increase Imposed by the City of Corsicana, Certificate of Convenience and Necessity No. 10776, in Navarro County.

Dear Mr. Trobman:

The Proposal for Decision in the referenced matter was issued on August 17, 2011 and in accordance with 30 TAC § 80.257(a), establishes September 6, 2011 as the deadline for exceptions, and September 16, 2011 as the deadline for replies to exceptions. As the Judge notes in his cover letter to you, Corsicana had requested that the ALJ schedule the deadlines for exceptions and replies to exceptions to accommodate undersigned counsel's planned absence from the office. The ALJ denied that motion because 30 TAC § 80.257(b) authorizes the Commission's General Counsel, and not the ALJ, to change those deadlines, but Judge Newchurch suggests that the General Counsel may wish to reconsider the request to alter those deadlines.

Corsicana respectfully requests your consideration of the request to delay the deadlines. Undersigned counsel for Corsicana will be traveling out of state beginning September 2, 2011 and will have only limited access to communications with her office until September 14, 2011. Under the current schedule, Corsicana's counsel would have only two days in the office to prepare replies to exceptions that we reasonably anticipate will be filed by the Petitioners. Therefore, Corsicana respectfully requests that you delay the deadline for exceptions until September 14, 2011 or later, and reschedule the deadline for replies to exceptions to a date at least 10 days after the date on which exceptions are due.

Counsel for Corsicana has contacted counsel for the Ratepayers and counsel for the Executive Director and neither oppose Corsicana's request. Counsel for Corsicana attempted to reach the Office of Public Interest Counsel but was informed that he was out of the office and would not return until after this request was to be filed.

This request has been filed with the chief clerk, and a copy is being served on the general counsel, the judge and the other parties to this proceeding.

Sincerely,

  
J. Kay Trostle