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November 29, 2011

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2011 NOV 29 AM 10:00  
CHIEF CLERKS OFFICE

Mr. Les Trobman, General Counsel MC-101  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711

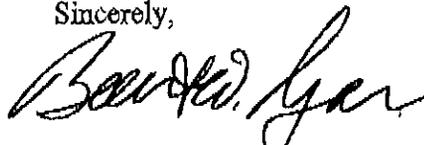
Re: TCEQ Docket No. 2009-2058-MSW; SOAH Docket No. 582-10-2069  
Application of Republic Waste Services of Texas, Ltd. for MSW Permit No. 2356  
Reply to Request for Additional Time for Oral Argument

Dear Mr. Trobman:

On behalf of Republic Waste Services of Texas, Ltd. (Republic), the applicant in the referenced matter, I am writing to inform you of Republic's opposition to the request to extend the time for oral argument in this matter at the Commission's December 7 public meeting, as set out in the November 22 letter from Mr. Eric Allmon on behalf of Walsh Ranches Limited Partnership, ATH-1187, Ltd., and Aledo Independent School District. As the primary bases for his request, Mr. Allmon states that "a decision in this case requires the determination of significant procedural issues related to the [ALJ's] exclusion of the City of Aledo...as a party", and says that the City of Aledo intends to make a presentation to the Commission. Republic would point out that the ALJ properly denied a request that the City of Aledo be named a party (as is well-documented in the transcript of the March 10, 2010 preliminary hearing in this matter), that the Commission is not required to determine any issues related to that request in deciding this case, that the City of Aledo is not a party to this proceeding, and that there is no basis for any nonparty to present oral argument to the Commission. In addition, none of the other matters referenced in Mr. Allmon's letter (all of which have been thoroughly briefed by the parties in post-hearing submissions, including exceptions to the PFD) provides a sufficient basis to extend time for oral argument.

Copies of this letter have been provided to representatives for all parties and to the other persons listed on the cc list below.

Sincerely,



Brent W. Ryan, Attorney for  
Republic Waste Services of Texas, Ltd.

cc (via fax): Mr. Les Trobman  
Hon. Richard R. Wilfong, Administrative Law Judge  
Mr. Eric Allmon  
Ms Mary K. Sahs  
Mr. Hal A. Ray, Jr.  
Ms. Amy Swanholm  
Mr. Daniel Ingersoll, TCEQ Environmental Law Division  
Ms. Bridget Bohac, TCEQ Chief Clerk

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OIL & GAS, ENVIRONMENTAL, WATER RIGHTS, UTILITIES, LAND TITLE  
ADMINISTRATIVE, TRIAL AND APPELLATE PRACTICE

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**FAX TRANSMITTAL**

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**PLEASE DELIVER IMMEDIATELY**

TO: Mr. Les Trobman, TCEQ General Counsel  
Fax: 239-5533

CC: Honorable Richard Wilfong, Administrative Law Judge  
Fax: 322-2061

Ms. Bridget Bohac, TCEQ Chief Clerk  
Fax: 239-3311

Ms. Mary Sahs  
Fax: 472-8403

Mr. Eric Allmon  
Fax: 482-9346

Ms. Amy Swanholm  
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Mr. Hal R. Ray, Jr.  
Fax: (817) 877-4781

Mr. Dan Ingersoll, TCEQ Environmental Law Division  
Fax: 239-0606

From: Brent Ryan

Date: November 29, 2011

Re: Application of Republic Waste Services of Texas, Ltd.  
for Municipal Solid Waste Permit 2356  
SOAH DOCKET NO. 582-10-2069  
TCEQ DOCKET NO. 2009-2058-MSW

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