

Bryan W. Shaw, Ph.D, *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 26, 2013

TO: All Persons on Mailing List

RE: **SOAH Docket No. 582-12-6250; TCEQ Docket No. 2012-0786-UCR.**
Appeal by BFE Water Company of the Ratemaking Action of the City of Cresson and the Motion for Interim Rate Relief in Parker County, Texas

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality on **October 9, 2013 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 **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 Sandra Lopez-Hernandez, Agenda Coordinator, Office of the Chief Clerk at (512) 239-3310 by **5:00 p.m. on Monday, October 7, 2013** 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. 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 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 cursive script that reads "Bridget C. Bohac".

Bridget C. Bohac
Chief Clerk

BCB/mc

MAILING LIST
BFE WATER COMPANY
SOAH DOCKET NO. 582-12-6250
TCEQ DOCKET NO. 2012-0786-UCR

Representing the Applicant

Lambeth Townsend
Lloyd Gosselink Rochelle &
Townsend
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Tel: (512) 322-5830
Fax: (512) 472-0532

Representing the City of Cresson

Ron Becker
123 Concorde Circle
Cresson, Texas 76035
Tel: (817) 396-4881
Fax: (817) 396-4398

Representing Self and the Bourland
Field Estates Homeowners'
Association

Harold Scott Perdue
Bourland Field Estates
137 Constellation Drive
Cresson, Texas 76035

Representing the Executive Director
of the TCEQ
via electronic mail

Kayla Murray, Staff Attorney
Texas Commission on
Environmental Quality
Legal Division, MC 173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Representing the Office of Public
Interest Counsel of the TCEQ
via electronic mail

Blas Coy, Jr.
Texas Commission on
Environmental Quality
Public Interest Counsel, MC 103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

William G. Newchurch,
Administrative Law Judge
State Office of Administrative
Hearings
300 W. 15th Street, Ste. 502
Austin, Texas 78701
Tel: (512) 475-4993
Fax: (512) 322-2061

Docket Clerk
Texas Commission on
Environmental Quality
Office of Chief Clerk, MC 105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311