

SOAH DOCKET NO. 582-14-3427  
TCEQ DOCKET NO. 2013-2228-MWD

APPLICATION BY § BEFORE THE STATE OFFICE  
DHJB DEVELOPMENT, LLC §  
§ OF  
FOR TPDES PERMIT §  
NO. WQ0014975001 § ADMINISTRATIVE HEARINGS

ORDER NO. 6  
SUSTAINING OBJECTIONS TO  
“ATTACHMENT A” IN PROTESTANT’S CLOSING BRIEF  
AND STRIKING NEW INFORMATION FILING

In Protestant’s response to closing arguments, filed January 9, 2015, Protestants asked the Administrative Law Judge (ALJ) to take administrative notice of letters from the Texas Commission on Environmental Quality that had not been included in the evidentiary record for this case. Applicant DHJB Development LLC and its aligned party, Johnson Ranch Municipal Utility District, filed objections on January 16, 2015. Protestants replied to the objections on January 20, 2015.

On March 6, 2015, Protestants filed notice of newly discovered “evidence,” and on April 22, 2015, the aligned parties filed a motion to strike the new “evidence.”

The ALJ did not take administrative notice of the letters and did not consider them when drafting the Proposal for Decision. Further, the ALJ will not consider any additional evidence. The evidentiary record for this case closed on November 19, 2014, when the hearing on the merits concluded. The ALJ finds no good cause to reopen the record; thus, it would be inappropriate to consider any documents filed after that date. The ALJ sustains the objections to “Attachment A” in Protestant’s closing brief and strikes the document that Protestants filed on March 6, 2015.

**SIGNED April 23, 2015.**



SARAH G. RAMOS  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

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**AGENCY:** Environmental Quality, Texas Commission on (TCEQ)  
**STYLE/CASE:** DHJB DEVELOPMENT LLC  
**SOAH DOCKET NUMBER:** 582-14-3427  
**REFERRING AGENCY CASE:** 2013-2228-MWD

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**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE  
ALJ SARAH G. RAMOS**

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