

EMERGENCY AGENDA
Friday, December 20, 2013

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2:00 PM
12100 Park 35 Circle
Building F, Room 4222

Docket No. 2013-2211-UCR. Meeting of the Texas Commission on Environmental Quality ("Commission") to consider a request filed on December 17, 2013, by La Villa Independent School District ("La Villa ISD") for the issuance of an Emergency Order to compel the City of La Villa ("City") to provide continuous and adequate water and sewer service in Hidalgo County, Texas, pursuant to Texas Water Code Section 13.041(d) and Title 30, Section 291.14(a) of the Texas Administrative Code.

La Villa ISD is the governing board of an independent school district and political subdivision of the State of Texas, established in accordance with the Texas Education Code and the Constitution of the State of Texas, having its principal offices in Hidalgo County, Texas, La Villa ISD's address is 500 East 9th Street, La Villa, Texas. The City provides water service to La Villa ISD. La Villa ISD's allegedly affected facilities encompass an early college high school, alternative high school, middle school and elementary school located in the City. La Villa ISD alleged that, on or about December 10, 2013, Respondent issued a letter that included a 10 day disconnection notice effective on December 20, 2013, by 5:00 pm, unless the payment of an outstanding balance of \$57,212.69 was not submitted. La Villa ISD alleges that, if the City is not immediately compelled to provide continuous and adequate service to La Villa ISD, the City may continue to engage in water service interruptions and deprive La Villa ISD of the use of water for sanitation, personal hygiene, water for drinking, and the use of its facilities due to disconnected water and sewer service. La Villa ISD's request seeks an emergency order, without a hearing, that immediately restrains the City from directly or indirectly terminating water and sewer service to the various schools of La Villa ISD for a period of at least 60 days and until further order of the Commission.

The Commission may issue an emergency order to compel to compel a water or sewer service provider that has obtained or is required to obtain a certificate of public convenience and necessity to provide continuous and adequate water service, sewer service, or both, if the discontinuance of the service is imminent or has occurred because of the service provider's actions or failure to act under Texas Water Code Section 13.041(d)(a) and Title 30, Section 291.14(a)(a) of the Texas Administrative Code. An urgent public necessity for this emergency meeting to consider the issuance of an emergency order exists, and immediate action is required because the eminent threat of the discontinuance of water and sewer service to the users of La Villa ISD's facilities creates an imminent threat to public health and safety. The authority for holding the emergency meeting to consider this emergency order request is Texas Government Code Section 551.045.

No Action Taken.

/s/ Todd Burkey
Assistant General Counsel
Todd Burkey

12/20/13
Date