

APPLICATION FOR THE CREATION	§	BEFORE THE TEXAS
OF COLLIN COUNTY MUNICIPAL	§	COMMISSION ON
UTILITY DISTRICT NO. 7	§	ENVIRONMENTAL QUALITY

CITY OF PARKER'S REPLY TO RESPONSE TO HEARING REQUESTS

TO THE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

COMES NOW, the City of Parker, Texas (“City” or “Parker”) and hereby submits its Reply to Response to Hearing Request. By letter dated June 15, 2022, July 11, 2022, is the deadline to file such a Reply. This Reply is timely filed.

The Applicant, Harrington/Turner Enterprises, LP, the Executive Director (“ED”) of the Texas Commission on Environmental Quality (“TCEQ”), and the Office of Public Interest Counsel (“OPIC”) each filed a Response to Hearing Requests.

The ED and the OPIC both agree that the City is an affected party and the City’s request for contested case hearing be granted. The City agrees with both the ED and OPIC regarding the City’s affected person status and request for contested case hearing.

The Applicant opposes the City’s request. However, the Applicant fails to state with specificity its opposition to the City’s request. The City maintains a water and sewer utility. The City’s utility has the reasonable ability to serve the property within the proposed district. The TCEQ has jurisdiction to consider the availability of the supply of water and sewer in the area. As the City has excess capacity that can serve the proposed district, the City has a justiciable interest. Further, the City did not consent to the creation of the proposed district. As stated by the ED, consent to the proposed district is an interest protected by the Texas Water Code. As such, the

City's interests are greater than that of the general public. Thus, the City is an "affected person" pursuant to TCEQ rules.

The City has demonstrated that it is an affected person. The City respectfully requests that the TCEQ find the City to be an "affected person," grant its hearing request, and refer the Application to the State Office of Administrative Hearings.

Respectfully submitted,

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ATTORNEY FOR THE CITY OF PARKER

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of July, 2022, a true and correct copy of the foregoing document has been sent via facsimile, first class mail, or hand-delivered to all counsel of record.

/s/ Arturo D. Rodriguez, Jr.
ARTURO D. RODRIGUEZ, JR.