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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 13, 2023

To: Persons on the attached mailing list (By email only as indicated)

Re: Consideration of a Petition by Samuell Sparkman Brindley Trust for the creation of Johnson County Municipal Utility District No. 1; TCEQ Docket No. 2023-0845-DIS.

The above-named matter is currently scheduled to be considered by the Texas Commission on Environmental Quality (Commission) at its October 25, 2023 public meeting. Timely hearing requests were received from the City of Mansfield and Johnson County Special Utility District (JCSUD). Responses from the Executive Director, Office of Public Interest Counsel, and Applicant to the hearing requests were due on October 2, 2023. TCEQ's Office of the Chief Clerk received the Applicant's response after 5 p.m. on October 2, 2023.

On October 11, 2023, the Applicant filed a Motion for Leave regarding the Response to Hearing Requests (Motion), requesting that the Commission consider the documents filed by the Applicant after 5 p.m. on October 2, 2023. The Applicant also filed a revised exhibit on October 11, 2023, providing the correct attachment to the Response filed on October 2, 2023. The Motion indicated that the Applicant had timely mailed copies of its response and exhibits to the interested persons on the mailing list. The Motion also states that the ED and OPIC did not object to the Motion for Leave, but that the City of Mansfield did object to the Motion.¹

The TCEQ Chief Clerk's letter, dated September 20, 2023, indicates that the deadline for filing the Applicant's Response to this matter is October 2, 2023, and did not include a deadline for filing by 5 p.m. It appears that the Applicant's Response was timely, and that the Applicant sent the response and exhibits to all persons on the mailing list. The exhibit filed on October 11, 2023, was served on the parties on October 2, 2023, and this corrected exhibit will be included in the record for this item. The hearing requesters may file a reply on or before October 16, 2023.

If you have any questions about this matter, please contact Colleen Ford, Assistant General Counsel, at colleen.ford@tceq.texas.gov.

Respectfully,

A handwritten signature in black ink that reads "Mary Smith".

Mary Smith
General Counsel

Mailing List

¹ The Motion states that Applicant had not yet received a response from JCSUD on the Motion for Leave.
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Mailing List
Johnson County Municipal Utility District No. 1
TCEQ Docket No. 2023-0845-DIS

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