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February 5, 2024

## ***Via efile***

Texas Commission on Environmental Quality  
Laurie Gharis, Chief Clerk  
TCEQ, MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Application from **Preserve Hutto, LLC** for **TPDES Permit No. WQ0016145001** (the "Application" – Reply to Applicant's Response)

Dear Chief Clerk:

Williamson County Water, Sewer, Irrigation, and Drainage District No. 3 ("WSIDD3") files this reply to the Response to Requests for Hearing and Request for Reconsideration (the "Response") filed by Preserve Hutto, LLC (the "Applicant").

The Applicant, in its Response, declines to take a position on whether the WSIDD3 "board has satisfied the procedural and substantive requirements prerequisite of the granting of a hearing." WSIDD3 instead concurs with the responses of the Texas Commission on Environmental Quality (the "TCEQ" or "Commission") Executive Director and Office of Public Interest Counsel that WSIDD3 qualifies as, and is, an affected person.

The Applicant also disputes all issues raised in the hearing requests, and asserts that none of the issues support referral to the State Office of Administrative Hearings ("SOAH") for a contested case hearing. WSIDD3 is not obligated to reply in order to reaffirm its position on the issues it raised. WSIDD3 nevertheless states here on the record that it disagrees with the Applicant regarding the issues raised by WSIDD3. WSIDD3 concurs with the Executive Director and Office of Public Interest Counsel that WSIDD3 raises disputed issues of fact; that those issues are relevant and material to the Commission's decision on the Application; and that those issues are appropriate for referral to SOAH.

Respectfully,

**ARMBRUST & BROWN, PLLC,**

Attorneys for WSIDD3



By: \_\_\_\_\_  
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cc: Murfee Engineering Co., Inc.  
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Attached Mailing List

MAILING LIST/LISTA DE CORREO  
 Preserve Hutto, LLC  
 TCEQ Docket No./TCEQ Expediente No. 2023-1566-MWD  
 TPDES Permit No./TPDES Permiso No. WQ0016145001

FOR THE APPLICANT / PARA EL SOLICITANTE:

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REQUESTER(S)/INTERESTED PERSON(S)/SOLICITANTE(S)/PERSONA(S) INTERESADA(S)

See attached list/Ver lista adjunta

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