SOAH DOCKET NO. 582-24-15646 TCEQ DOCKET NO. 2023-1587-DIS

APPLICATION FOR THE CREATION OF **BEFORE THE STATE OFFICE**

§ § WHITE OAKS MUNICIPAL UTILITY

DISTRICT OF DENTON COUNTY ADMINISTRATIVE HEARINGS

APPLICANT'S EXCEPTIONS TO THE PROPOSAL FOR DECISION

TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON **ENVIRONMENTAL QUALITY:**

White Oaks Ranch Land, LP ("Applicant") files its Exceptions to the Proposal for Decision ("PFD") and respectfully shows the following:

Applicant agrees with the Administrative Law Judge's ("ALJ") recommendation that the Texas Commission on Environmental Quality ("Commission") grant Applicant's Petition.

Applicant submits a single correction to the PFD. Under VI. – CONCLUSION, p. 43, the sentence should read: "For the reasons stated, the ALJ recommends finding that Applicant met its burden to establish that its Petition to create the District should be granted."

WHEREFORE, PREMISES CONSIDERED, Applicant respectfully requests that the Texas Commission on Environmental Quality amend the Proposal for Decision consistent with the Applicant's recommendation and that Applicant's Petition should be granted.

COATS | ROSE

By:

Natalie B. Scott

State Bar No. 24027970 Direct: 512-684-3846 nscott@coatsrose.com

Natalie B Doots

Bryan M. Moore

State Bar No. 24044842 Direct: 512-541-3594 bmoore@coatsrose.com

Terrace 2 2700 Via Fortuna, Suite 350 Austin, Texas 78746 Phone: (512) 469-7987

Fax: (512) 469-9408

Mindy Koehne State Bar No. 24055789 <u>mkoehne@coatsrose.com</u> 16000 North Dallas Parkway, Suite 350 Dallas, Texas 75248

Phone: (972) 982-8461 Fax: (713) 890-3979

ATTORNEYS FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2025 the original of Applicant's Exceptions to the Proposal for Decision was filed with the Chief Clerk of the TECQ and a copy was served on all person listed below either via hand delivery, facsimile transmission, electronic mail, and/or by deposit in the U.S. Mail.

Public Interest Counsel:

Jessica Anderson, Public Interest Counsel TCEQ, Public Interest Counsel, MC-103 P.O. Box 13087 Austin, Texas 78711-3087 Jessica. Anderson@tceq.texas.gov

For the Executive Director:

Fernando Salazar Martinez, Staff Attorney Bradford Eckart, Staff Attorney TCEQ Environmental Law Division, MC-173 P.O. Box 13087 Austin, Texas 78711-3087 Fernando.Martinez@tceq.texas.gov Bradford.Eckhart@tceq.texas.gov

For the Chief Clerk:

Via eFilings:

https;//www14.tceq.texas.gov/epic/eFiling/

Docket Clerk TCEQ Office of Chief Clerk, MC-105 P.O. Box 13087 Austin, Texas 78711-3087

Counsel for Individual Protestants:

Kelly Eggers, Darlene Freeman, Robert and Helen McGraw, David and Bonnie Silva, Nancy and John Tague; Capital Properties 2017, LLC and BNR 2012 Holding Company, LLC:

William A. Faulk, III
Maris M. Chambers
Spencer Fane, LLP
816 Congress Ave., Suite 1200
Austin, Texas 78701
cfaulk@spencerfane.com
mchambers@spencerfane.com

Counsel for Denton County Commissioners Court:

Matt Shovlin
Denton County Criminal District
Attorney's Office
1450 E. McKinney Street, Suite 3100
Denton, Texas 76209
Email: matt.shovlin@dentoncounty.gov

Pro Se Protestants:

Anthony Scamardo, Jr. 9440 Saint Johns Court Pilot Point, Texas 76258-6614 tscamardo23@gmail.com

Joseph and Megan Schmidt 12906 Saint John Road Pilot Point, Texas 76258-7408 megan@schmidtreining.com

Mark and Terry L. Atchison 9229 Hub Clark Road Pilot Point, Texas 76258-6246 mark.atchison@quantmethods.com Allen McCracken 10075 Bluffview Circle Pilot Point, Texas 76258 drwatermd@aol.com

Jason Pool 10334 Parkside Lane Pilot Point, Texas 76258-4196 jason.r.pool@gmail.com

Rowland Funk 9624 Yellow Rose Lane Pilot Point, Texas 76258-6610 Rsfunktx@aol.com

Matalie B Doots

Natalie B. Scott