

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER concerning the Petition filed by Highland Lakes Midlothian I, LLC for the creation of Highland Lakes Municipal Utility District No. 1 of Ellis County; TCEQ Docket No. 2022-0532-DIS

On June 15, 2022, the Texas Commission on Environmental Quality (Commission) considered during its open meeting the requests for hearing filed by Ellis County, the City of Midlothian, and the City of Waxahachie concerning the Petition filed by Highland Lakes Midlothian I, LLC (Petitioner) for the creation of Highland Lakes Municipal Utility District No. 1 of Ellis County. The requests for hearing were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code Chapter 55. The Commission also considered the responses to the requests for hearing filed by the Executive Director, the Office of Public Interest Counsel, and the Petitioner; the replies; and the Executive Director's technical review memorandum.

After evaluation of all relevant and timely filings, the Commission determined that Ellis County, the City of Midlothian, and the City of Waxahachie were affected persons and granted the three entities' requests for hearing. The Commission determined to refer the matter to the State Office of Administrative Hearings (SOAH) for a contested case hearing on the Petition. Finally, the Commission determined to refer the matter to the Commission's Alternative Dispute Resolution Program, to run concurrently with SOAH preliminary hearing scheduling efforts.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

- 1) The hearing requests of Ellis County, the City of Midlothian, and the City of Waxahachie are GRANTED;
- 2) The matter is REFERRED to SOAH for a contested case hearing on the Petition;
- 3) The matter is REFERRED to the Commission's Alternative Dispute Resolution Program, to run concurrently with SOAH preliminary hearing scheduling efforts; and
- 4) If any provision, sentence, clause or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Jon Niermann, Chairman

6/17/22

Date Signed