

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER regarding the petition by Highland Lakes Midlothian I, LLC for the creation of FM 875 Municipal Utility District of Ellis County; TCEQ Docket 2022-0534-DIS.

On September 22, 2022, the Texas Commission on Environmental Quality (Commission) considered during its open meeting requests for a contested case hearing filed by Ellis County and the City of Midlothian concerning the petition of Highland Lakes Midlothian I, LLC (Petitioner) for creation of FM 875 Municipal Utility District of Ellis County (District). The hearing requests were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code Chapter 55, Subchapter G. The Commission also considered the responses to the hearing requests filed by the Executive Director and the Office of Public Interest Counsel and all timely public comment.

After evaluation of all relevant filings, the Commission determined to grant the hearing requests of Ellis County and the City of Midlothian and to refer the petition to the State Office of Administrative Hearings (SOAH) for a contested case hearing on the petition. The Commission also referred this matter to the Commission's Alternative Dispute Resolution (ADR) 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 requests for contested case hearing submitted by Ellis County and the City of Midlothian are hereby GRANTED;
2. The Chief Clerk shall REFER this matter to SOAH for a contested case hearing on the Petition;
3. This matter is hereby REFERRED to the Commission's Alternative Dispute Resolution Program, to run concurrently with the SOAH preliminary hearing scheduling process; 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

9/28/22

Date Signed