

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER concerning the petition by Bailey Land Investments, LP and Armbruster Land Investments for the creation of Persimmon Municipal Utility District; TCEQ Docket No. 2023-1665-DIS.

On May 10, 2024, the Texas Commission on Environmental Quality (Commission) considered during an open meeting the petition by Bailey Land Investments, LP and Armbruster Land Investments (Petitioners) for the creation of Persimmon Municipal Utility District. The Commission also considered the requests for a contested case hearing filed by the City of Buda and numerous individuals; the responses to the requests filed by the Petitioners, the Executive Director, and the Office of Public Interest Counsel; the replies; and all timely public comment. The Commission evaluated the petition and the related requests under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code Chapter 55, Subchapter G.

After evaluation of all relevant filings, the Commission determined to grant the hearing requests of the City of Buda, Shawna-Lee Huskey, Brett Koger, Jesus Mares, and Kody Schouten and deny the remaining hearing requests. The Commission further determined to refer the petition to the State Office of Administrative Hearings (SOAH) for a contested case hearing on the petition.

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

1. The requests for a contested case hearing submitted by the City of Buda, Shawna-Lee Huskey, Brett Koger, Jesus Mares, and Kody Schouten are GRANTED;
2. All remaining hearing requests are hereby DENIED;
3. The Commission's Chief Clerk shall REFER this matter to SOAH for a contested case hearing on the petition; 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

5/17/24

Date Signed