

FILED
582-23-10368
6/9/2023 5:11 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

SOAH DOCKET NO. 582-23-10368
TCEQ DOCKET NO. 2022-1731-MWD

ACCEPTED
582-23-10368
6/9/2023 6:06:00 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

Page 1 of 3

APPLICATION OF R040062, LP § BEFORE THE STATE OFFICE
FOR § OF
TPDES PERMIT NO. WQ0016008001 § ADMINISTRATIVE HEARINGS

CITY OF GEORGETOWN'S MOTION TO WITHDRAW PARTY STATUS

COMES NOW the City of Georgetown (the "*City*"), a protestant in the above-styled and -numbered proceeding, and pursuant to 30 Texas Administrative Code ("*TAC*") § 80.115(b), files this, its Motion to Withdraw Party Status. In support thereof, the City would respectfully show as follows:

I. BACKGROUND

On May 11, 2023, this case was referred to mediation, which took place on May 12, 2023. Though no resolution was reached that day, as noted in the Mediation Report, signed May 19, 2023, the parties were authorized to "continue discussions among themselves." Having done so, the City and R040062, LP, the applicant in this case, reached an agreement with respect to the above-referenced application. Consequently, the City no longer wishes to participate as a party in this proceeding.

II. MOTION TO WITHDRAW PARTY STATUS

The City hereby respectfully requests that it be granted leave to withdraw its party status in this case. Pursuant to 30 TAC § 80.115(b), "a person may seek leave to withdraw his or her party status at any time upon written request to the judge," though "[p]arty status is not withdrawn unless and until the judge grants the request for leave to withdraw." The City, as a governmental entity, is a "person" under the definition set forth in 30 TAC § 3.2(25), and the Order Memorializing Preliminary Hearing, issued April 26, 2023, names the City as a party to this case. As such, the City may seek leave to withdraw its party status under 30 TAC § 80.115(b).

III. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, the City hereby respectfully requests that this Motion to Withdraw Party Status be granted.

Respectfully submitted,

William A. Faulk, III
State Bar No. 24075674
cfaulk@spencerfane.com



Maris M. Chambers
State Bar No. 24101607
mchambers@spencerfane.com
SPENCER FANE, LLP
816 Congress Avenue, Suite 1200
Austin, TX 78701
Telephone: (512) 575-4549
Facsimile: (512) 840-4551

**ATTORNEYS FOR THE CITY OF
GEORGETOWN**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Withdraw Party Status was filed and served on the following parties via the eFileTexas electronic filing service and electronic mail on this the 9th day of June, 2023.

FOR THE EXECUTIVE DIRECTOR'S OFFICE:

Aubrey Pawelka
aubrey.pawelka@tceq.texas.gov

FOR THE OFFICE OF PUBLIC INTEREST COUNSEL:

Sheldon Wayne
sheldon.wayne@tceq.texas.gov

FOR R040062, LP:

Peter Gregg
pgregg@gregglawpc.com

FOR JONAH WATER SPECIAL UTILITY DISTRICT

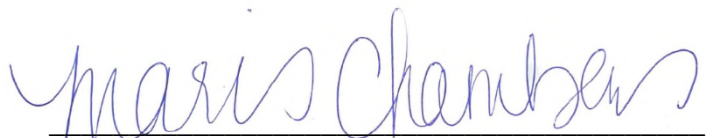
Erin Selvera
erin@carltonlawaustin.com

FOR SHAWN BISCHSEL:

Shawn Bichsel
sbichsel@gmail.com

FOR ALEX CIFUENTES:

Alex Cifuentes
alex@interiorhomesolutions.com



Maris M. Chambers

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

William Faulk on behalf of William Faulk

Bar No. 24075674

cfaulk@spencerfane.com

Envelope ID: 76486911

Filing Code Description: Motion to Change Party Status

Filing Description: City of Georgetown's Motion to Withdraw Party Status

Status as of 6/9/2023 6:06 PM CST

Associated Case Party: Executive Director

Name	BarNumber	Email	TimestampSubmitted	Status
Aubrey Pawelka		aubrey.pawelka@tceq.texas.gov	6/9/2023 5:11:30 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
John Joseph Carlton	3817600	john@carltonlawaustin.com	6/9/2023 5:11:30 PM	SENT
OLS Legal Support		TCEQsoah@tceq.texas.gov	6/9/2023 5:11:30 PM	SENT
Katy Hennings		katy@carltonlawaustin.com	6/9/2023 5:11:30 PM	SENT
MARIS CHAMBERS		mchambers@spencerfane.com	6/9/2023 5:11:30 PM	SENT
SHAWN BICHSEL		sbichsel@gmail.com	6/9/2023 5:11:30 PM	SENT
ALEX CIFUENTES		alex@interiorhomesolutions.com	6/9/2023 5:11:30 PM	SENT
Hanna Campbell		hcampbell@spencerfane.com	6/9/2023 5:11:30 PM	SENT

Associated Case Party: City of Georgetown

Name	BarNumber	Email	TimestampSubmitted	Status
Cody Faulk		cfaulk@spencerfane.com	6/9/2023 5:11:30 PM	SENT

Associated Case Party: R040062, LP

Name	BarNumber	Email	TimestampSubmitted	Status
Peter T.Gregg		pgregg@gregglawpc.com	6/9/2023 5:11:30 PM	SENT
ERIN SELVERA		erin@carltonlawaustin.com	6/9/2023 5:11:30 PM	SENT

Associated Case Party: Public Interest Counsel

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

William Faulk on behalf of William Faulk

Bar No. 24075674

cfaulk@spencerfane.com

Envelope ID: 76486911

Filing Code Description: Motion to Change Party Status

Filing Description: City of Georgetown's Motion to Withdraw Party Status

Status as of 6/9/2023 6:06 PM CST

Associated Case Party: Public Interest Counsel

Name	BarNumber	Email	TimestampSubmitted	Status
SHELDON WAYNE		sheldon.wayne@tceq.texas.gov	6/9/2023 5:11:30 PM	SENT