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Taina Tipton, CLERK

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

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

R040062, LP'S MOTION FOR SUMMARY DISPOSITION

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE

COMES NOW, R040062, LP ("Applicant") and files this Motion for Summary Disposition pursuant to 1 TAC §155.505 and, in support thereof, would respectfully show the following:

I. BACKGROUND

On June 11, 2021, Applicant filed its application for Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016008001 for authorization to discharge treated domestic wastewater from the proposed Indigo Water Resource Facility (the "Proposed Facility"). On November 17, 2022, Applicant requested a direct referral of the application to the State Office of Administrative Hearings ("SOAH") pursuant to 30 Tex. Admin. Code § 55.210. Following the TCEQ Executive Director's ("ED") Final Decision Letter On September 7, 2022, in which the ED recommended approval of the draft permit without changes, the ED filed the Applicant's direct referral with SOAH on January 19, 2023.

A preliminary hearing was held on April 24, 2023 in which the Administrative Law Judge ("ALJ") took jurisdiction and named the following parties: Applicant, ED, Office of Public Interest Counsel ("OPIC"), Jonah Special Utility District ("Jonah"), City of Georgetown ("Georgetown"), Shawn Bichsel, and Alex Cifuentes. The ALJ also admitted Applicant Exhibits A and B, consisting of the administrative record, into evidence.

The ALJ's subsequent Order Adopting Procedural Schedule established a deadline of June 9th for the protestants (Johan, Georgetown, Bichsel and Cifuentes) and OPIC to file direct

testimony, proposed order of witnesses, and exhibits. Johan is the only party to submit a filing in response to the June 9th deadline.¹ That filing, attached as **Exhibit A**, consists of pre-filed testimony of William Brown and Miles Whitney.

Jonah's pre-filed testimony of William Brown and Miles Whitney is the only submittal presented by any party in response to Applicant's prima facie demonstration established pursuant to the admission of the administrative record into evidence. As set forth below, that prefiled testimony puts forth no substantive evidence challenging the prima facie demonstration. Accordingly, there is no genuine issue as to any material fact based on the uncontroverted evidence in the record; thus, Applicant has met its burden of proof and is entitled to summary disposition in this case as a matter of law.

II. LEGAL STANDARD

Applicant, as the moving party, bears the burden of proof by a preponderance of the evidence.² Texas Government Code § 2003.047(i-1) - (i-3) provides the burden of proof standard in this case:

(i-1) In a contested case regarding a permit application referred under Section 5.556 or 5.557, Water Code, the filing with the office of the application, the draft permit prepared by the executive director of the commission, the preliminary decision issued by the executive director, and other sufficient supporting documentation in the administrative record of the permit application establishes a prima facie demonstration that:

- (1) the draft permit meets all state and federal legal and technical requirements; and
- (2) a permit, if issued consistent with the draft permit, would protect human health and safety, the environment, and physical property.

(i-2) A party may rebut a demonstration under Subsection (i-1) by presenting evidence that:

¹ Noting that Georgetown provided notice of withdrawal from the proceeding on June 9, 2023.

² 30 Tex. Admin. Code § 80.17(a).

(1) relates to a matter referred under Section 5.557, Water Code, or an issue included in a list submitted under Subsection (e) in connection with a matter referred under Section 5.556, Water Code; and

(2) demonstrates that one or more provisions in the draft permit violate a specifically applicable state or federal requirement.

(i-3) If in accordance with Subsection (i-2) a party rebuts a presumption established under Subsection (i-1), the applicant and the executive director may present additional evidence to support the draft permit.

Texas Government Code § 2003.047(i-1) - (i-3) effectively breaks down the burden of proof standard into three phases. The first phase occurs with the admission of the administrative record into evidence, which establishes an applicant's prima facie demonstration that the draft permit meets all applicable requirements.³ The second phase allows a protestant to rebut the applicant's prima facie case by presenting evidence demonstrating that the draft permit violates a specifically applicable state or federal requirement.⁴ The third phase allows the ED and the applicant to present additional evidence in support of the draft permit as necessary if a protesting party rebuts the applicant's prima facie demonstration.⁵

30 Texas Administrative Code § 80.137 allows for summary disposition on all or any part of an action where there is no genuine issue as to any material fact:

(c) Summary disposition. Summary disposition shall be rendered if the pleadings, admissions, affidavits, stipulations, deposition transcripts, interrogatory answers, other discovery responses, exhibits and authenticated or certified public records, if any, on file in the case at the time of the hearing, or filed thereafter and before judgment with the permission of the judge, show that there is no genuine issue as to any material fact and the moving party is entitled to summary disposition as a matter of law on all or some of the issues expressly set out in the motion or in an answer or any other response.⁶

³ Tex. Gov't Code Ann. § 2003.047(i-1).

⁴ *Id.* § 2003.047(i-2).

⁵ *Id.* § 2003.047(i-3).

⁶ 30 Tex. Admin. Code § 80.137(c).

III. ARGUMENT

Jonah raises two issues in its pre-filed testimony: regionalization and water quality. The pre-filed testimony does not call into question any other aspect of Applicant's prima facie demonstration. As discussed below, the pre-filed testimony does not present a genuine issue as to any material fact regarding either the issue of regionalization or water quality, and therefore summary disposition is appropriate under 30 Texas Administrative Code § 80.137.

A. Regionalization

Texas Water Code §26.003 was adopted by the Texas Legislature to encourage and promote regionalization. Section 26.003 provides:

It is the policy of this state and the purpose of this subchapter to maintain the quality of water in the state consistent with the public health and enjoyment, the propagation and protection of terrestrial and aquatic life, and the operation of existing industries, taking into consideration the economic development of the state; to encourage and promote the development and use of regional and areawide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state; and to require the use of all reasonable methods to implement this policy.⁷

The TCEQ implements regionalization through Texas Water Code §26.0282, which provides:

In considering the issuance, amendment, or renewal of a permit to discharge waste, the commission may deny or alter the terms and conditions of the proposed permit, amendment, or renewal based on consideration of need, including the expected volume and quality of the influent and the availability of existing or proposed areawide or regional waste collection, treatment, and disposal systems not designated as such by commission order pursuant to provisions of this subchapter.

The TCEQ has provided additional guidance concerning regionalization, specifically identifying the following four situations in which it may approve applications for discharges of wastewater:

⁷ Tex. Water Code § 26.003.

- (1) There is no wastewater treatment facility or collection system within three miles of the proposed facility.
- (2) The applicant requested service from wastewater treatment facilities within the three miles, and the request was denied.
- (3) The applicant can successfully demonstrate that an exception to regionalization should be granted based on costs, affordable rates, and/or other relevant factors.
- (4) The applicant has obtained a Certificate of Convenience and Necessity (CCN) for the service area of the proposed new facility or the proposed expansion of the existing facility.⁸

Here, there is no genuine dispute of material fact as to the issue of regionalization because Jonah has failed to present any rebuttal evidence relating to regionalization in its direct testimony. On page 6 of his direct testimony, Jonah witness William Brown states that “Jonah is the best utility choice to **construct** ... the proposed facility.”⁹ Additionally, on page 8 of the direct testimony of Miles Whitney, Mr. Whitney states that he feels “Jonah is a superior choice to **construct** and operate the facility[.]”¹⁰ Mr. Brown and Mr. Whitney’s direct testimony simply reference Jonah’s desire to *construct* a new facility. Neither witness presents any testimony that there is an existing Jonah facility in the 3-mile area.

Nor does either witness present any testimony suggesting there are any other existing wastewater treatment facilities within the three-mile area. On page 5 of his direct testimony, Mr. Whitney states, that [t]here are three other **pending** wastewater treatment plant permits within **3.3 miles** of the subject application.”¹¹ However, all three wastewater treatment plants identified are

⁸ *Proposal for Decision*, SOAH Docket No. 582-22-1016, at 21; See *City of Schertz v. Tex. Comm’n on Env’tl. Quality & Green Valley Special Util. Dist.*, 653 S.W.3d 468, 477 (Texas App. 2022) (stating the TCEQ “presumes its [regionalization] policies are met if there is not an existing [wastewater treatment] plant within three miles of a proposed plant.”)

⁹ EX. JWSUD-1, Direct Testimony of William Brown, p. 6.

¹⁰ EX. JWSUD-2, Direct Testimony of Miles Whitney, p. 8.

¹¹ *Id.* at p. 5.

merely pending, not presently existing, and all three fall outside of a three-mile radius of the Proposed Facility.

Attached as **Exhibit B** to this motion is the affidavit of David Tuckfield. Mr. Tuckfield is an expert on regionalization, having previously been qualified as such in at least one other SOAH proceeding.¹² Mr. Tuckfield affirms the following:

Because neither Messrs. Brown nor Whitney identifies a single existing facility or system within three miles of the proposed facility, neither Messrs. Brown nor Whitney presented “evidence that ... demonstrates that one or more provisions in the draft permit violate a specifically applicable state or federal requirement.” TEX. GOV’T CODE §2003.047(i-2).

Jonah presents no genuine issue as to any material fact on the issue of regionalization, and therefore summary disposition is proper on that issue.

B. Water Quality

Jonah’s testimony is even more tenuous regarding water quality. Not only does Jonah’s prefiled testimony fail to present evidence seeking to rebut Applicant’s prima facie case, it also fails to even assert that the Application is deficient as it relates to the protection of water quality. Mr. Brown and Mr. Whitney’s testimony is similar on the issue. They both raise a contingent concern about the facility if the proposed facility is poorly constructed or operated.¹³ Neither individual asserts, much less provides supporting evidence, that the facility will be poorly constructed or operated. The conclusion of both witnesses in their testimony on water quality is simply that Jonah would be a superior operator of a wastewater system. Ultimately, neither witness

¹² IN RE: 2021-1214-MWD (SOAH DOCKET NO. 582-22-1016;TCEQ DOCKET NO. 2021-1214-MWD)

¹³ Ex. JWSUD-1, p. 8; Ex. JWSUD-2, p. 7.

provides any sort of rebuttal evidence that draws into question the draft permit's protection of water quality.¹⁴

IV. CONCLUSION

There is no genuine issue as to any material fact on the referred issues of regionalization and water quality. As to the issue of regionalization, Jonah offered no substantive evidence to suggest that there is an existing wastewater treatment facility within three miles of the Proposed Facility that can be utilized. In fact, Jonah's witnesses made clear in their pre-filed direct testimonies there is no such facility. Regarding water quality, Jonah offered no direct testimony that could even be interpreted to rebut Applicant's prima facie case on water quality. Jonah did not raise any other issues in its prefiled testimony (or, to the extent it did, such other issues are devoid of any evidentiary support). There was otherwise no other evidence presented in support of an assertion that one or more provisions in the draft permit violate a specifically applicable state or federal requirement, as required by Texas Government Code § 2003.047(i-2)(2). Accordingly, Applicant is entitled to summary disposition in this case as a matter of law, consistent with 30 TAC § 80.137.

For the foregoing reasons, Applicant respectfully requests that the Administrative Law Judge grant its Motion for Summary Disposition on all referred issues in this case and for all other relief to which it has shown itself to be entitled.

DATED July 6, 2023.

¹⁴ EX. JWSUD-1, Direct Testimony of William Brown, p. 8; EX. JWSUD-2, Direct Testimony of Miles Whitney, p. 7.

Respectfully submitted,

GREGG LAW, P.C.

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**ATTORNEYS FOR APPLICANT
R040062, LP**

CERTIFICATE OF SERVICE

I hereby certify by my above signature that a true and correct copy of the foregoing **R040062, LP'S MOTION FOR SUMMARY DISPOSITION** has been served upon all parties by forwarding said copy on July 6, 2023.

EXHIBIT A

FILED
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6/9/2023 4:17 PM
STATE OFFICE OF
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Carol Hale, CLERK

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

ACCEPTED
582-23-10368
6/9/2023 4:19:10 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

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

DIRECT TESTIMONY

OF

WILLIAM BROWN

ON BEHALF OF JONAH WATER SPECIAL UTILITY DISTRICT

EXHIBIT JWSUD-1

JUNE 9, 2023

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

DIRECT TESTIMONY OF WILLIAM BROWN,
WITNESS FOR JONAH WATER SPECIAL UTILITY DISTRICT

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EXHIBITS:

Exhibit BB-1.....Wastewater Treatment Operator A License

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

**DIRECT TESTIMONY OF WILLIAM BROWN,
WITNESS FOR JONAH WATER SPECIAL UTILITY DISTRICT**

I. INTRODUCTION

Q. PLEASE STATE YOUR NAME AND OCCUPATION.

A. My name is William “Bill” Brown. I am the General Manager for Jonah Water Special Utility District (“Jonah”).

Q. DESCRIBE YOUR BACKGROUND AND PROFESSIONAL EXPERIENCE.

A. As it relates to this application for a Texas Pollutant Discharge Elimination System (“TPDES”) permit for the proposed wastewater treatment plant for R040062, LP’s subdivision (the “Application”), I have more than 30 years of experience operating and managing water and wastewater systems, ranging from both large and small. I have several current licenses from the TCEQ, including a Wastewater Treatment Operator A License, and have taken numerous courses, all of which are listed in Exhibit BB-1.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

A. I am filing direct testimony on behalf of Jonah, Protestant in the above-referenced proceeding.

II. PURPOSE OF TESTIMONY

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to provide information to the Executive Director of the Texas Commission on Environmental Quality (“TCEQ”), Office of Public Interest Council (“OPIC”), and the other parties regarding the bases for Jonah’s protest of the Application

1 and the reasons why Jonah is the superior choice of utility providers to construct and
2 operate the Facility (defined below). Jonah is a political subdivision of the State of Texas
3 operating under Texas Water Code (“TWC”) Chapter 65 and the holder of Certificate of
4 Convenience and Necessity (“CCN”) for water number 10970, in Williamson County,
5 Texas. Jonah’s Engineer, Miles Whitney, has provided a map of Jonah’s service area,
6 which is attached to Exhibit JWSUD-2. Jonah provides water service for approximately
7 9,000 customers and 30,000 people in its service area. However, as I will explain in more
8 detail below, that number is growing significantly and thus Jonah has an interest in
9 maintaining its CCN areas, protecting the quality of the surface water in the service areas
10 from pollutants, and protecting investments in its infrastructure that may be adversely
11 affected by the outcome of this Application.

12 **Q. DID R040062, LP (THE “APPLICANT”) SEEK JONAH’S CONSENT TO**
13 **PROVIDE WASTEWATER SERVICE IN JONAH’S CCN SERVICE AREA**
14 **PRIOR TO FILING THE APPLICATION?**

15 A. No.

16 **Q. DOES JONAH CONSENT TO APPLICANT PROVIDING WASTEWATER**
17 **SERVICE IN JONAH’S CCN SERVICE AREA?**

18 A. No.

19 **Q. WOULD JONAH AGREE TO CONSTRUCT, OPERATE, AND MAINTAIN A**
20 **WASTEWATER TREATMENT PLANT TO SERVE THE APPLICANT?**

21 A. Yes.

1 **III. DEVELOPMENT BACKGROUND**

2 **Q. PLEASE DESCRIBE JONAH’S DISTRICT BOUNDARY AND WATER SERVICE**
3 **AREA IN RELATION TO THE PROPOSED FACILITY.**

4 A. Jonah’s district boundary extends along the boundaries of the cities of Round Rock and
5 Georgetown on the west, from Hutto on the south, to Jarrell on the north, and between
6 Granger and Taylor on the east. The district covers over 169 square miles. Jonah’s water
7 CCN area is not contiguous with the district boundary and is a little larger, covering over
8 175 square miles. The proposed project is located in the southwest portion of Jonah’s
9 service area and within Jonah’s district boundary and water CCN territory, as shown on
10 the map attached to Exhibit JWSUD-2.

11 **Q. PLEASE DESCRIBE THE DEVELOPMENT PROJECT FOR WHICH**
12 **APPLICANT IS SEEKING TPDES PERMIT NO. WQ0016008001 (THE**
13 **“PERMIT”).**

14 A. The Permit is being sought for the Indigo Water Resource Recovery Facility (the
15 “Facility”) that is being planned to serve the Applicant’s subdivision, which will consist of
16 approximately 600 manufactured housing units. The Facility’s construction and operation
17 is meant to provide wastewater treatment and disposal for the Applicant’s subdivision.

18 **Q. ARE YOU FAMILIAR WITH THE DRAFT PERMIT FOR THE PROPOSED**
19 **WASTEWATER DISCHARGE PERMIT?**

20 A. Yes.

21 **Q. ARE YOU FAMILIAR WITH THE OTHER EXHIBITS THAT COMPRISE THE**
22 **ADMINISTRATIVE RECORD?**

23 A. I have reviewed some, but not all, of the administrative record.

1 **Q. WHAT IS YOUR OPINION ABOUT THE APPLICATION BASED ON THE**
2 **EVIDENCE IN THE ADMINISTRATIVE RECORD?**

3 A. Jonah is the best utility choice to construct, own, and operate the proposed Facility and is
4 ready and willing to provide wastewater service within the proposed area, pursuant to
5 Jonah's rate order. Nothing in the Application indicates that Jonah is unable or unwilling
6 to provide such service. Although Jonah and the Applicant entered into discussions
7 regarding wastewater service, no agreement has been reached as of the date of this
8 testimony. Jonah believes the Application is insufficient for that reason. Additionally, the
9 Application pays insufficient attention to Texas regionalization policy, under which
10 Jonah—the holder of water CCN No. 10970 in Williamson County, and provider of service
11 to the area under that CCN—is the best choice to construct and maintain the Facility to
12 operate at the highest standards, which will allow Jonah to preserve and maintain surface-
13 water quality in the area.

14 **IV. JONAH'S CONCERNS**

15 **Q. PLEASE DESCRIBE YOUR CONCERNS REGARDING THE DRAFT PERMIT'S**
16 **COMPLIANCE WITH TEXAS REGIONALIZATION POLICY AND**
17 **DEMONSTRATION OF NEED FOR THE VOLUME REQUESTED IN THE**
18 **APPLICATION FOR A NEW DISCHARGE PERMIT PURSUANT TO TWC §**
19 **26.0282.**

20 A. The TCEQ has adopted and advanced its regionalization policy as a means to safeguard
21 water quality in the state. Regionalization refers to the consolidation of the operations,
22 physical systems, or both, of two or more existing or proposed water or domestic
23 wastewater systems. The TCEQ favors regionalization unless it is not feasible—for

1 example, if no other systems are reasonably close to a planned system, or if a utility or
2 retail public utility, or other type of provider, can prove that there should be an exception
3 based on costs, affordable rates, and financial, managerial, and technical capabilities of the
4 existing system.

5 As I previously mentioned, the population within Williamson County and in particular
6 Jonah's service area is growing exponentially. Jonah has seen applications for new
7 developments within the district that have the potential to increase the number of service
8 connections by nearly 30,000. This means significant increases in both water and
9 wastewater capacity demands and the need for long-term planning, including regional
10 wastewater treatment to comply with the State's regionalization policy. With regard to the
11 Application, Jonah believes that there has been insufficient attention paid to
12 regionalization, and that the TCEQ regionalization policy, as well as the interests of the
13 public and of the environment, favors consolidation of wastewater treatment in this area
14 with water supply, which Jonah does at the highest standard of quality.

15 Jonah's Board of Directors desires to construct, operate, and maintain wastewater treatment
16 within Jonah's CCN area in order to establish and maintain the highest quality standards
17 and in order to protect surface water from pollutants or poorly managed discharge that
18 could pollute, contaminate, create algal blooms, and otherwise damage the quality of the
19 potable water Jonah provides its customers. The Applicant has not explained why the area
20 would not be best served by the regionalization of wastewater treatment with Jonah, the
21 existing water utility.

1 **Q. PLEASE DESCRIBE YOUR CONCERNS ABOUT THE FACILITY'S PROPOSED**
2 **OPERATIONS.**

3 A. As someone who has operated utilities for many years, it is concerning that Applicant has
4 little to no experience constructing or operating a utility, particularly a wastewater-
5 treatment facility that has the potential, if mismanaged, to pollute and damage the areas of
6 Jonah's water CCN. Jonah is also concerned with the Applicant's technical, managerial,
7 and financial capabilities to own and operate this facility. The entity appears to have been
8 created for the sole purpose of being a retail sewer service provider for a new development
9 and, unlike Jonah, does not have the experience and background necessary to meet the
10 standards required by any permit the TCEQ issues.

11 **Q. PLEASE DESCRIBE YOUR CONCERNS REGARDING THE POTENTIAL**
12 **ENVIRONMENTAL IMPACT OF THE FACILITY.**

13 A. Jonah disputes that the Applicant's proposed discharge will not impact other bodies of
14 water and drainage-ways in the service area of Jonah's water CCN, which is of great
15 concern to Jonah. Applicant intends to discharge its wastewater to an unnamed tributary of
16 Mankins Branch, to Mankins Branch, then ultimately to the San Gabriel/North Fork San
17 Gabriel River. Jonah provides to its customers water obtained from both surface water and
18 wells, including water from Lake Granger, which is on the San Gabriel River. Jonah is
19 concerned about degradation of water quality conditions in these creek beds, tributaries,
20 Mankins Branch, the San Gabriel River and ultimately Lake Granger if the proposed
21 facility is poorly constructed or operated.

1 **Q. PLEASE DESCRIBE WHY JONAH WOULD BE A SAFER AND MORE**
2 **QUALIFIED OPERATOR FOR THE FACILITY.**

3 A. Jonah has 41 full time positions and 25 field staff to monitor and address operational
4 conditions within Jonah's utility systems. In addition to me, Jonah's field staff hold
5 operator licenses for both water and wastewater systems that will ensure that a regional
6 facility owned and operated by Jonah will be operated at the highest standard.

7 **V. CONCLUSION**

8 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

9 A. Yes, but I reserve the right to supplement my testimony as additional information becomes
10 available.

EXHIBIT BB-1



TCEQ Search Licensing or Registration Information

License Detail

To report a change of address, phone number, or email address, please fill out the form located at <http://www.tceq.texas.gov/licensing/forms/contactupdate>.

CN: CN602159147

Name: BROWN, WILLIAM LEE

Address: 707 COUNTY ROAD 134

City: HUTTO

State: TX

ZIP: 78634-5211

County: WILLIAMSON

Work Phone: 512-759-1286

License(s)

There were 8 licenses found.

Program ?	License Type and Level ?	License Number ?	Last Issued Date ?	Exp. Date ?	License Status ?	BPAT Practical Skills ?	CE Hours ?
CSIOL	CUSTOMER SERVICE INSPECTOR	CI0007658	04/02/2021	04/10/2024	CURRENT	N/A	20
WATEROL	WATER OPERATOR A	WO0004085	01/19/2021	03/26/2024	CURRENT	N/A	206
WWOL	WASTEWATER TREATMENT OPERATOR A	WW0052904	11/12/2021	01/25/2025	CURRENT	N/A	40
BPATOL	BACKFLOW PREVENTION ASSEMBLY TESTER	BP0002986	03/12/2003	03/12/2006	EXPIRED	NO	N/A
CSIOL	CUSTOMER SERVICE INSPECTOR	CI0001084	02/20/2002	02/20/2005	EXPIRED	N/A	N/A
WWOL	WASTEWATER TREATMENT OPERATOR B	WW0001766	11/18/2014	01/25/2016	EXPIRED	N/A	N/A
WWOL	WASTEWATER TREATMENT OPERATOR A	N/A	N/A	N/A	VOID	N/A	N/A
WWOL	WASTEWATER TREATMENT OPERATOR A	N/A	N/A	N/A	VOID	N/A	N/A

Note: The number of CE hours needed in order to renew a license is based on the term (length) of each license. Please go to the program page for the license you hold to determine the number of CE hours needed and to view the latest information and renewal requirements for your license.

Application(s) within the Last 2 Years

There were 1 applications found.

Program ?	Type and Level ?	App. Type ?	App. Status ?	App. Review Date ?	App. Expiration Date ?	Deficiency Letter Date ?	Total Hours ?
WWOL	WASTEWATER TREATMENT OPERATOR A	RENEWAL	LICISSUED	11/12/2021	02/24/2022	No Deficiency	973.5

Course(s)

There were 211 courses found. **Note:** You may see the same course listed multiple times. This occurs because the course counted towards multiple license programs.

Program ?	Course Title	Course Code ?	Hours ?	Date ?	Provider
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	08/05/2021	CWTEX RS
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	08/05/2021	CWTEX RS
BPATOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	01/21/2021	TWUA
BPATOL	ONLINE CUSTOMER SERVICE INSPECTION	1336	10.0	01/21/2021	TWUA
BPATOL	ONLINE CUSTOMER SERVICE INSPECTION	1336	10.0	11/19/2020	TWUA
BPATOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	11/19/2020	TWUA
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	05/09/2019	CWTEX RS
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/09/2019	CWTEX RS
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	05/10/2018	CWTEX RS
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/10/2018	CWTEX RS
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/11/2017	CWTEX RS
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	05/11/2017	CWTEX RS
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	11/14/2003	TWUA
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	11/14/2003	TWUA
BPATOL	(DEACT 6/04)BPAT DEVICE TEST & MAINT(USE CC 1200) - INCL. PRAC. SKILLS	50	40.0	01/31/2003	TEEX

BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	07/07/1999	TEEX ITS
CSOL	CROSS-CONNECTION CONTROL	43	10.0	08/05/2021	CWTEX RS
CSOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	08/05/2021	CWTEX RS
CSOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	01/21/2021	TWUA
CSOL	ONLINE CUSTOMER SERVICE INSPECTION	1336	10.0	01/21/2021	TWUA
CSOL	ONLINE CUSTOMER SERVICE INSPECTION	1336	10.0	11/19/2020	TWUA
CSOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	11/19/2020	TWUA
CSOL	CROSS-CONNECTION CONTROL	43	10.0	05/09/2019	CWTEX RS
CSOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/09/2019	CWTEX RS
CSOL	CROSS-CONNECTION CONTROL	43	10.0	05/10/2018	CWTEX RS
CSOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/10/2018	CWTEX RS
CSOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/11/2017	CWTEX RS
CSOL	CROSS-CONNECTION CONTROL	43	10.0	05/11/2017	CWTEX RS
CSOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	11/14/2003	TWUA
CSOL	CROSS-CONNECTION CONTROL	43	10.0	11/14/2003	TWUA
CSOL	(DEACT 6/04)BPAT DEVICE TEST & MAINT(USE CC 1200) - INCL. PRAC. SKILLS	50	40.0	01/31/2003	TEEX
CSOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	07/07/1999	TEEX ITS
LIOL	CROSS-CONNECTION CONTROL	43	10.0	08/05/2021	CWTEX RS
LIOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	01/21/2021	TWUA
LIOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	11/19/2020	TWUA
LIOL	CROSS-CONNECTION CONTROL	43	10.0	05/09/2019	CWTEX RS
LIOL	CROSS-CONNECTION CONTROL	43	10.0	05/10/2018	CWTEX RS
LIOL	CROSS-CONNECTION CONTROL	43	10.0	05/11/2017	CWTEX RS
LIOL	METHODS=EFFEC INSTR TECH (DEACT 6/06)	934	40.0	09/26/2003	TWUA
LIOL	(DEACT 6/04)BPAT DEVICE TEST & MAINT(USE CC 1200) - INCL. PRAC. SKILLS	50	20.0	01/31/2003	TEEX
OSSFOL	(CORE) WATER UTILITY SAFETY - LIVE ONLINE	1307	8.0	10/15/2020	TWUA
OSSFOL	WATER UTILITY SAFETY	426	8.0	08/31/2017	E TEX RS
OSSFOL	WATER UTILITY SAFETY	426	8.0	08/25/2016	E TEX RS
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	06/09/2022	CEN TEX RS
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	04/28/2022	S/E TEX RS
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	10/12/2021	TWUA DIST
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	08/26/2021	E TEX RS
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/19/2021	TWUA DIST
WATEROL	CROSS-CONNECTION CONTROL	43	10.0	08/05/2021	CWTEX RS
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	08/05/2021	CWTEX RS
WATEROL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	07/29/2021	TWUA
WATEROL	(CORE) WATER DISTRIBUTION	605	20.0	07/22/2021	PERM B RS
WATEROL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	07/01/2021	TWUA
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	05/18/2021	TWUA DIST
WATEROL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	05/06/2021	TWUA
WATEROL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	01/28/2021	TWUA
WATEROL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	01/21/2021	TWUA
WATEROL	ONLINE CUSTOMER SERVICE INSPECTION	1336	10.0	01/21/2021	TWUA
WATEROL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	12/03/2020	TWUA
WATEROL	ONLINE CUSTOMER SERVICE INSPECTION	1336	10.0	11/19/2020	TWUA
WATEROL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	11/19/2020	TWUA
WATEROL	(CORE) WATER UTILITY SAFETY - LIVE ONLINE	1307	20.0	10/15/2020	TWUA
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	10/24/2019	FW TEX RS
WATEROL	CROSS-CONNECTION CONTROL	43	10.0	05/09/2019	CWTEX RS
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/09/2019	CWTEX RS
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	05/02/2019	S/E TEX RS
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	03/16/2019	TWUA DIST
WATEROL	TWUA ALL DAY SCHOOL	609	2.0	10/23/2018	TWUA
WATEROL	CROSS-CONNECTION CONTROL	43	10.0	05/10/2018	CWTEX RS
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/10/2018	CWTEX RS
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	03/07/2018	ANNUAL SCH
WATEROL	WATER UTILITY SAFETY	426	20.0	08/31/2017	E TEX RS
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	07/18/2017	TWUA DIST
WATEROL	GROUNDWATER PRODUCTION	223	20.0	06/15/2017	CEN TEX RS
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	05/11/2017	CWTEX RS
WATEROL	CROSS-CONNECTION CONTROL	43	10.0	05/11/2017	CWTEX RS
WATEROL	CHLORINATOR MAINTENANCE(O&M CHLOR SYSTEMS)	124	20.0	04/27/2017	S/E TEX RS
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	03/01/2017	ANNUAL SCH
WATEROL	WATER UTILITY SAFETY	426	20.0	08/25/2016	E TEX RS

WATEROL	WATER UTILITY MANAGEMENT	550	20.0	03/02/2016	ANNUAL SCH
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	08/13/2015	PERM B RS
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	06/18/2015	CEN TEX RS
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	03/17/2015	TWUA DIST
WATEROL	GROUNDWATER PRODUCTION	223	20.0	03/04/2015	ANNUAL SCH
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/15/2014	TWUA DIST
WATEROL	GROUNDWATER PRODUCTION	223	20.0	03/05/2014	ANNUAL SCH
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	11/19/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	10/15/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/20/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	07/16/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	06/18/2013	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/16/2013	TWUA DIST
WATEROL	GROUNDWATER PRODUCTION	223	20.0	02/27/2013	ANNUAL SCH
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/10/2012	TWUA DIST
WATEROL	WATER UTILITY MANAGEMENT	550	20.0	03/07/2012	ANNUAL SCH
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	05/10/2011	TWUA DIST
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/12/2011	TWUA DIST
WATEROL	WATER UTILITY MANAGEMENT	550	16.0	03/02/2011	ANNUAL SCH
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	03/09/2010	TWUA DIST
WATEROL	TRWA CONFERENCE-WATER ONLY	249	2.0	07/16/2009	TRWA
WATEROL	VALVE AND HYDRANT MAINTENANCE	961	20.0	05/07/2009	TWUA
WATEROL	SEMINAR (WATER ONLY)	1135	6.0	08/20/2008	TCEQ
WATEROL	CHLOR SYS & CHEM HANDL (TRWA)(= 124)	972	20.0	07/09/2008	TRWA
WATEROL	WATER UTILITY CALCULATIONS	108	20.0	06/19/2008	CEN TEX RS
WATEROL	TRWA CONFERENCE-WATER ONLY	249	3.0	08/31/2007	TRWA
WATEROL	EPA WATER WORKSHOP	315	4.0	09/08/2006	TRWA
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	09/14/2005	CAPITOL
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/09/2005	CAPITOL
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	11/14/2003	TWUA
WATEROL	CROSS-CONNECTION CONTROL	43	10.0	11/14/2003	TWUA
WATEROL	SMALLL WATER SYS VULN ASSMNT & ERP	1117	6.0	11/06/2003	TRWA
WATEROL	METHODS=EFFEC INSTR TECH (DEACT 6/06)	934	40.0	09/26/2003	TWUA
WATEROL	INSTRUCTIONAL DESIGN & EVAL (DEACT 6/06)	947	40.0	06/20/2003	TWUA
WATEROL	(CORE) WATER DISTRIBUTION	605	20.0	04/10/2003	TEEX ITS
WATEROL	(DEACT 6/04)BPAT DEVICE TEST & MAINT(USE CC 1200) - INCL. PRAC. SKILLS	50	40.0	01/31/2003	TEEX
WATEROL	WATER TECHNOLOGY	613	40.0	10/12/2001	TEEX ITS
WATEROL	GROUNDWATER PRODUCTION	223	20.0	03/22/2001	TRWA
WATEROL	(CRSPD) CSUS 8-HR UTILITY MANAGEMENT	957	20.0	05/01/2000	CAL STATE
WATEROL	WATER LABORATORY	285	20.0	02/10/2000	TEEX ITS
WATEROL	CUSTOMER SERVICE INSPECTIONS	173	10.0	07/07/1999	TEEX ITS
WATEROL	WATER UTILITY CALCULATIONS	108	20.0	06/10/1999	CEN TEX RS
WATEROL	EXCAVATION SAFETY	203	8.0	01/09/1999	TEEX
WATEROL	GROUNDWATER PRODUCTION	223	20.0	06/27/1996	TEEX ITS
WATEROL	MONTHLY MEETING TRAINING (W/WW)	33	4.0	12/31/1995	CAPITOL
WATEROL	AIDS AND WASTEWATER	32	8.0	10/26/1995	TWUA
WATEROL	SEMINAR (W/WW)	34	7.0	05/01/1995	TRWA
WATEROL	APPLIED CONFINED SPACE SAFETY(8 HR)	42	8.0	04/01/1995	TEEX ITS
WATEROL	WATER UTILITY SAFETY	426	20.0	09/01/1993	TEEX ITS
WATEROL	FLUORIDATION PROCEDURES FOR W OPERATORS (TX DSHS)	214	8.0	02/01/1993	TSTI
WATEROL	SURFACE WATER PRODUCTION (DEACT 8/03)	474	20.0	01/01/1992	TEEX ITS
WATEROL	(CORE) WATER DISTRIBUTION	605	20.0	03/01/1991	TEEX ITS
WATEROL	SURFACE WATER PRODUCTION (DEACT 8/03)	474	20.0	02/01/1991	TEEX ITS
WATEROL	(CORE) BASIC WATERWORKS OPERATION	92	20.0	06/01/1990	CEN TEX RS
WTSOL	CROSS-CONNECTION CONTROL	43	10.0	08/05/2021	CWTEX RS
WTSOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	01/21/2021	TWUA
WTSOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	11/19/2020	TWUA
WTSOL	CROSS-CONNECTION CONTROL	43	10.0	05/09/2019	CWTEX RS
WTSOL	CROSS-CONNECTION CONTROL	43	10.0	05/10/2018	CWTEX RS
WTSOL	CROSS-CONNECTION CONTROL	43	10.0	05/11/2017	CWTEX RS
WWOL	WATER UTILITY MANAGEMENT	550	20.0	06/09/2022	CEN TEX RS
WWOL	WATER UTILITY MANAGEMENT	550	20.0	04/28/2022	S/E TEX RS
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	10/12/2021	TWUA DIST
WWOL	WATER UTILITY MANAGEMENT	550	20.0	08/26/2021	E TEX RS

WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/19/2021	TWUA DIST
WWOL	CROSS-CONNECTION CONTROL	43	10.0	08/05/2021	CWTEX RS
WWOL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	07/29/2021	TWUA
WWOL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	07/01/2021	TWUA
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	05/18/2021	TWUA DIST
WWOL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	05/06/2021	TWUA
WWOL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	01/28/2021	TWUA
WWOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	01/21/2021	TWUA
WWOL	(ONLINE CORE) WASTEWATER COLLECTION (TWUA)	1318	20.0	12/10/2020	TWUA
WWOL	20-HR ONLINE WATER UTILITLY MANAGEMENT	1275	20.0	12/03/2020	TWUA
WWOL	(ONLINE) 10-HR CROSS-CONNECTION CONTROL (TWUA)	1343	10.0	11/19/2020	TWUA
WWOL	(CORE) WATER UTILITY SAFETY - LIVE ONLINE	1307	20.0	10/15/2020	TWUA
WWOL	WATER UTILITY MANAGEMENT	550	20.0	10/24/2019	FW TEX RS
WWOL	CROSS-CONNECTION CONTROL	43	10.0	05/09/2019	CWTEX RS
WWOL	WATER UTILITY MANAGEMENT	550	20.0	05/02/2019	S/E TEX RS
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	03/16/2019	TWUA DIST
WWOL	TWUA ALL DAY SCHOOL	609	2.0	10/23/2018	TWUA
WWOL	CROSS-CONNECTION CONTROL	43	10.0	05/10/2018	CWTEX RS
WWOL	WATER UTILITY MANAGEMENT	550	20.0	03/07/2018	ANNUAL SCH
WWOL	WATER UTILITY SAFETY	426	20.0	08/31/2017	E TEX RS
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	07/18/2017	TWUA DIST
WWOL	CROSS-CONNECTION CONTROL	43	10.0	05/11/2017	CWTEX RS
WWOL	CHLORINATOR MAINTENANCE(O&M CHLOR SYSTEMS)	124	20.0	04/27/2017	S/E TEX RS
WWOL	WATER UTILITY MANAGEMENT	550	20.0	03/01/2017	ANNUAL SCH
WWOL	WASTEWATER COLLECTION	80	20.0	11/10/2016	TWUA
WWOL	WATER UTILITY SAFETY	426	20.0	08/25/2016	E TEX RS
WWOL	WATER UTILITY MANAGEMENT	550	20.0	03/02/2016	ANNUAL SCH
WWOL	WATER UTILITY MANAGEMENT	550	20.0	08/13/2015	PERM B RS
WWOL	WATER UTILITY MANAGEMENT	550	20.0	06/18/2015	CEN TEX RS
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	03/17/2015	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/15/2014	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	11/19/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	10/15/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/20/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	07/16/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	06/18/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/16/2013	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/10/2012	TWUA DIST
WWOL	WATER UTILITY MANAGEMENT	550	20.0	03/07/2012	ANNUAL SCH
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	1.5	05/10/2011	TWUA DIST
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	04/12/2011	TWUA DIST
WWOL	WATER UTILITY MANAGEMENT	550	16.0	03/02/2011	ANNUAL SCH
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	03/09/2010	TWUA DIST
WWOL	VALVE AND HYDRANT MAINTENANCE	961	20.0	05/07/2009	TWUA
WWOL	CHLOR SYS & CHEM HANDL (TRWA)(= 124)	972	20.0	07/09/2008	TRWA
WWOL	WATER UTILITY CALCULATIONS	108	20.0	06/19/2008	CEN TEX RS
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	09/14/2005	CAPITOL
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	2.0	08/09/2005	CAPITOL
WWOL	WASTEWATER COLLECTION	80	20.0	03/10/2004	ANNUAL SCH
WWOL	CROSS-CONNECTION CONTROL	43	10.0	11/14/2003	TWUA
WWOL	METHODS=EFFEC INSTR TECH (DEACT 6/06)	934	40.0	09/26/2003	TWUA
WWOL	INSTRUCTIONAL DESIGN & EVAL (DEACT 6/06)	947	40.0	06/20/2003	TWUA
WWOL	(DEACT 6/04)BPAT DEVICE TEST & MAINT(USE CC 1200) - INCL. PRAC. SKILLS	50	40.0	01/31/2003	TEEX
WWOL	(CRSPD) CSUS 8-HR UTILITY MANAGEMENT	957	20.0	05/01/2000	CAL STATE
WWOL	WATER UTILITY CALCULATIONS	108	20.0	06/10/1999	CEN TEX RS
WWOL	EXCAVATION SAFETY	203	8.0	01/09/1999	TEEX
WWOL	WASTEWATER TREATMENT	437	20.0	07/15/1998	S/W TEX RS
WWOL	WASTEWATER TREATMENT	437	20.0	02/13/1997	TEEX ITS
WWOL	MONTHLY MEETING TRAINING (W/WW)	33	4.0	12/31/1995	CAPITOL
WWOL	AIDS AND WASTEWATER	32	8.0	10/26/1995	TWUA
WWOL	WASTEWATER LABORATORY	81	20.0	08/24/1995	TEEX ITS
WWOL	APPLIED CONFINED SPACE SAFETY(8 HR)	42	8.0	04/05/1995	TEEX ITS
WWOL	ANAEROBIC DIGESTION	36	20.0	10/27/1994	TEEX ITS
WWOL	WATER UTILITY SAFETY	426	20.0	09/02/1993	TEEX ITS
WWOL	(CORE) BASIC WASTEWATER OPERATIONS	59	20.0	08/15/1991	TEEX ITS

WWOL	WASTEWATER COLLECTION	80	20.0	12/13/1990	TEEX ITS1
WWOL	WASTEWATER TREATMENT	437	20.0	07/20/1990	ACC
WWOL	(CORE) BASIC WASTEWATER OPERATIONS	59	20.0	06/07/1990	ACC

Note: Approved training providers are responsible for submitting approved training to TCEQ. Please allow 30 days from the last date of the training session for a record to appear in the search results. If a course does not appear in your training record after that time, please contact the training provider of the missing course. You may find contact information for approved training providers at <https://www.tceq.texas.gov/licensing/training/AllTrainingProviders>.

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Katy Hennings on behalf of John Joseph Carlton

Bar No. 3817600

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Envelope ID: 76483160

Filing Code Description: Pre-filed Testimony

Filing Description: Direct Testimony of William Brown on Behalf of Jonah

Water Special Utility District

Status as of 6/9/2023 4:19 PM CST

Associated Case Party: City of Georgetown

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Associated Case Party: Executive Director

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Katy Hennings		katy@carltonlawaustin.com	6/9/2023 4:17:40 PM	SENT

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Katy Hennings on behalf of John Joseph Carlton

Bar No. 3817600

katy@carltonlawaustin.com

Envelope ID: 76483160

Filing Code Description: Pre-filed Testimony

Filing Description: Direct Testimony of William Brown on Behalf of Jonah

Water Special Utility District

Status as of 6/9/2023 4:19 PM CST

Associated Case Party: Public Interest Counsel

Name	BarNumber	Email	TimestampSubmitted	Status
SHELDON WAYNE		sheldon.wayne@tceq.texas.gov	6/9/2023 4:17:40 PM	SENT

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

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

FILED
582-23-10368
6/9/2023 4:22 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Pegah Nasrollahzadeh, CLERK

**DIRECT TESTIMONY

OF

MILES WHITNEY**

ACCEPTED
582-23-10368
6/9/2023 4:27:20 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Pegah Nasrollahzadeh, CLERK

ON BEHALF OF JONAH WATER SPECIAL UTILITY DISTRICT

EXHIBIT JWSUD-2

JUNE 9, 2023

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

DIRECT TESTIMONY OF MILES WHITNEY,
WITNESS FOR JONAH WATER SPECIAL UTILITY DISTRICT

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EXHIBITS:

Exhibit MW-1 District/Water CCN Map

**SOAH DOCKET NO. 582-22-1016
TCEQ DOCKET NO. 2021-1214-MWD**

**DIRECT TESTIMONY OF MILES WHITNEY,
WITNESS FOR JONAH WATER SPECIAL UTILITY DISTRICT**

I. INTRODUCTION, POSITION, AND QUALIFICATIONS

Q. PLEASE STATE YOUR NAME AND CURRENT EMPLOYMENT POSITION.

A. My name is Miles Whitney. I am a licensed civil engineer, License No. 116154, and the President of Cayote Consulting, LLC.

Q. HOW LONG HAVE YOU BEEN EMPLOYED IN YOUR CURRENT POSITION?

A. I have held the position of President for more than eight years.

Q. WHAT ARE YOUR RESPONSIBILITIES IN YOUR CURRENT POSITION?

A. As the professional civil engineer for Jonah Water Special Utility District, I work on planning, design, permitting, and management. I am responsible for the design and management of the water and wastewater projects for Jonah, that would include Texas Commission on Environmental Quality ("TCEQ") discharge permit applications and renewals. I also assist with future planning efforts, including master planning, capital improvement plans, certificate of convenience and necessity ("CCN") applications, review of proposed subdivisions, easement acquisition assistance, and funding assistance.

Q. WHAT ATTACHMENTS HAVE YOU PREPARED IN SUPPORT OF YOUR TESTIMONY?

A. My direct testimony and supporting attachment, identified as Exhibit MW-1, which were prepared by me or under my direction, supervision or control, are to the best of my knowledge true and correct and are the types of documents kept in the normal course of

1 business. Exhibit MW-1 is a map of Jonah's service areas and systems, and pending
2 wastewater treatment plant permit applications, located in proximity to the district.

3 **Q. WHAT HAVE YOU REVIEWED TO PREPARE YOUR TESTIMONY AND**
4 **RENDER YOUR OPINIONS?**

5 A. My opinions are based on my personal knowledge of the proposed development project
6 that the proposed permit will serve, including the documents submitted by R040062, LP
7 (the "Applicant") to Jonah and the draft permit effluent limitations, my understanding of
8 Jonah's ability to construct and operate the Facility, defined below, as well as the direct
9 testimony of Jonah's other witness, William Brown.

10 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?**

11 A. I am filing direct testimony on behalf of Jonah Water Special Utility District ("Jonah"), a
12 Protestant in this proceeding.

13 **II. PURPOSE OF DIRECT TESTIMONY**

14 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

15 A. Since the Applicant requested direct referral of this application to the State Office of
16 Administrative Hearings ("SOAH"), this hearing is to address whether the application
17 complies with all applicable statutory and regulatory requirements. The purpose of my
18 testimony is to provide additional information for the record regarding some of the
19 applicable requirements. Specifically, whether the draft permit is consistent with the state's
20 regionalization policy and demonstration of need for the volume requested in the
21 application for a new discharge permit pursuant to Texas Water Code ("TWC") § 26.0282.
22 I will also provide testimony concerning wastewater system design and permitting,
23 generally.

1 **Q. PLEASE DESCRIBE THE DEVELOPMENT PROJECT FOR WHICH**
2 **APPLICANT IS SEEKING THE TEXAS POLLUTANT DISCHARGE**
3 **ELIMINATION SYSTEM (“TPDES”) PERMIT NO. WQ0016008001?**

4 A. I understand that the Indigo Water Resource Recovery Facility (the “Facility”) is proposed
5 to serve Applicant’s subdivision, consisting of approximately 600 manufactured homes.
6 The property lies within Jonah’s district boundary and existing water CCN area.

7 **Q. ARE YOU FAMILIAR WITH THE EXHIBITS AND DOCUMENTS THAT**
8 **COMPRISE THE ADMINISTRATIVE RECORD?**

9 A. I am familiar with some of the other exhibits and documents.

10 **Q. WHAT IS YOUR OPINION ABOUT THE APPLICATION BASED ON THE**
11 **EVIDENCE IN THE ADMINISTRATIVE RECORD?**

12 A. Jonah is willing and able to provide wastewater service to Applicant for future residential
13 customers within the proposed service area and that Jonah would be the best regional
14 service provider in this area.

15 **III. JONAH’S CONCERNS**

16 **Q. PLEASE DESCRIBE THE AREA WHERE THE PROPOSED DEVELOPMENT**
17 **AND WASTEWATER TREATMENT FACILITY WILL BE LOCATED.**

18 A. Due to the construction of SH 130, the area on both sides of the highway in Jonah’s service
19 area is experiencing significant growth. New developments along the SH 130 corridor are
20 requesting water and wastewater service at record pace. As you can see on Exhibit MW-1
21 the R040062 LP application is just one of ten pending wastewater applications within or
22 near Jonah’s district boundary and water CCN area. There are three other pending
23 wastewater treatment plant permits within 3.3 miles of the subject application: AIRW-

2017-7 Permit No. WQ0015878001 (0.84 miles), Limmer Loop JV, LLC WQ0016260001 (3.37 miles), and New Horizons Utility LLC WQ0016257001 (1.30 miles). Additionally, the subject application is within 1.6 miles of three active and one inactive Jonah water wells: Plant No. 1, Well No. 1, and Well No. 10 (1.28 miles); and Plant No. 7, Well No. 3 (1.58 miles) are in service; and Plant No. 11, Well No. 6 (0.57 miles) that is currently out of service.

Q. PLEASE DESCRIBE YOUR CONCERNS REGARDING THE DRAFT PERMIT'S COMPLIANCE WITH TEXAS REGIONALIZATION POLICY AND DEMONSTRATION OF NEED FOR THE VOLUME REQUESTED IN THE APPLICATION FOR A NEW DISCHARGE PERMIT PURSUANT TO TWC § 26.0282.

A. Texas has a regionalization policy for wastewater treatment that is meant to encourage consistency and quality in wastewater treatment by providing for the administrative or physical combination of two or more community wastewater systems for improved planning operation or management. For example, expanding or combining treatment facilities to operate under one operator that has a strong background in good management is encouraged over multiple smaller wastewater-treatment facilities in a region that may have operators that vary in operation quality, pollution management, and other types of expertise that can potentially have a profound impact on the regional environment and public health and safety. My understanding is that the Applicant for the draft permit is a single-purpose entity that, to Jonah's knowledge, does not own or operate any other wastewater-treatment plants.

1 Jonah is in the business of utilities and of constructing and operating facilities at the highest
2 standards. Selecting Jonah as the provider of wastewater treatment for Applicant's
3 development has the added benefit of facilitating the Texas regionalization policy because
4 Jonah desires to pursue the construction and operation of wastewater-treatment plants
5 within its boundaries to ensure that surface-water quality is preserved. Construction and
6 operation of high-quality wastewater-treatment plants is necessary to maintain the surface-
7 water quality for all discharges above Lake Granger, as Lake Granger serves as a major
8 water supply source for Jonah through its wholesale contracts with the Brazos River
9 Authority.

10 **Q. PLEASE DESCRIBE YOUR CONCERNS REGARDING THE POTENTIAL**
11 **ENVIRONMENTAL IMPACT OF THE FACILITY.**

12 A. Based on the information in documents reviewed, the treated wastewater will be discharged
13 to an unnamed tributary of Mankins Branch, to Mankins Branch, then ultimately to the San
14 Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin.
15 Jonah has concerns that the treated wastewater, if not properly managed, will contaminate
16 the water in the San Gabriel/North Fork San Gabriel River, and eventually Lake Granger.
17 Jonah provides to its customers water obtained from both surface water and wells,
18 including water coming from the San Gabriel River. Jonah is concerned about degradation
19 of water quality conditions in these creek beds, tributaries, Mankins Branch, the San
20 Gabriel River and ultimately Lake Granger from the discharge that will emanate from this
21 facility should the proper maintenance and operation of the facility not be sustained. Due
22 to the proximity of the proposed facility to Jonah's water wells and the northern segment
23 of the Edwards (Balcones Fault Zone) Aquifer, Jonah is also concerned about the potential

contamination of ground water in the area if the facility is not properly maintained or discharge is not in compliance with the required water quality standards.

Q. PLEASE DESCRIBE WHY JONAH WOULD BE A SAFER AND MORE QUALIFIED OPERATOR FOR THE FACILITY.

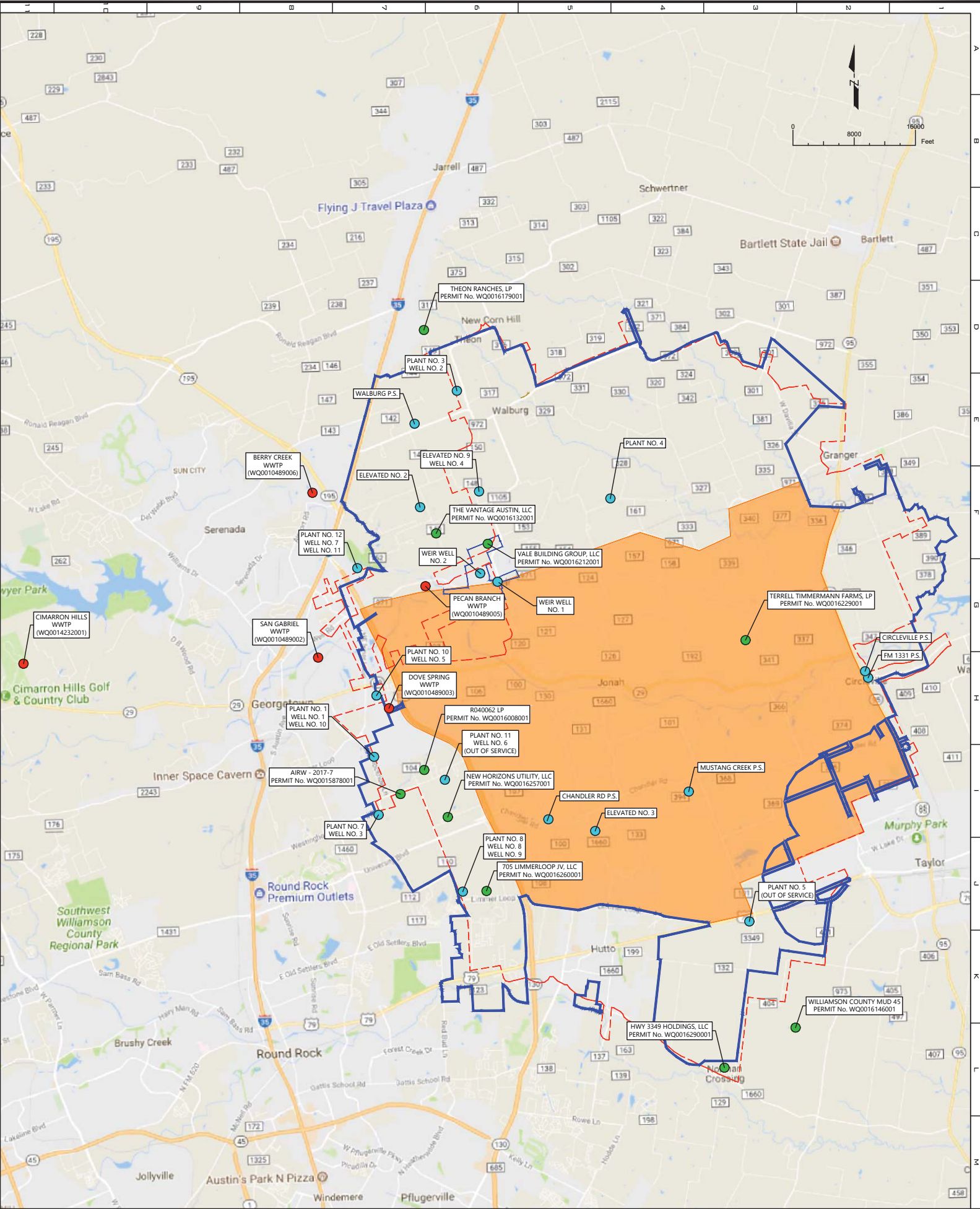
A. Jonah is the superior choice to construct and operate the Facility because Jonah will ensure that the Facility is built and maintained to operate at the highest quality standards to safeguard surface-water quality in the region; Jonah's construction and operation of the Facility will comply with Texas' regionalization policy by combining water and wastewater service in the area to a single provider with a history of exceptional operations; additionally, Jonah will not impose requirements on potential customers, such as annexation into a city or compliance with additional development standards, simply to have wastewater treated at the Facility.

IV. CONCLUSION

Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

A. Yes, but I reserve the right to supplement my testimony as additional information becomes available.

EXHIBIT MW-1



- NOTES:
- INFORMATION USED TO CREATE JONAH'S CCN BOUNDARY WAS ACQUIRED FROM THE PUBLIC UTILITY COMMISSION OF TEXAS' (P.U.C.) WEBSITE ON APRIL 6, 2022
 - INFORMATION USED TO CREATE JONAH'S S.U.D. BOUNDARY WAS ACQUIRED FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY'S (T.C.E.Q.) WEBSITE ON APRIL 7, 2022
 - LINE LOCATIONS ARE FOR REPRESENTATION ONLY, CONTACT APPLICABLE UTILITY PROVIDER FOR FIELD LOCATIONS
 - THIS PRODUCT IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF THE INFRASTRUCTURE.
 - JONAH WATER S.U.D. NOR ITS REPRESENTATIVES SHALL BE LIABLE TO ANY PERSON OR ENTITY WITH RESPECT TO ANY LIABILITY, LOSS, OR DAMAGE CAUSES OR ALLEGED TO BE CAUSED DIRECTLY OR INDIRECTLY BY USE OF THIS MAP.



JONAH CCN:
(AREA: 112,167 ACRES OR
175.26 SQUARE MILES)



APPROXIMATE LOCATION
OF GEORGETOWN
WASTE WATER
TREATMENT PLANT



JONAH S.U.D.:
(AREA: 108,363 ACRES OR
169.317 SQUARE MILES)



APPROXIMATE LOCATION
OF PROPOSED WASTE
WATER DISCHARGE



WWMP STUDY AREA
(APPROX AREA: 57,938 ACRES
OR 90.53 SQUARE MILES)



APPROXIMATE LOCATION
OF EXISTING JWSUD
PLANT

SHEET 1

AYOTE CONSULTING, LLC
T.B.P.E. F-16387
P.O. Box 24189
WACO, TX 76702
PH. 254-744-3439

DATE:
06/07/2023

APPROVED:

DESIGN: JMW

DRAWN: JMS

CHECKED: JMS

SEAL: JMS

JONAH WATER S.U.D.
WILLIAMSON COUNTY, TEXAS

WATER CCN & S.U.D. MAP

REVISION	DESCRIPTION	DATE	BY	CHKD

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Katy Hennings on behalf of John Joseph Carlton

Bar No. 3817600

katy@carltonlawaustin.com

Envelope ID: 76483561

Filing Code Description: Pre-filed Testimony

Filing Description: Direct Testimony of Miles Whitney on Behalf of Jonah

Water Special Utility District

Status as of 6/9/2023 4:28 PM CST

Case Contacts

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Associated Case Party: City of Georgetown

Name	BarNumber	Email	TimestampSubmitted	Status
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Associated Case Party: R040062, LP

Name	BarNumber	Email	TimestampSubmitted	Status
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Associated Case Party: Executive Director

Name	BarNumber	Email	TimestampSubmitted	Status
Aubrey Pawelka		aubrey.pawelka@tceq.texas.gov	6/9/2023 4:22:58 PM	SENT

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Water Special Utility District

Status as of 6/9/2023 4:28 PM CST

Associated Case Party: Public Interest Counsel

Name	BarNumber	Email	TimestampSubmitted	Status
SHELDON WAYNE		sheldon.wayne@tceq.texas.gov	6/9/2023 4:22:58 PM	SENT

EXHIBIT B

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

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

**UNSWORN DECLARATION OF DAVID J. TUCKFIELD
PURSUANT TO TEXAS CIVIL PRACTICE AND REMEDIES CODE § 132.001**

1. “My name is David J. Tuckfield. I am over twenty-one (21) years of age. I am of sound mind, and I have never been convicted of a felony or crime involving moral turpitude. I am capable of making this declaration.

2. The facts, statements, certifications, acknowledgments, and verifications made herein are within my personal knowledge and are true and correct.

3. The Texas Commission on Environmental Quality (“TCEQ”) posted a page on its website entitled “TCEQ Regionalization Policy for Wastewater Treatment” (hereafter referred to as “TCEQ Regionalization Web Page”). The TCEQ Regionalization Web page can be found at the following link:

<https://www.tceq.texas.gov/permitting/wastewater/tceq-regionalization-for-wastewater>

4. I have reviewed the prefiled testimony of Messrs. Brown and Whitney in this case.

5. Neither Messrs. Brown nor Whitney identifies a single existing facility or system within three miles of the proposed facility in this case. Mr. Whitney asserts that there are two “pending wastewater treatment plant permits” within 3.0 miles of the subject application: (1) AIRW 2017-7 Permit No. WQ0015878001 (0.84 miles), and (2) the New Horizons Utility LLC WQ0016257001 (1.30 miles), as of the date of this declaration, neither of the facilities proposed by those permits have been constructed.

6. The TCEQ Regionalization Web Page states that “TCEQ may approve new . . . applications for discharges of wastewater . . . where: There is no wastewater treatment facility or collection system within three miles of the proposed facility.

7. Because neither Messrs. Brown nor Whitney identifies a single existing facility or system within three miles of the proposed facility, neither Messrs. Brown nor Whitney presented “evidence that . . . demonstrates that one or more provisions in the draft permit violate a specifically

applicable state or federal requirement." TEX. GOV'T CODE §2003.047(i-2).

My name is David J. Tuckfield, my date of birth is September 5, 1962 and my address is 12400 West Hwy. 71, Suite 350-150, Austin, TX 78738 (Travis County). I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County, State of Texas on the 5th day of July 2023."

By: 
David J. Tuckfield

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Dina Dreifuerst on behalf of Peter Gregg

Bar No. 784174

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Envelope ID: 77279308

Filing Code Description: Motion for Summary Disposition

Filing Description: R040062, LP's Motion for Summary Disposition

Status as of 7/7/2023 7:58 AM CST

Associated Case Party: Executive Director

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Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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Katy Hennings		katy@carltonlawaustin.com	7/6/2023 6:34:13 PM	SENT
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Associated Case Party: City of Georgetown

Name	BarNumber	Email	TimestampSubmitted	Status
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Associated Case Party: R040062, LP

Name	BarNumber	Email	TimestampSubmitted	Status
Peter T.Gregg		pgregg@gregglawpc.com	7/6/2023 6:34:13 PM	SENT
ERIN SELVERA		erin@carltonlawaustin.com	7/6/2023 6:34:13 PM	SENT

Associated Case Party: Public Interest Counsel

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