

FILED
582-23-10368
9/7/2023 1:40 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

ACCEPTED
582-23-10368
9/7/2023 2:22:34 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

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

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

AGREED MOTION TO REVISE PROCEDURAL SCHEDULE

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE

COMES NOW, R040062, LP (“Applicant”) and files this Agreed Motion to Revise Procedural Schedule and, in support thereof, would respectfully show the following:

On May 10, 2023, the administrative law judge’s (“ALJ”) Order Adopting Procedural Schedule established deadlines of September 7th for all parties to file written closing arguments, and September 14th for written responses to closing arguments and closing the record.

Unfortunately, the court reporter for Hearing on the Merits has failed to provide the hearing transcript to the parties in a timely manner despite Applicant’s efforts. Counsel for the Applicant, the Texas Commission on Environmental Quality, the Office of Public Interest Counsel, and Protestant Jonah Water Utility District (collectively, the “Parties”) have conferred and are in agreement that this delay will hamper their ability to file closing arguments by September 7, 2023.

Applicant hereby requests, for itself and on behalf of the other Parties, an eleven-day extension of the deadlines for filing closing arguments to September 18, 2023, and for filing responses to closing arguments to September 25, 2023, and recognizing that will result in the extension of the issuance of the Proposal for Decision until November 24, 2023. The undersigned represents that he has consulted with counsel for the other Parties and they have indicated their agreement with this request.

DATED September 7, 2023.

Respectfully submitted,

GREGG LAW, P.C.



By: _____

Peter T. Gregg, Lead Counsel

State Bar No. 00784174

901 West Avenue, Suite #3

Austin, Texas 78702

(512) 522-0702

(512) 727-6070 (Facsimile)

pgregg@gregglawpc.com

ATTORNEYS FOR APPLICANT

R040062, LP

CERTIFICATE OF SERVICE

I hereby certify by my above signature that a true and correct copy of the foregoing pleading has been served upon all parties by forwarding said copy on September 7, 2023.

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.

Dina Dreifuerst on behalf of Peter Gregg

Bar No. 784174

ddreifuerst@gregglawpc.com

Envelope ID: 79309758

Filing Code Description: Motion to Extend Deadlines

Filing Description: Agreed Motion to Revise Procedural Schedules

Status as of 9/7/2023 2:23 PM CST

Associated Case Party: Executive Director

Name	BarNumber	Email	TimestampSubmitted	Status
Aubrey Pawelka		aubrey.pawelka@tceq.texas.gov	9/7/2023 1:40:42 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
John Joseph Carlton	3817600	john@carltonlawaustin.com	9/7/2023 1:40:42 PM	SENT
OLS Legal Support		TCEQsoah@tceq.texas.gov	9/7/2023 1:40:42 PM	SENT
SHAWN BICHSEL		sbichsel@gmail.com	9/7/2023 1:40:42 PM	SENT
ALEX CIFUENTES		alex@interiorhomesolutions.com	9/7/2023 1:40:42 PM	SENT

Associated Case Party: R040062, LP

Name	BarNumber	Email	TimestampSubmitted	Status
Peter T.Gregg		pgregg@gregglawpc.com	9/7/2023 1:40:42 PM	SENT
ERIN SELVERA		erin@carltonlawaustin.com	9/7/2023 1:40:42 PM	SENT

Associated Case Party: Jonah Water Special Utility District

Name	BarNumber	Email	TimestampSubmitted	Status
Katy Hennings		katy@carltonlawaustin.com	9/7/2023 1:40:42 PM	SENT
Erin Selvera		erin@carltonlawaustin.com	9/7/2023 1:40:42 PM	SENT
John Carlton		john@carltonlawaustin.com	9/7/2023 1:40:42 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.

Dina Dreifuerst on behalf of Peter Gregg

Bar No. 784174

ddreifuerst@gregglawpc.com

Envelope ID: 79309758

Filing Code Description: Motion to Extend Deadlines

Filing Description: Agreed Motion to Revise Procedural Schedules

Status as of 9/7/2023 2:23 PM CST

Associated Case Party: Public Interest Counsel

Name	BarNumber	Email	TimestampSubmitted	Status
SHELDON WAYNE		sheldon.wayne@tceq.texas.gov	9/7/2023 1:40:42 PM	SENT