

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**APPLICATION BY PRESERVE HUTTO, LLC
FOR NEW TPDES PERMIT No. WQ0016145001**

ORDER GRANTING MOTION FOR CONTINUANCE

This case was docketed at the State Office of Administrative Hearings (SOAH) on July 12, 2024; the undersigned Administrative Law Judge (ALJ) was assigned; and the case was set for prehearing conference (PHC) to occur on September 12, 2024. On August 21, 2024, Preserve Hutto, LLC (Applicant) filed a motion for continuance (Motion) based on needing additional time to publish notice of the PHC.¹ The Motion did not include a certificate of conference or indicate whether the Executive Director of the Texas Commission on Environmental Quality (TCEQ) was opposed; and TCEQ filed no response.

¹ The Motion did not include proposed new dates for the PHC; therefore, the ALJ's administrative assistant asked Applicant and TCEQ to inform her of "the earliest [PHC] date that would allow Applicant enough time to meet the notice requirements, and which, if any, dates after that in September you are not available for the 2-hour PHC." Instead of answering those questions, Applicant responded that both parties confirmed their availability on October 8, 2024. However, that date is not available.

The ALJ finds the Motion to have merit; and the Motion is **GRANTED**. Therefore, it is **ORDERED** that the PHC in this case is **RESET** from September 12, 2024, to **OCTOBER 21, 2024, at 10:00 a.m. (CT)** via Zoom videoconference. **The hearing is set for no longer than two hours.** The audio portion of the hearing will be recorded, and it will be the official record of the proceeding. Access the hearing by one of the following means:

Join by computer or smart device:

Go to <https://soah-texas.zoomgov.com> and enter:

Meeting ID: 160 004 0585

Video Passcode: MWD738

Join by telephone (audio only):

Call +1 (669) 254 5252, and enter the following:

Meeting ID: 160 004 0585

Telephone Passcode: 750773

Signed August 28, 2024.



Heather D. Hunziker

Presiding Administrative Law Judge