



# NEWS

**GUADALUPE-BLANCO RIVER AUTHORITY  
933 EAST COURT STREET SEGUIN, TEXAS 78155 FAX  
[830] 379-9718**

## **Judge upholds City of Bulverde's right to provide retail water to City's service area Rules against Bexar Metropolitan Water District**

FOR IMMEDIATE RELEASE, September 24, 2004

Contact: Judy Gardner or Tammy Beutnagel, [830] 379-5822, email [jgardner@gbra.org](mailto:jgardner@gbra.org) or [tbeutnagel@gbra.org](mailto:tbeutnagel@gbra.org)

**SEGUIN-** The City of Bulverde has the right to provide retail water service to the area defined in the city's Certificate of Convenience and Necessity (CCN), following a decision late yesterday afternoon by District Judge Darlene Byrne in Travis County.

The City has entered into several contracts whereby the Guadalupe-Blanco River Authority (GBRA) will initially provide the retail water service on behalf of Bulverde.

The court upheld the CCN issued by the Texas Commission on Environmental Quality (TCEQ) to the City of Bulverde on February 14, 2003. The Bexar Metropolitan Water District (BexarMet), which has been trying to expand its service territory beyond the area authorized by the Texas Legislature, challenged the TCEQ's decision to issue the CCN to Bulverde.

"Judge Byrne not only affirmed TCEQ's action, but also denied BexarMet's motion to remand the issue back to TCEQ for the taking of additional evidence," said GBRA general manager Bill West.

"This decision validates the process established by the State Legislature and affirms the TCEQ's decision that the City can acquire a CCN and hire entities like GBRA to assist the City in providing retail water service," West said.

Bulverde Mayor Bill Cole said the City is delighted with the ruling. "We take our responsibilities granted by the CCN very seriously. We also were listening to our citizens, who told us they wanted their water service provided by the City of Bulverde. We will continue the work already underway with GBRA to provide retail water service as quickly as possible to the customers and communities in the Bulverde CCN area.

CAUSE NO. GV302775

BEXAR METROPOLITAN WATER DISTRICT,

VS.

THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

250<sup>h</sup> JUDICIAL DISTRICT

ORDER ON APPEAL FROM TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
ORDER DATED FEBRUARY 14, 2003

On September 23, 2004, came on for consideration Bexar Metropolitan Water District's Brief on the Merits (Appellant), The Texas Commission on Environmental Quality's response brief thereto, Appellant's reply brief, the City of Bulverde's and Guadalupe-Blanco River Authority's Response Brief, and Bexar Metropolitan Water District's Alternative Motion to Remand for the Taking of Additional Evidence, and after hearing arguments of counsel, the Court affirms the Final Order of the Texas Commission on Environmental Quality dated February 14, 2003 (hereinafter referred to as the "Final Order") and denies Bexar Metropolitan's Motion for Remand.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Commission's Final Order is AFFIRMED.

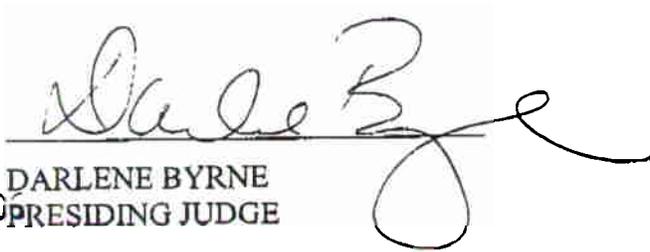
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Bexar Metropolitan Water District's Alternative Motion to Remand for the Taking of Additional Evidence is DENIED.

SIGNED on September 23, 2004.

FILED

04 SEP 23 PM 4:00

DARLENE BYRNE  
PRESIDING JUDGE



*Ursula Rodriguez Hernandez*  
DISTRICT CLERK  
TRAVIS COUNTY, TEXAS