

SOAH DOCKET NO. 957-18-4985

IN RE THE APPLICATION	§	BEFORE THE STATE
	§	
OF ELECTRO PURIFICATION LLC	§	OFFICE OF
	§	
FOR AN HISTORIC PERMIT	§	ADMINISTRATIVE HEARINGS
	§	

**APPLICANT’S 4<sup>th</sup> MONTHLY ABATEMENT STATUS REPORT**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES:

COMES NOW Electro Purification, LLC (“EP” or “Applicant”) and provides this 4<sup>th</sup> Monthly Abatement Status Report, and would show the Administrative Law Judges as follows:

**I.**  
**Status Report**

During June and continuing into July, EP and Kinder Morgan, Texas Pipeline LLC and Permian Highway Pipeline LLC (“KM/PHP”) negotiated the final terms and conditions for settlement of disputed issues between the Parties. Upon implementation of the resolution of the dispute, EP will be able to move forward with its pending Groundwater Production Permit Application in this SOAH Docket. The Parties have executed the Confidential Settlement Agreement, and EP is awaiting authorization from KM/PHP’s Management to its legal counsel to implement the settlement, including the dismissal with prejudice to refile of the two separate lawsuits between the Parties pending in Hays County Courts at Law Nos. 1 and 2 as Docket Nos. 19-0896-C and 19-1060-C.

Upon completion of the implementation of the confidential settlement, including dismissal of the separate lawsuits EP filed in Hays County Courts at Law Nos. 1 and 2, and KM/PHP counterclaims, as soon as the Courts issue Orders of Dismissal, EP will be in a position to move forward confidently and prosecute its pending Permit Application in this Docket. Based upon

discussions with Counsel for KM/PHP, EP is optimistic that the dismissal can be accomplished prior to August 17, 2020. Accordingly, EP is working on an updated draft procedural schedule for these SOAH proceedings which it will be circulating to the Parties later this week.

**II.**  
**Conclusion**

WHEREFORE, PREMISES CONSIDERED, EP concludes the Applicant's 4<sup>th</sup> Monthly Status Report. EP will continue to apprise the ALJs and Parties of the developments in the Pipeline matter consistent with the ALJs' Order No. 12.

Respectfully submitted,

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**ATTORNEYS FOR APPLICANT  
ELECTRO PURIFICATION LLC**

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing 4<sup>th</sup> Monthly Abatement Status Report has been e-filed with SOAH using the [www.efile.txcourts.gov](http://www.efile.txcourts.gov) filing service and sent to all parties of record or their Counsel via e-mail and/or U.S. Mail on this the 3<sup>rd</sup> day of August, 2020, addressed as follows:

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