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SOAH DOCKET NO. 473-15-0422  
PUC DOCKET NO. 42852

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APPLICATION FROM THE CITY OF  
SPLENDORA TO AMEND CCN  
NO. 11727 IN MONTGOMERY AND  
LIBERTY COUNTIES

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BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 1  
CASE DESCRIPTION, SCHEDULING OF PREHEARING CONFERENCE,  
AND FILING REQUIREMENTS

I. CASE DESCRIPTION AND JURISDICTION

The City of Splendora filed an application with the Texas Commission on Environmental Quality (TCEQ) requesting approval to amend Certificate of Convenience and Necessity (CCN) Number 11727 by adding additional service area to the water CCN. On September 1, 2014, jurisdiction over the amendment of water CCNs was transferred from the TCEQ to the Public Utility Commission of Texas (Commission or PUC).<sup>1</sup> On September 26, 2014, the PUC referred this case to the State Office of Administrative Hearings (SOAH) for hearing. The Commission has jurisdiction and authority over this matter pursuant to the Texas Water Code ch. 13<sup>2</sup> and P.U.C. procedural rules at chapter 24.<sup>3</sup> The Commission will consider and possibly adopt a preliminary order at its open meeting scheduled for October 17, 2014.

II. SCHEDULING OF PREHEARING CONFERENCE

The Administrative Law Judge (ALJ) will convene a prehearing conference in a SOAH hearing room located on the Fourth Floor of the William P. Clements Building, 300 West 15th Street, Austin, Texas, after the Commission issues the preliminary order. The parties are **ORDERED** to confer regarding a mutually agreeable date for the prehearing conference to be held and Staff shall file a letter with a proposed date by **October 17, 2014**. The ALJ is available on the following dates: November 7, 18, and 24, 2014. The time of the prehearing conference will be 10:00 a.m. Central Standard Time on the date chosen by the ALJ. At the prehearing

<sup>1</sup> Acts 2013, 83rd Leg., R.S., Chs. 170 (H.B. 1600) & 171 (S.B. 567), eff. September 1, 2013.

<sup>2</sup> <http://www.puc.texas.gov/agency/rulesnlaws/statutes/PUCWaterStatutes.pdf>

<sup>3</sup> <http://www.puc.texas.gov/agency/rulesnlaws/subrules/water/Water.aspx>

conference, the ALJ will discuss applicable statutes and rules, establish a procedural schedule (including a hearing date), address any pending motions, and address any other matters relevant to this proceeding and necessary for the fair and efficient disposition of this case.

### III. FILING AND SERVICE PROCEDURES

The procedures regarding filing and service are specified in Subchapter E of the Commission's procedural rules and apply in this proceeding. The Commission's procedural rules are found at <http://www.puc.texas.gov>, under the tab "Rules & Laws" at chapter 22. Parties are expected to know those procedures and comply with them fully.

#### A. Filing

Pleadings and other filings shall be deemed filed when the proper number of legible copies is presented to the PUC filing clerk for filing. **All pleadings must contain both the SOAH and PUC docket numbers to allow for efficient processing.**

For a party who may not be familiar with the PUC processes, all PUC filings are available for viewing and downloading from the Commission's website ([www.puc.state.tx.us](http://www.puc.state.tx.us)). Once there, click at the top under "Filings." Then go to Filings Search, click on "Filings Search" and type in the control number 42852 and press "enter." A list of documents filed in this docket will appear and you may access those documents by clicking on the document number. The PUC's procedural rules are also available at the PUC website.

#### B. Service

As stated above, all documents filed in this case must be filed at the PUC. When a party files a document with the PUC, that party is required to "serve" or provide a copy of that document to every other party. Service on a party may be made by delivery of a copy of the pleading or document to the party's authorized representative or attorney of record either in person; by agent; by courier receipted delivery; by first class mail; by certified mail, return

receipt requested; or by registered mail to such party's address of record, or by facsimile transmission to the recipient's current facsimile machine.

A copy of the service list in this case is attached for the parties' convenience.

Parties may wish to provide an email address for the service list. If so, they may go to SOAH's web site at <http://soah.state.tx.us> and click on "Request Service by Email." They would then be required to complete a short form. The service list will be updated as necessary.

Only one address per party will be included on the official service list maintained by SOAH. Corrections to the service list should be directed to my legal assistant Virginia Gonzales at [virginia.gonzales@soah.texas.gov](mailto:virginia.gonzales@soah.texas.gov), who may be contacted by email or by telephone at 512-475-1272.

**C. Responses to Motions and Other Pleadings**

Unless otherwise specified, responses to any motion or other pleading shall be filed within five working days from receipt of the pleading to which the response is made. Such responsive pleadings shall state the date of receipt of the pleading to which a response is made. Failure to file a timely response will be considered acquiescence to the relief requested.

A party not familiar with the Commission's rules is encouraged to contact the Staff attorney assigned to this case, Jacob J. Lawler, at 512-936-7275 or [jacob.lawler@puc.texas.gov](mailto:jacob.lawler@puc.texas.gov), if that party has any questions about the Commission's rules or procedures, including the filing of documents with the Commission.

**SIGNED October 10, 2014.**



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**HOLLY VANDROVEC**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

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**SERVICE LIST**

**AGENCY:** **Public Utility Commission of Texas (PUC)**  
**STYLE/CASE:** **APPLICATION FROM THE CITY OF SPLENDORA TO AMEND  
CCN NO. 11727 IN MONTGOMERY AND LIBERTY COUNTIES**  
**SOAH DOCKET NUMBER:** **473-15-0422**  
**REFERRING AGENCY CASE:** **42852**

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**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE**  
**ALJ HOLLY VANDROVEC**

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**REPRESENTATIVE / ADDRESS**

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CITY OF SPLENDORA

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