



Control Number: 42860



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SOAH DOCKET NO. 473-14-5140  
PUC DOCKET NO. 42860

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APPLICATION OF DOUGLAS § BEFORE THE STATE OFFICE  
UTILITY COMPANY TO CHANGE §  
WATER AND SEWER RATE/TARIFF § OF  
IN HARRIS COUNTY, TEXAS §  
§ ADMINISTRATIVE HEARINGS

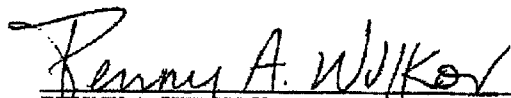
ORDER NO. 7  
REQUIRING TELEPHONIC PREHEARING CONFERENCE DATES

On October 29, 2014, the Public Utility Commission (Commission) issued an "Order on Appeal of SOAH Order No. 3," denying the appeal filed by Equality Community Housing Corporation (Equality) and concluding that a limited evidentiary hearing is necessary to determine whether or not the settlement rates in this proceeding violate section 13.183(a) of the Texas Water Code. The limited evidentiary hearing would then result in further Commission consideration and action on whether to remand the proceeding for a full-blown hearing to establish legal rates for Douglas Utility Company (Applicant) or whether to adopt the settlement agreement as it exists. The Commission also concluded that Applicant has the burden of proof to demonstrate that the settlement agreement rates violate Texas Water Code § 13.183(a).

This case is now properly postured for a prehearing conference to discuss how to proceed in this case. Although Applicant requested an in-person prehearing conference in Houston, the Administrative Law Judge (ALJ) considers that a telephonic prehearing would provide an efficient and effective method to discuss the logistics of proceeding in this case. At the prehearing conference, the ALJ will discuss: (1) the procedural rules that should apply; (2) a procedural schedule; (3) the benefit of, or request for, further SOAH-assisted mediation; and (4) any other matters that will provide for fair and efficient processing of this case.

The ALJ has limited availability in November and December, but January is wide-open.<sup>1</sup> Accordingly, by **November 24, 2014**, the parties must confer and submit three alternative dates and times for a prehearing conference, in three different weeks, including identifying the telephone number where the party can be reached for the telephonic prehearing conference. An order setting a telephonic prehearing conference will then be issued. If the parties want to add additional items to consider at the prehearing conference, these item can also be submitted with the response.

**SIGNED November 10, 2014.**

  
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**PENNY A. WILKOV**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

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<sup>1</sup> The ALJ is not available November 24-26; December 1-3, 5, 11-12, 15-17, 19, 22-31; and January 2, 2014.

STATE OFFICE OF ADMINISTRATIVE HEARINGS

AUSTIN OFFICE  
300 West 15th Street Suite 502  
Austin, Texas 78701  
Phone: (512) 475-4993  
Fax: (512) 322-2061

DATE: 11/10/2014  
NUMBER OF PAGES INCLUDING THIS COVER SHEET: 3  
REGARDING: SOAH ORDER NO. 7 - REQUIRING TELEPHONIC PREHEARING CONFERENCE DATE  
DOCKET NUMBER: 473-14-5140  
JUDGE PENNY WILKOV

FAX TO:

FAX TO:

KARL E. WOLFF

VIA REGULAR MAIL

MARK ZEPPA (LAW OFFICE OF MARK H. ZEPPA, P.C.)

VIA EMAIL

JOHN L. WILSON

(512) 505-6315

HOLLIS HENLEY (PUBLIC UTILITY COMMISSION OF TEXAS)

(512) 936-7268

xc: Docket Clerk, State Office of Administrative Hearings

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT Cynthia Kortis(cko) (512) 475-4993

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