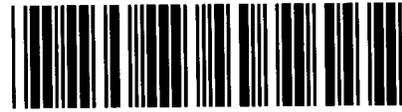




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APPLICATION OF DOUGLAS UTILITY §  
COMPANY TO CHANGE WATER AND §  
SEWER RATE/TARIFF IN HARRIS §  
COUNTY, TEXAS §

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

**EQUALITY COMMUNITY HOUSING CORPORATION'S  
MOTION FOR RECONSIDERATION OF CONTINUANCE**

Equality Community Housing Corporation ("Equality") files this Motion for Reconsideration of Order No. 11 signed on June 24, 2015, and in support thereof would show:

**I. Background**

On Friday, June 19, 2015, Douglas Utility Company filed a motion to abate this proceeding indefinitely (the "Motion"). Equality did not receive a service copy of the Motion, but was made aware of the filing on that date through Commission Staff. Equality was under the impression that, pursuant to P.U.C. Proc. Rule 22.78(a), it had five working days to respond to the Motion, and it intended to file a response. Unfortunately, neither Equality nor Commission Staff responded to the Motion before the ALJ entered Order No. 11, granting a continuance and abating this case until September 1, 2015. Equality recognizes the ALJ's need to promptly address the Motion given the circumstances. However, Equality respectfully requests the ALJ reconsider the length of the continuance.

**II. Motion for Reconsideration of Order No. 11**

Equality wants to make clear that it is sympathetic to Mr. Zeppa's health condition and sincerely hopes for a speedy recovery. However, Equality must also protect its interests and believes there is a better way to address this situation.

The hearing was already postponed over 30 days pursuant to Order No. 10 due to another unfortunate health issue experienced by counsel for Douglas. Overall, this matter has been pending now for almost two years. During this time, if not longer, Equality has and continues to pay the increased rates that Douglas seeks to confirm by this proceeding and that Equality contends are excessive. If a final decision in this case results in rates at or near what Equality

contents is appropriate, a serious question may arise as to Douglas' ability to refund Equality for the excessive rates paid during the past two years.

As Equality understands Order No. 11, this case is abated until September 1, 2015, at which time the parties will then have to enter into a new procedural schedule and identify a new hearing date that will accommodate the parties and ALJ. A hearing may not occur for several months after September 1, 2015. During this delay Equality continues to pay excessive rates and Douglas' potential refund obligation grows.

To limit the prejudice to Equality, Equality respectfully requests that the ALJ modify Order No. 11 to continue the procedural schedule for two weeks until July 10, 2015, and require Douglas to file by July 10, 2015, a status report regarding its counsel's health and ability to continue in this proceeding. At that time, based upon the status report, the parties can determine how best to proceed and promptly file a proposed revised procedural schedule. For both personal and business reasons, Equality hopes this proposed modification will provide sufficient time for Douglas to have a better sense of where it stands.

**Request for Relief**

For the foregoing reasons, Equality Community Housing Corporation respectfully requests that the ALJ modify Order No. 11 to provide for a two-week continuance until July 10, 2015, and order Douglas to file by July 10, 2015 a status report regarding its counsel's health and ability to continue in this proceeding.

Respectfully submitted,

By: 

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**ATTORNEYS FOR EQUALITY  
COMMUNITY HOUSING CORPORATION**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on June 26, 2015, in accordance with 16 TAC § 22.74.

  
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Carl R. Galant