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SOAH DOCKET NO. 473-15-0372
PUC DOCKET NO. 42919

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APPLICATIONS OF DOUBLE § BEFORE THE STATE OFFICE
DIAMOND UTILITIES CO. FOR A §
WATER AND SEWER RATE/TARIFF § OF
CHANGE (37752-R AND 37753-R) §
§ ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 1
REGARDING PRELIMINARY HEARING/PREHEARING CONFERENCE**

On October 13, 2013, Double Diamond Utilities Company (Applicant) filed its applications to change its water and sewer tariffs and rates. The original applications were filed with the Texas Commission on Environmental Quality (TCEQ). The staff of the TCEQ found the original applications deficient and required additional information to be submitted by the Applicant. On December 3, 2013, staff of the TCEQ advised Applicant that its applications were complete and it could begin charging its new rates on January 1, 2014. Subsequently, the TCEQ received complaints from more than 10% of the ratepayers, thus initiating the contested case hearing process. On September 1, 2014, jurisdiction under Texas Water Code §§ 12.013 and 13.043(f) was transferred from the TCEQ to the Public Utility Commission of Texas (PUC).¹ On September 24, 2014, the PUC's Director of Commission Advising and Docket Management referred the applications to the State Office of Administrative Hearings (SOAH) for assignment of an Administrative Law Judge (ALJ) to conduct a hearing and prepare a Proposal for Decision. The PUC will consider and possibly adopt a preliminary order on October 17, 2014.

The undersigned ALJ has been assigned to preside over this case. A preliminary hearing/prehearing conference will need to be conducted in this case to determine parties, address notice and jurisdictional issues, and adopt a procedural schedule for this case. Applicant shall confer with the staff of the PUC to determine an acceptable date for the preliminary hearing/prehearing conference, with such date falling on or after November 17, 2014.

¹ Acts 2013, 83rd Leg., ch. 170 (H.B. 1600), §§ 2.07, 2.15 & 2.96(a)(1) & ch. 171 (S.B. 567), §§ 7, 15 & 96(a)(1), effective September 1, 2013.

Applicant and PUC staff shall, by **October 10, 2014**, advise the ALJ of the date and time they have selected for the preliminary hearing/prehearing conference. Once the ALJ receives this filing, he will send out an order memorializing the date and advising the parties of prehearing procedures. Further, Applicant shall confer with the staff of the PUC regarding the required notice of the preliminary hearing/prehearing conference to be provided to affected persons, and Applicant shall ensure that such notice is provided to all affected persons in a timely manner and in compliance with all legal requirements prior to the preliminary hearing/prehearing conference. At the preliminary hearing/prehearing conference, either the Applicant or staff of the PUC must provide exhibits demonstrating proof of notice and satisfying all necessary notice and jurisdictional requirements.

SIGNED September 30, 2014.



CRAIG R. BENNETT
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS