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

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STATE OFFICE OF ADMINISTRATIVE HEARINGS
FILING CLERK

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

APPLICANT'S STATUS UPDATE
AND REQUEST FOR ADDITIONAL TIME

COMES NOW Double Diamond Utilities Company (Applicant) in SOAH Docket No. 473-15-0372 and files this Status Update and Request for Additional Time and would show the following:

I. BACKGROUND

On October 13, 2013, Applicant filed with the Texas Commission on Environmental Quality (TCEQ) a request to increase its water and sewer rates and change its water and sewer tariffs. The rate increase had an effective date of January 1, 2014. It was assigned TCEQ Docket No. 2014-0619-UCR. The deadline for customer protests was April 1, 2014. Out of Applicant's 86 customers, 39 customers filed protests to Applicant's rates within the protest period. Because at least ten percent of the affected ratepayers protested to the proposed rate in accordance to 30 TEX. ADMIN. CODE 291.27(c)¹, on May 22, 2014, TCEQ staff transferred this case to its Chief Clerk's office to be referred to the State Office of Administrative Hearings (SOAH).

On September 1, 2014, the Commission began the economic regulation of water and sewer utilities and this case was transferred to the Commission. On September 24, 2014, the Commission's Advising and Docket Management Division (CADM) issued an order of referral to SOAR requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision. On September 26, 2014, Applicant filed a notice of settlement and petition for withdrawal of protests and motion for remand. Applicant's motion revealed that in June 2014, all but five of the customers who initially protested Applicant's rates

¹ Currently P.U.C. SUBST. RULE 24-27(c)

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withdrew their protests and settled with the utility. Therefore, Applicant's proposed rates were no longer protested by at least ten percent of its affected ratepayers.

II. STATUS UPDATE AND REQUEST FOR ADDITIONAL TIME

Applicant files this Status Report to request additional time to further allow Applicant and Staff to continue to work to resolve this matter and for Staff to develop its recommendation. Applicant has conferred with Staff, and the parties continue to work diligently together to obtain information that Staff will require in order to finalize its recommendation. Applicant and Staff intend to file, within the next 30 days, affidavits or memoranda analyzing the settlement, a Joint Proposed Order and a Motion to Admit Evidence and Remand or a status update and/or request for a hearing.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on April 2, 2015 in accordance with P.U.C. Procedural Rule 22.74.



JOHN CARLTON