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

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PUBLIC UTILITY COMMISSION  
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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. 5  
NOTICE OF 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).<sup>1</sup> 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.

Subsequently, Applicant settled with the majority of protesting parties and moved to dismiss this case. PUC Staff has opposed dismissal, and requests that a prehearing conference be scheduled to determine whether there is any remaining opposition to the applications. The ALJ finds it appropriate to proceed as Staff requests.

<sup>1</sup> 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.

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**THEREFORE, IT IS ORDERED** that a prehearing conference shall convene at **1:30 p.m.** on **June 16, 2015**, at the State Office of Administrative Hearings, Fourth Floor, 300 West 15<sup>th</sup> Street, Austin, Texas. **Any person wishing to participate as a party to this case must appear at the prehearing conference.** If no persons appear to request protesting party status, the ALJ will conclude that the applications are not opposed by any ratepayers.

**Applicant shall ensure that notice of this order is timely provided to all ratepayers, so that they may have the opportunity to appear at the prehearing conference if they so choose.** Applicant shall be prepared to present proof of service of such notice at the prehearing conference.

**SIGNED May 15, 2015.**



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