



Control Number: 42940



Item Number: 2

Addendum StartPage: 0

**DOCKET NO. 42940**

**APPLICATION OF NORTH ORANGE §  
WATER & SEWER L.L.C DBA §  
COUNTRY SQUIRE WATER AND §  
SEWER FOR A RATE/TARIFF §  
CHANGE (37820-R AND 37821-R) §**

**PUBLIC UTILITY COMMISSION  
OF TEXAS**

2014 OCT 22 AM 9:34  
RECEIVED  
PUBLIC UTILITY COMMISSION

**STAFF'S REQUEST TO REFER APPLICATION TO THE  
STATE OFFICE OF ADMINISTRATIVE HEARING**

**COMES NOW** the Staff (Staff), of the Public Utility Commission of Texas (Commission) representing the public interest and files this request to refer this application to the State Office of Administrative Hearings (SOAH) and would show the following:

**I. BACKGROUND**

On December 30, 2013, the Texas Commission on Environmental Quality (TCEQ) received an application from North Orange Water & Sewer L.L.C d/b/a Country Squire Water (North Orange) for a water and sewer rate/tariff change. By letter dated February 27, 2014 from TCEQ, the Application was deemed administratively complete and sufficient for filing. North Orange identified in its application that it sent notice of the rate change to its customers on or about December 30, 2013. On September 1, 2014, the Commission began the economic regulation of water and sewer utilities and this case formerly pending at the TCEQ was transferred to the Commission. On September 11, 2014, the Application and related documentation were scanned into the Commission's Interchange.

**II. REQUEST FOR REFERRAL TO SOAH**

Staff recommends referral of this case to the State Office of Administrative Hearings (SOAH) for further review. Staff files this request pursuant to P.U.C. SUBST. R. 24.28(1). The commission has received protests from over 10% of the ratepayers of the utility over whose rates the commission has original jurisdiction. North Orange represented that it has 250 customers in its application.<sup>1</sup> The Commission has received 38 protest letters to date. Further, Staff finds it is in the public interest to request a hearing on its own motion.

---

<sup>1</sup> Application at 15.

Staff has contacted North Orange who advised that notice of a prehearing conference can be mailed to ratepayers within one week. Accordingly, Staff recommends that SOAH schedule the prehearing conference on November 19, 2014 at 10:00 am to give North Orange's ratepayers adequate time to receive notice and prepare for the prehearing conference, should they wish to participate.

## **II. PRAYER**

Staff respectfully requests that the application be referred to SOAH for further review. Staff also requests that a prehearing conference be scheduled for November 19, 2014 at 10:00 am; that North Orange be ordered to issue notice of the prehearing conference to its ratepayers in the format of the attached sample notice no later than October 31, 2014; and that proof of notice be provided to the Commission by November 7, 2014.

**Dated: October 22, 2014**

Respectfully Submitted,

Joseph P. Younger  
Division Director  
Legal Division

Karen S. Hubbard  
Managing Attorney  
Legal Division

---

Jason Haas  
Attorney-Legal Division  
State Bar No. 24032386  
(512) 936-7295  
(512) 936-7268 (facsimile)  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

**DOCKET NO. 42940**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on October 22, 2014 in accordance with P.U.C. Procedural Rule 22.74.

---

Jason Haas

**Donna L. Nelson**  
Chairman

**Kenneth W. Anderson, Jr.**  
Commissioner

**Brandy D. Marty**  
Commissioner

**Brian H. Lloyd**  
Executive Director



**Rick Perry**  
Governor

## *Public Utility Commission of Texas*

### **NOTICE OF PREHEARING CONFERENCE**

**North Orange Water & Sewer L.L.C d/b/a Country Squire Water & Sewer**  
**SOAH Docket No. [SOAH ###-##-#### to be Determined]**  
**PUC Docket No. 42940**

#### **Application**

North Orange Water & Sewer L.L.C d/b/a Country Squire Water & Sewer, 10404 N. Hwy 87, Suite 102, Orange, TX 77632 has applied to the Public Utility Commission of Texas (PUC) to change its water and sewer rate/tariff effective March 3, 2014 for its service area located in Orange County, Texas (Certificates of Convenience and Necessity No. 11642 and 20564).

#### **Prehearing Conference**

The State Office of Administrative Hearings (SOAH) will conduct a prehearing conference on this application on:

**November 19, 2014 at 10:00am**  
**William P. Clements Building**  
**300 W. 15th Street, Suite # 408**  
**Austin, Texas 78701-1649**

The purpose of a prehearing conference is to name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary phase of the proceeding will be similar to a civil trial in state district court. The prehearing conference will be conducted in accordance with Chapter 2001 of the Texas Government Code; Chapter 13 of the Texas Water Code; the PUC's Substantive Rules, including Title 16 of the Texas Administrative Code (TAC) Chapter 24; and the PUC's Procedural Rules, including 16 TAC Chapter 22. More information regarding the PUC's rules and procedures can be found at <http://www.puc.texas.gov>.

Persons with disabilities who plan to attend this prehearing conference and who need special accommodations at the prehearing conference should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the prehearing conference. For more information on SOAH, you may visit <http://www.soah.state.tx.us> or email: [questions@soah.state.tx.us](mailto:questions@soah.state.tx.us).

#### **Intervention Information**

Persons who wish to become intervenor parties to this proceeding may do so by either:

- Attending the prehearing conference and showing that he or she would be affected by the application in a way not common to members of the general public; or



Printed on recycled paper

An Equal Opportunity Employer

- Filing a request to intervene with the PUC. Persons affected by the rate increase who wish to intervene but not attend the scheduled prehearing conference must submit 10 copies of a request to intervene by mail to the Public Utility Commission of Texas, Central Records, P.O. Box 13326, Austin, Texas 78711-3326. A request to intervene must include the name, address, and phone number of the intervenor, written legibly or typed. Protests that were previously submitted are insufficient to establish intervenor party status in this proceeding.