



Control Number: 43069



Item Number: 53

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SOAH DOCKET NO. 473-16-3408.WS  
PUC DOCKET NO. 43069

RECEIVED

APPLICATION OF INLINE  
DEVELOPMENT LLC FOR A  
RATE/TARIFF CHANGE

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

2016 MAY -6 AM 11:51

PUBLIC UTILITY COMMISSION  
FILING CLERK

SOAH ORDER NO. 1  
DESCRIPTION OF CASE, NOTICE OF PREHEARING CONFERENCE,  
AND GENERAL PROCEDURAL REQUIREMENTS

I. DESCRIPTION OF CASE

On September 9, 2014, Inline Development LLC filed an application for a rate/tariff change (Application). On March 25, 2016, Staff of the Public Utility Commission filed a request for hearing. On March 29, 2016, the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of an administrative law judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary. Chapter 13 of the Texas Water Code vests jurisdiction over this matter in the Commission. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding under Texas Government Code § 2003.049.

II. NOTICE OF PREHEARING CONFERENCE

The SOAH administrative law judge (ALJ) will convene a prehearing conference in this case at **10:00 a.m. on June 23, 2016**, at the SOAH hearing rooms located at the **William P. Clements Office Building, 300 West 15th, Fourth Floor, Austin, Texas**. **Anyone wishing to appear by phone must file a motion requesting to appear by phone, and include a telephone number.** At the prehearing conference, the ALJ will name the parties, allow an opportunity for settlement discussions, address any pending motions, establish a procedural schedule (including a hearing date), and address any other matters relevant to this proceeding and necessary for the fair and efficient disposition of this case. Please note that persons who attend the prehearing conference must check in with building security personnel in the lobby of the William P. Clements Building and be issued visitor badges before proceeding to the hearing room. The parties should allow sufficient time for the check-in procedure.

### III. GENERAL PROCEDURES, INCLUDING FILING AND SERVICE

Parties are expected to know and comply with the Commission's procedural rules, which are found at <http://www.puc.texas.gov>, under the tab "Rules & Laws" at chapter 22.

Pursuant to Commission Procedural Rule 22.3(b)(2)<sup>1</sup>, *ex parte* communications with the ALJ are prohibited. Routine administrative and logistical questions may be directed to the ALJ's assistant, Tujuana Tate, at (512) 463-2241 or [tujuana.tate@soah.texas.gov](mailto:tujuana.tate@soah.texas.gov). SOAH support personnel may not provide advice or interpret orders, rules, or other legal authorities for the parties.

#### A. Filing Documents

Pleadings and other filings are deemed to have been filed when the proper number of legible copies is presented to the Commission filing clerk for filing. **All pleadings must contain both the SOAH and Commission docket numbers to allow for efficient processing.**

For a party who may not be familiar with the Commission processes, filings in Commission cases are available for viewing and downloading from the Commission's website, <http://www.puc.texas.gov/>. From that website, click at the top on Filings, click on Filings Search, click again on Filings Search, type in the control number, which is 43069, and press search. A list of documents filed in this docket will appear, which may be accessed by clicking on the document number.

#### B. Service

As stated above, all documents filed in this case must be filed at the Commission. When a party files a document with the Commission, that party is required to "serve," that is, provide a copy of that document to, every other party. Service on a party may be made by delivering a copy of the document to the party's authorized representative or attorney of record: in person;

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<sup>1</sup> 16 Texas Administrative Code § 22.3(b)(2).

by agent; by courier receipted delivery; by first class mail; by certified mail, return receipt requested; by registered mail to the party's address of record; or by facsimile transmission to the recipient's current facsimile machine.


All mail from the ALJ to the parties will be sent by email, first class mail, or facsimile, unless a party requests express mailing and provides an express mail account number. A party that wishes to provide an email address for that purpose may go to SOAH's web site at <http://www.soah.texas.gov/index.asp>, click on "Request Email Service," and complete the short form. Only one address per party will be included on the official service list maintained by SOAH. Corrections to the service list should be directed to Ms. Ethridge.

**C. Motions**

A motion seeking a continuance or extension of time shall propose a new date or dates and shall indicate whether the other parties agree to the new date or dates. Because the ALJ or a hearing room may not be available on a given day, proposing a range of dates is preferable. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, the motion is not granted and the existing schedule remains in place.

Unless otherwise specified in the applicable procedural rules, responses to any motion or other pleading shall be filed within **five working days** from receipt of the motion or pleading. The response shall state the date of receipt of the motion or pleading to which a response is made. If a party does not respond to a motion, the ALJ will assume that the party agrees with the motion or does not oppose the requested relief.

SIGNED May 5, 2016.

  
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HOLLY VANDROVEC  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS