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**SOAH DOCKET NO. 473-15-3742.WS
P.U.C. DOCKET NO. 43078**

APPLICATION OF FREMONT WATER COMPANY FOR A WATER RATE/TARIFF CHANGE IN KERR COUNTY (37993-R)	§ § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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REQUEST TO AMEND THE PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Request to Amend the Procedural Schedule and would show the following:

I. BACKGROUND

On July 25, 2014, Fremont Water Company (Fremont or Applicant) filed an application with the Texas Commission on Environmental Quality (TCEQ) for a rate/tariff change in Kerr County, Texas, with a proposed effective date of September 26, 2014, pursuant to Title 16, TEX. ADMIN. CODE (16 TAC) §§ 24.21 and 24.22. On August 19, 2014, the TCEQ sent the Applicant a notice of deficiency, directing Applicant to complete and revise portions of its customer notice. Because the Applicant had to re-notice its customers, the effective date of the rate/tariff change was changed to October 31, 2014, at least 60 days following the date the completed application was mailed or delivered to customers, in accordance with TEX. ADMIN. CODE (TAC) § 291.22(a).

On September 1, 2014, the Public Utility Commission (Commission) began the economic regulation of water and sewer utilities and this case was transferred to the Commission.¹ On September 10, 2014, the Applicant submitted documentation in response to the notice of deficiency sent by TCEQ. On October 28, 2014, Commission Staff recommended the amended application and proposed notice be found administratively complete. Thereafter, on November 20, 2014, the Administrative Law Judge (ALJ) issued Order No. 5 deeming the amended application and notice for a rate/tariff change administratively complete. Order No. 5 set January 31, 2015 as the proposed effective date of the proposed rate change and May 1, 2015 as the deadline for ratepayers, any affected municipality, and Commission Staff to protest the proposed rates and request a hearing.

¹ Texas Water Code §§ 13.041, 13.042, 13.181-.192 (West 2008 & Supp. 2014).

On May 1, 2015, Commission Staff requested the ALJ refer the case to the State Office of Administrative Hearings (SOAH) because, as of May 1, 2015, the Commission had received protests from over 10% of the ratepayers of the utility over whose rates the commission has original jurisdiction. In addition, Staff found that it was in the public interest to request a hearing on its own motion pursuant to 16 TAC § 24.28(1). Subsequently, on June 22, 2015, SOAH Order No. 1 was issued, adopting a procedural schedule and setting July 10, 2015 as the date for parties to request early SOAH mediation. Thereafter, on July 10, 2015, Christine Chartier, James and Marian Myers, and Donald and Mary Catherine Allen requested SOAH mediation. On July 17, 2015, SOAH Order No. 2 was issued regarding abatement setting July 24, 2015 as the deadline for parties to file an agreed motion for the assignment of a SOAH mediator and August 25, 2015 for Staff to file a status report.

II. DISCUSSION

Due to anticipated forthcoming settlement discussions, Staff requests the procedural schedule adopted in SOAH Order No. 1 be replaced by the following procedural schedule to provide adequate time to facilitate settlement:

Activity	Deadline
Settlement discussions at PUC	August 20, 2015
Applicant Direct Testimony	October 14, 2015
Intervenor Direct Testimony	November 4, 2015
Commission Staff Direct Testimony	November 20, 2015
Applicant Rebuttal Testimony	December 10, 2015
Last Day for Written Discovery	December 18, 2015
Objections to Direct/Rebuttal Testimony	December 18, 2015
Response to Objections to Direct/Rebuttal Testimony	January 7, 2016
Prehearing Conference	January 12, 2016
Hearing on the Merits	January 13, 2016

Staff has contacted Christine Chartier and the Applicant who have agreed to the proposed schedule. At this time, Staff has not been able to reach Donald and Mary Catherine Allen and

notes that it did not contact James and Marian Myers due to their filing to withdraw as protestants in this docket which was granted only July 28, 2015 by SOAH Order No. 3.

III. CONCLUSION

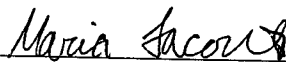
Staff respectfully requests an order be issued amending the procedural schedule as requested.

Dated: July 29, 2015

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 29th of July, 2015 in accordance with 16 TAC § 22.74.



Maria Faonti