



Control Number: 43146



Item Number: 54

Addendum StartPage: 0

RECEIVED

2016 APR 20 PM 4:01

COMPLAINT OF CAROL D.
GILLESPIE AGAINST AVALON
WATER SUPPLY AND SEWER
SERVICES CORPORATION
(37985-1)

§
§
§ PUBLIC UTILITY COMMISSION
§
§ OF TEXAS

BEFORE THE

PUBLIC UTILITY COMMISSION
FILING CLERK

**JOINT MOTION TO TEMPORARILY ABATE
DISCOVERY AND HEARING SCHEDULE**

TO THE HONORABLE JUDGE STEPHANIE FRAZEE:

COME NOW, Avalon Water Supply and Sewer Service Corporation ("Avalon" or Respondent") and Carol D. Gillespie ("Gillespie" or "Complainant") and file this, their Joint Motion to Temporarily Abate the Discovery and Hearing Schedule in the above referenced matter. In support of the Motion, the Parties would show the following.

I.

Complainant and Respondent are in the initial stages of negotiations, which may include mediation by a third party mediator, with the goal of finding a settlement that will be acceptable to all Parties. The temporary abatement of discovery, including requests, responses, motions, and rulings on motions would provide the necessary time for the Parties to continue negotiations without continuing to incur unnecessary discovery costs. The Parties do not propose a revised schedule for pre-filed testimony or the hearing at this time. The parties do request an abatement of the schedule established under Order No. 2. If the Parties are unable to finalize the settlement, however, it may be necessary to adjust the prehearing and hearing procedural schedule to accommodate the prehearing abatement. Therefore, either party may request additional time for case preparation in the future. PUC Staff attorney is unopposed to the temporary abatement of the case.

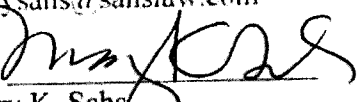
54

II.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully pray that, pursuant to Section 155.15 of Title 1 of the Texas Administrative Code, the Administrative Law Judge temporarily abate the Hearing and Discovery Schedule for 30 days, and require that by May 20, 2016, the Parties submit to the Administrative Law Judge a progress report on the status of the settlement of this matter.

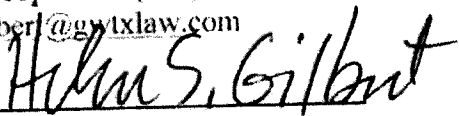
Respectfully submitted,
MARY K. SAHS, P.C.

609 Thrasher Lane
Austin, TX 78741
Telephone: 512-326-2556
Facsimile: 512-597-2516
marysahs@sahslaw.com

By: 
Mary K. Sahs
State Bar No. 17522300

ATTORNEY FOR RESPONDENT,
AVALON WATER SUPPLY AND
SEWER SERVICE
CORPORATION

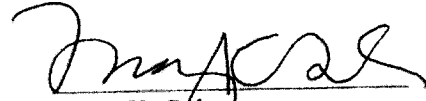
Respectfully submitted,
GILBERT WILBURN, PLLC
7000 North MoPac Blvd., Suite 200
Austin, Texas 78731
Telephone: (512) 494-5341
Telecopier: (512) 472-4014
hgilbert@gwtlaw.com

By: 
Helen S. Gilbert
State Bar No. 00786263
Randall B. Wilburn
State Bar No. 24033342

ATTORNEYS FOR COMPLAINANT

CERTIFICATE OF SERVICE

I certify that, on April 20, 2016, I have served a copy of this filing upon all known parties of record via email with read receipt requested per SOAH Order No. 2.


Mary K. Sahs