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SOAH DOCKET NO. 473-15-2274.WS

PUC DOCKET NO. 49178

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PUBLIC UTILITY COMMISSION
BEFORE THE STATE OFFICE

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APPLICATION OF COMMUNITY
WATER SERVICE, INC. AND
WALTER J. CARROLL WATER
COMPANY, INC. FOR SALE,
TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN ELLIS COUNTY

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OF

(APPLICATION NO. 37981-s)

ADMINISTRATIVE HEARINGS

NUNC PRO TUNC¹
SOAH ORDER NO. 1
CASE DESCRIPTION, NOTICE OF PREHEARING CONFERENCE,
AND FILING REQUIREMENTS

I. DESCRIPTION OF CASE

On July 11, 2014, Walter J. Carroll Water Company, Inc. (Applicant), Certificate of Convenience and Necessity (CCN No. 11643), filed an application to purchase facilities and a portion of the CCN No. 10091 service area held by Community Water Service, Inc. in Ellis County, Texas. The City of Red Oak is opposed to the application, which requests dual certification. Effective September 1, 2014, jurisdiction of this case was transferred from the Texas Commission on Environmental Quality to the Public Utility Commission of Texas (Commission). The Commission has jurisdiction and authority pursuant to Texas Water Code §§ 13.251, 13.246(c), 13.301 and P.U.C. Subst. R. 24.109 and 24.112. On February 5, 2015, 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. The Commission will consider this case at its open meeting on March 6, 2015, and will subsequently issue a preliminary order. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Texas Government Code § 2003.049.

¹ This nunc pro tunc order corrects a typographical error in the title of Order No. 1, which should have given notice of a prehearing conference not requiring the parties to confer.

II. NOTICE OF PREHEARING CONFERENCE

The ALJ finds it appropriate to schedule the prehearing conference to occur after the Commission has issued its preliminary order. Therefore, it is **ORDERED** that a telephonic prehearing conference will convene at **10:00 a.m. on March 12, 2015**.

The ALJ will use a conference bridge for the prehearing. On March 12, 2015, at 10:00 a.m., if you wish to participate in the prehearing conference, dial the following:


Dial-in-toll number:	512.717.4201 (please use if you are in Austin)
Dial-in toll-free number:	800.717.4201
Conference Number:	951-9977 #

Anyone wishing to participate should call the dial-in number and, at the prompt, enter the conference ID followed by the # sign.

III. FILING AND SERVICE PROCEDURES

All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. The Commission's filing clerk will forward a copy of the pleadings to SOAH. Both the PUC and SOAH docket number must be on all pleadings—pleadings without the SOAH docket number will not be delivered to the ALJ.

SIGNED February 12, 2015.



LILLO D. POMERLEAU
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS