



Control Number: 43175



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SOAH DOCKET NO. 473-15-2274.WS
PUC DOCKET NO. 43175

2015 OCT -5 AM 9:12

Application of COMMUNITY WATER §
SERVICE, INC. AND WALTER J. § PUBLIC UTILITY COMMISSION
CARROLL FOR SALE, TRANSFER, OR §
MERGER OF FACILITIES AND §
CERTIFICATE RIGHTS IN ELLIS § OF TEXAS
COUNTY (37981-S) §

**MOTION FOR ENTRY OF AMENDED SOAH ORDER NO. 3 PROCEDURAL
SCHEDULE AND NOTICE OF HEARING**

Walter J. Carroll Water Co., Inc., by and through its attorney of record, files this *Motion for Entry of Amended SOAH Order No. 3 Procedural Schedule and Notice of Hearing* and requests that the Administrative Judge assigned herein to enter the *Order Amending SOAH Order No. 3 Procedural Schedule and Notice of Hearing* attached hereto as Exhibit A.

Respectfully submitted,

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

/s/ Cory Halliburton

CORY HALLIBURTON
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ATTORNEYS FOR WALTER J. CARROLL
WATER CO., INC.

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CERTIFICATE OF CONFERENCE

I certify that on Mr. Doug M. Brown, counsel for the Public Utility Commission has agreed to the Amended Scheduling Order attached hereto. I provided a copy of the Amended Scheduling Order to Mr. Robert E. Hager, counsel for the City of Red Oak, but never heard from him regarding the proposed Scheduling or Hearing Dates. Despite good faith efforts, the parties were unable to come to a confirmed agreement regarding the Scheduling and Hearing before submitting this matter to the Judge for resolution.

/s/ Cory Halliburton

Cory Halliburton

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on this the 1st day of October, 2015, a true and correct copy of the forgoing was forwarded to the parties listed on the service list below as indicated. I certify that this Certificate of Service complies with Title 1, Part 7, Chapter 155, Subchapter C, Rule § 155.103 of the Texas Administrative Code.

/s/ Cory Halliburton

Cory Halliburton

SERVICE LIST

PARTIES	REPRESENTATIVE / ADDRESS
PUBLIC UTILITY COMMISSION	<p><u>Via Facsimile (512) 936-7268</u> Mr. Doug M. Brown Attorney-Legal Division Legal Division Public Utility Commission 1701 N Congress Ave., Ste 8-110 Austin, TX 78711 512-936-7260 512-936-7268</p>
Community Water Service, Inc.	<p>Bonnie Frame Community Water Service, Inc. P.O. Box 850155 Mesquite, TX 75185 972-286-8051 No Fax Email: Bonnie1015@aol.com</p> <p>Dustan Dewinne Consulting Environmental Engineers, Inc. 150 N. Harbin Dr., Ste. 408 Stephenville, TX 76401 254-968-8130 254-968-8134 – fax Email: ceeinc@ceeinc.org</p>
City of Red Oak	<p>Albert E. Lawrence Jr. City of Red Oak 200 Lakeview Parkway Red Oak, TX 75154 972-617-3638 469-218-1249 – Fax</p> <p><u>Via Facsimile (214) 965-0010</u> Mr. Robert E. Hager NICHOLS, JACKSON, DILLARD, HAGER & SMITH, L.L.P. 1800 Ross Tower 500 North Akard Dallas, Texas 75201</p>

Dated: October 1, 2015.

/s/ Cory Halliburton
 Cory Halliburton

**SOAH DOCKET NO. 473-15-2274.WS
PUC DOCKET NO. 43175**

APPLICATION OF COMMUNITY WATER SERVICE, INC. AND WALTER J. CARROLL FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN ELLIS COUNTY (37981-S)	§ § § § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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AMENDED PROCEDURAL SCHEDULE AND NOTICE OF HEARING

The Administrative Judge assigned herein hereby **ORDERS AND ADOPTS** the following Amended Schedule and Notice of Hearing for the above-styled matter:

Event	Amended/Continued Scheduling Date
Commission Staff's pre-filed direct testimony	October 30, 2015
Applicants' rebuttal pre-filed testimony	November 17, 2015
Hearing on the merits	December 8, 2015, unless otherwise determined by the Administrative Judge herein

Additionally, evidentiary objections to pre-filed testimony, if any, are due within five working days after receipt of the testimony. Responses are due within three working days.

Unless otherwise determined by the Administrative Judge herein, the hearing on the merits will convene at **10:00 a.m. on December 8, 2015** at the hearing facilities of the State Office of Administrative Hearings, William P. Clements Office Building, 300 West 15th, Fourth Floor, Austin, Texas.¹

Dated: _____

PRESIDING ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

¹ Parking in this area is limited. Parking is available for a fee at the Bob Bullock Museum, located at 1800 Congress, and the Capitol Visitors' Parking Garage, located at 1201 San Jacinto, several blocks away from the SOAH hearings facility. There are small private lots at Lavaca and 17th Street, 15th St. and San Antonio, and 18th Street and Colorado. These lots tend to fill up early. Also, anyone attending the hearing will need to check in with the office building security desk in the lobby (it helps to have the SOAH docket number, found at the top of this Order).