



Control Number: 43529



Item Number: 7

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014.

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PUBLIC UTILITY COMMISSION
HEARING CLERK

SOAH DOCKET NO. 582-05-1528
TCEQ DOCKET NO. 2004-1201-UCR

APPLICATIONS OF FALL CREEK
UTILITY COMPANY, INC., TO RAISE
WATER AND SEWER UTILITY RATES
IN HOOD COUNTY, TEXAS

§
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§
§

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

ORDER NO. 3
ABATING PROCEDURAL SCHEDULE

On April 8, 2005, the State Office of Administrative Hearings received a Joint Motion for Abatement in the captioned matter from the Applicant, Fall Creek Utility Company, Inc., and the Lake Granbury RV Ranch Property Owners Association ("POA"), Protestant in the proceeding. The motion sought a 90-day abatement of this matter in order to conclude settlement negotiations. The parties report that they have reached a settlement of their dispute, contingent upon TCEQ approval of the POA's purchase of Fall Creek's stock.

Based upon the parties' representations, the ALJ concludes that the motion should be GRANTED. Accordingly, the previously adopted procedural schedule in this matter is hereby abated through July 8, 2005. By that date, the Applicant is directed to submit to the ALJ a brief written status report on circumstances relating to the case. If final settlement of the matter does not then appear likely, the report should include a proposed procedural schedule, developed in consultation with other parties and leading to a reasonably expeditious resetting of an evidentiary hearing. Alternatively, the report may include a properly supported request for further abatement or continuance. Other parties may also submit such reports by July 8, if desired.

In the event that the parties reach a final settlement, any motion to remand the matter to the Executive Director for disposition as an uncontested matter should include a confirmation that all

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parties to the proceeding (including TCEQ's Public Interest Counsel) are amenable to such remand.

PROCEDURAL QUESTIONS

Routine procedural and logistical questions may be directed to Brenda Bishop at (512) 463-5766; however, please note that SOAH support personnel are not authorized to provide general advice or the interpretation of regulations or policy.

SIGNED April 11, 2005.



MIKE ROGAN
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OFFICE OF ADMINISTRATIVE HEARINGS

WILLIAM P. CLEMENTS BUILDING, Jr.

300 West Fifteenth Street

Austin, Texas 78701

Phone (512) 475-4993

Facsimile (512) 475-4994

DATE:

April 11, 2005

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

3

REGARDING:

**ORDER NO. 3 ABATING PROCEDURAL
SCHEDULE**

DOCKET NUMBER:

582-05-1528

FROM:

JUDGE MIKE ROGAN

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GABRIEL SOTO (TEXAS COMMISSION ON
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