

Control Number: 43572



Item Number: 55

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

SOAH DOCKET NO. 582-03-3725
TCEQ DOCKET NO. 2003-0664-UCR

IN RE: THE APPLICATION OF BEXAR § BEFORE THE STATE OFFICE
METROPOLITAN WATER DISTRICT §
TO AMEND WATER CCN NO. 10675 IN § OF
BEXAR COUNTY § ADMINISTRATIVE HEARINGS

ORDER NO. 19
SETTING HEARING ON THE MERITS
AND PRE-HEARING SCHEDULE

I. SETTING HEARING ON THE MERITS

The hearing on the merits of this is set to begin at **9:00 a.m. on October 30, 2006**, at the William P. Clements Office Building, 300 West 15th, Fourth Floor, Austin Texas. It shall continue from day to day. A total of five days has been set aside for this hearing and the Administrative Law Judge (ALJ) anticipates concluding the hearing by close of business on November 3, 2006.¹

II. PRE-HEARING SCHEDULE

The parties agreed on the following schedule for pre-hearing activities, which schedule shall govern this proceeding:

DEADLINE/DATE	ACTIVITY
May 15, 2006	Deadline to supplement motion for summary disposition
May 22, 2006	Deadline to respond to supplements to motion for summary disposition

¹ Given the complexity and anticipated length, appearing at the hearing on the merits by telephone is not practical and will not be allowed.

DEADLINE/DATE	ACTIVITY
May 30, 2006	<i>Hearing on summary disposition motion, 10 a.m.</i> (Two hours have been allocated for this session)
June 12, 2006	Bexar Met to refile prefiled testimony and exhibits
June 12-30, 2006	Depositions (with document production) of Bexar Met witnesses
June 19, 2006	Deadline to file written discovery
July 14, 2006	Protestants to prefile direct case in writing, including all testimony and exhibits (BSR and Bitterblue)
July 17-31, 2006	Depositions (with document production) of Protestants' witnesses
September 15, 2006	Executive Director (ED) to prefile direct case in writing, including all testimony and exhibits
September 18-22, 2006	Deposition (with document production) of ED witnesses
September 22, 2006	Close of discovery
September 29, 2006	Objections to any prefiled evidence are filed
October 9, 2006	Replies to objections to any prefiled evidence
October 23, 2006	Pre-hearing conference, 2:00 p.m., <i>by telephone</i>
October 30, 2006	Hearing on the merits (HOM) of application begins, 9:00 a.m.
November 3, 2006	Estimated end of HOM

III. PRE-HEARING CONFERENCE

The pre-hearing conference will convene at **2:00 p.m. on October 23, 2006**, by telephone. *Parties will be contacted at the telephone numbers appearing on the ALJ's service list, unless an alternate number is supplied to the ALJ's clerk.* Matters to considered include the necessity for time limits for case presentations, any pending motions, special scheduling issues, or other hearing-organization matters to aid in efficient presentation of the case.

IV. HEARING PROCEDURES

The general hearing procedures regarding discovery matters, pagination of exhibits, provision for a court reporter, and the like, were set out in full in Order No. 9. These procedures are hereby *reaffirmed* and apply to further proceedings in this case, as if set forth fully in this order.

V. ORDER OF HEARING

The following amended order of hearing is adopted. Unless otherwise ordered, the parties will present their cases and cross-examine other parties' witnesses in the following order:

Order of Direct Cases:

Applicant, BSR, Bitterblue, ED, OPIC.

Order of Cross Examination:

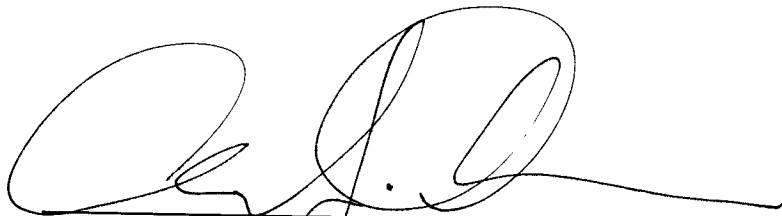
Applicant's witnesses will be cross-examined by BSR, Bitterblue, ED, and OPIC.

BSR's witnesses will be cross-examined by BSR, Bitterblue, ED, Applicant, and OPIC.

Bitterblue's witnesses will be cross-examined by BSR, ED, Applicant and OPIC.

ED's witnesses will be cross-examined by BSR, Bitterblue, Applicant and OPIC.

SIGNED May 19, 2006.



**CASSANDRA J. CHURCH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS**

 *** MULTI TX/RX REPORT ***

TX/RX NO 3726
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(3)	92390606
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(5)	912109225152
(6)	93205638
(7)	94993810
(8)	94746704
(9)	912102465999
(0)	97032785

ERROR

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 Austin, Texas 78701
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DATE:

May 19, 2006

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SOAH DOCKET NO.:

582-03-3725

TCEQ DOCKET NO.:

2003-0664-UCR

REGARDING:

ORDER NO. 19 - SETTING HEARING ON THE MERITS

FROM:

JUDGE CASSANDRA J. CHURCH

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Blas Coy, Jr. (TCEQ - OPIC)	239-6377
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Todd Galiga (TCEQ)	239-0606
Robert L. Wilson (Bexar Metropolitan Water District and Water Services, Inc.)	210/223-4200
Adolfo Ruiz (Bexar Metropolitan Water District and Water Services, Inc.)	210/922-5152
David Earl (BSR Water Company- Lead Counsel)	210/222-9100
Bruce Wasinger (City of Bulverde-Courtesy Copy)	320-5638
Janessa Glenn (BSR Water Company)	499-3810

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**AGENCY: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
(TCEQ)**

**STYLE/CASE: IN THE APPLICATION OF BEXAR METROPOLITAN WATER
DISTRICT TO AMEND WATER CCN NO. 10675 IN BEXAR
COUNTY**

SOAH DOCKET NUMBER: 582-03-3725

TCEQ DOCKET NUMBER: 2003-0664-UCR

ADMINISTRATIVE COURT

**STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**CASSANDRA J. CHURCH
PRESIDING ADMINISTRATIVE LAW JUDGE**

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