

Control Number: 43870



Item Number: 19

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

43870

SOAH DOCKET NO. 582-03-1218
 (TCEQ DOCKET NO. 2002-1289 UCR)
 RECEIVED
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APPLICATION BY LA JOYA WATER
 SUPPLY CORPORATION FOR
 AMENDMENT TO CERTIFICATE OF
 CONVENIENCE AND NECESSITY NO.
 20785

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BEFORE THE STATE OFFICE
 FILING CLERK
 OF
 ADMINISTRATIVE HEARINGS

ORDER NO. 4
RULING ON LEGAL SCOPE OF THE CASE


From June 11, 2003, through July 15, 2003, La Joya Water Supply Corporation (Applicant), the Protestants, the Executive Director (ED), and the Office of Public Interest Counsel (OPIC) filed pleadings setting out their views on the laws, rules, and policies applicable to this case. On July 15, 2003, OPIC filed a reply to the list of laws and rules submitted by the ED and Applicant. No other party filed a reply.

The purpose of this prehearing order is to determine the standards that Applicant's application (the Application) must meet if the requested amendment is to be approved, and to eliminate any clearly inapplicable law so that the parties and Administrative Law Judge (ALJ) can focus on the relevant issues at the hearing.

The parties generally agree and the ALJ finds that the Application is generally governed by the standards set out in TEX. WATER CODE chapters 13 (Water Rates and Services) and 17 (Water Development), TEX. GOV'T CODE ch. 2001 (Administrative Procedure Act), 1 TEX. ADMIN. CODE (TAC) ch. 155 (procedural rules of the State Office of Administrative Hearings), and 30 TAC chapters 80 (Contested Case Hearings) and 291 (Utility Regulations). No party expressed objections to the aforementioned list of applicable law.

THEREFORE, IT IS ORDERED THAT the applicable law in this proceeding is as set forth above.

Issued this 5th day of August, 2003.


 SHARON CLONINGER
 ADMINISTRATIVE LAW JUDGE
 STATE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OFFICE OF ADMINISTRATIVE HEARINGS

William P. Clements Building
300 West Fifteenth Street
Room 502
Austin, Texas 78701
Phone (512) 475-4993
Facsimile (512) 936-0730

DATE:

August 6, 2003

NUMBER OF PAGES INCLUDING THIS COVER SHEET:

2

SOAH DOCKET NO.:

582-03-1218

TCEQ DOCKET NO.:

2002-1289-UCR

REGARDING:

ORDER NO. 4 - RULING ON LEGAL SCOPE OF THE CASE

FROM:

JUDGE SHARON CLONINGER

FAX TO:	FAX NO.:
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Docket Clerk (TCEQ)	239-3311
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Delia C. Pena	956/584-9721 or 956/581-2486

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