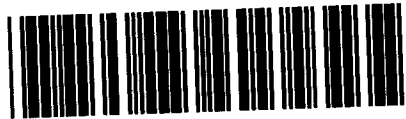


Control Number: 43922



Item Number: 17

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

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

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PUBLIC UTILITY COMMISSION
SOAH DOCKETING CLERK 4288
TCEQ DOCKET NO. 2009-0505-UCR

APPLICATION OF DOUBLE
DIAMOND UTILITIES COMPANY,
INC. TO CHANGE WATER RATE
TARIFF FOR SERVICE IN HILL,
PALO PINTO, AND JOHNSON
COUNTIES

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

ORDER NO. 5
MEMORIALIZING PREHEARING CONFERENCE

On May 26, 2010, a prehearing conference was convened to consider, among other things, (1) pending objections and motions to strike pre-filed testimony, and (2) the order of presentation of the parties' direct testimony and order of cross-examination.

All objections and motions to strike pre-filed testimony are overruled.

The order of direct case presentation will be Double Diamond Utilities Company, Inc. (Double Diamond), White Bluff Subdivision Ratepayers (White Bluff), and the Executive Director of the Texas Commission on Environmental Quality (ED).

The order of cross-examination on Double Diamond's direct case and rebuttal will be White Bluff, The Retreat Homeowners Group (The Retreat), The Cliffs Utility Committee (The Cliffs), Office of Public Interest Counsel (OPIC), and the ED.

The order of cross-examination on White Bluff's direct case will be The Retreat, The Cliffs, Double Diamond, OPIC, and the ED.

The order of cross-examination on the ED's direct case will be White Bluff, The Retreat, The Cliffs, Double Diamond, and OPIC.

Two copies (record copy and appeal copy) of all direct case exhibits are to be pre-marked and provided to the Court Reporter prior to the start of the hearing.

1

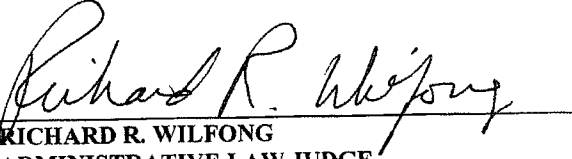
SOAH DOCKET NO. 582-09-4288
TCEQ DOCKET NO. 2009-0505-UCR

ORDER NO. 5

PAGE 2

Corrections to pre-filed testimony, if any, are to be marked in both the record and appeal copies before the witness testifies.

SIGNED May 27, 2010.


RICHARD R. WILFONG
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

State Office of Administrative Hearings



Cathleen Parsley
Chief Administrative Law Judge

May 27, 2010

CHIEF CLERKS OFFICE

2010 MAY 27 PM 12:05

TEXAS
COMMISSION ON
JUDICIAL
QUALITY

RE: *SOAH Docket No. 582-09-4288; TCEQ Docket No. 2009-0505-UCR; Application of Double Diamond Utilities Company, Inc. to Change Water Rate Tariff for Service in Hill, Palo Pinto, and Johnson Counties*

TO ALL PARTIES OF RECORD:

This is with reference to the discussion during the prehearing conference held yesterday, concerning the possibility of a non-unanimous settlement.

Based on further consideration, the parties are advised that any settlement must be unanimous; otherwise the case must proceed to hearing as a contested case.

Sincerely,

Richard R. Wilfong
Administrative Law Judge

RRW/sb
cc: Mailing list

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STYLE/CASE: DOUBLE DIAMOND UTILITIES COMPANY, INC
SOAH DOCKET NUMBER: 582-09-4288
REFERRING AGENCY CASE: 2009-0505-UCR

STATE OFFICE OF ADMINISTRATIVE HEARINGS ADMINISTRATIVE LAW JUDGE
ALJ RICHARD WILFONG

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xc Docket Clerk, State Office of Administrative Hearings