



Control Number: 43922



Item Number: 52

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
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

RECEIVED

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

2010 DEC -9 AM 10:01

PUBLIC UTILITY COMMISSION  
FILED CLERK  
BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARING

2010 JAN -7 AM 10:27  
CHIEF CLERKS OFFICE

TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

**ORDER NO. 4  
MEMORIALIZING PREHEARING CONFERENCE**

On January 5, 2010, a prehearing conference was convened to consider (1) the motion for continuance filed by Double Diamond Utilities Company (Applicant) (2) the response in opposition filed by White Bluff Subdivision Ratepayers (Protestant) which raises issues concerning the effect, if any, of the final order recently issued in SOAH Docket No. 582-08-0698; TCEQ Docket No. 2007-1708-UCR and requests an escrow for potentially refundable utility payments, if the Applicant's motion for continuance is granted, and (3) a revised prehearing schedule if the motion for continuance is granted. Having considered these matters the Administrative Law Judge concludes that Applicant's motion for continuance should be granted, the request to establish an escrow should be denied, and the revised procedural schedule agreed to by the parties should be adopted.

**NOW, THEREFORE, IT IS ORDERED** that the Applicant's motion for continuance is **GRANTED** and Protestant's request for an escrow is **DENIED**.

**IT IS FURTHER ORDERED** that the following schedule shall apply to this proceeding

- January 18 2010                      Applicant to file initial supplemental discovery responses to all previous discovery.
- March 1 2010                              Applicant to prefile its direct case in writing, including all testimony, exhibits, and proposed order of witnesses
- March 15 2010                              Deadline for referral for mediation.

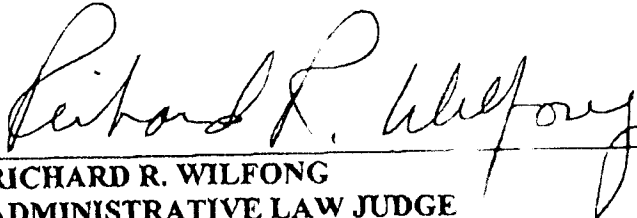
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March 29, 2010	Protestants and OPIC to file their direct case in writing, including all testimony, exhibits, and proposed order of witnesses
April 29, 2010	Executive Director to file his direct case in writing, including all testimony, exhibits, and proposed order of witnesses.
May 7, 2010	Objections to prefiled testimony and exhibits, and end of deposition discovery, including depositions on written questions.
May 21, 2010	Responses to objections to prefiled testimony and exhibits
May 26, 2010	Prehearing conference.
June 2-4, 2010 (at 9:00 a.m.)	Hearing on the merits.

SIGNED January 7, 2010.

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

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AGENCY:

Environmental Quality, Texas Commission on (TCEQ)

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

REPRESENTATIVE / ADDRESS

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REGARDING:

ORDER NO. 4 - MEMORIALIZING PREHEARING CONFERENCE

DOCKET NUMBER:

582-09-4288

JUDGE RICHARD WILFONG

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