



Control Number: 44010



Item Number: 18

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PETITION OF THE RATEPAYERS OF
THE RIVER PLACE WATER AND
WASTEWATER SYSTEMS APPEALING
THE RETAIL WATER AND
WASTEWATER RATES OF THE
CITY OF AUSTIN

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BEFORE THE PUBLIC UTILITY COMMISSION
FILING CLERK
PUBLIC UTILITY COMMISSION
OF TEXAS

CITY OF AUTIN'S MOTION TO STAY DISCOVERY

COMES NOW, the City of Austin ("City") and files this Motion to Stay Discovery for the reasons stated herein.

**I.
GOOD CAUSE FOR STAY**

The City requests that an order be issued to stay discovery until there is a ruling on the City's pending motion to dismiss for lack of jurisdiction. On February 23, 2015, the City filed a motion to dismiss pursuant to P.U.C. Proc. R. 22.181 for lack of jurisdiction. Because there is a question of whether there is jurisdiction to consider the pending rate appeal there is good cause to grant the requested stay.

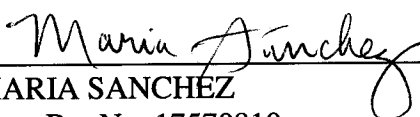
The Petitioners filed a Response to the City of Austin's Motion to Dismiss for Lack of Jurisdiction on March 2, 2015. The City will be filing a Reply to Petitioner's Response to City's Motion to Dismiss for Lack of Jurisdiction per the Public Utility Commission's rules. The City anticipates that a ruling on the City's Motion will be made in the near future. Should a court determine jurisdiction in favor of the Petitioners, the Parties can submit a Proposed Procedural Schedule. The stay is not requested for the purpose of delay, but in the interest of justice and judicial economy.

**II.
PRAYER**

The City respectfully requests that the City's Motion to Stay Discovery be granted pending a ruling on the City's Motion to Dismiss for Lack of Jurisdiction.

RESPECTFULLY SUBMITTED,

ANNE MORGAN, ACTING CITY ATTORNEY
MEGHAN L. RILEY, CHIEF, LITIGATION DIVISION

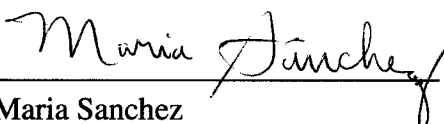


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ATTORNEYS FOR CITY OF AUSTIN

CERTIFICATE OF CONFERENCE

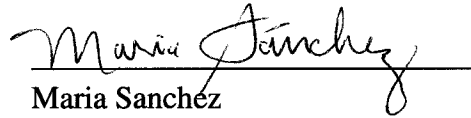
I certify that counsel for the City of Austin conferred with counsel for Public Utility Commission of Texas on February 27, 2015 about this motion and she indicated that she could not agree to the motion. I certify that counsel for the City of Austin conferred with counsel for Petitioners on March 2, 2015 about this motion and he indicated that he could not agree to the motion.



Maria Sanchez

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record in this proceeding on this the 3rd day of March 2015, by first class, U.S. Mail, postage prepaid.


Maria Sanchez