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PUC DOCKET NO. 44010

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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 STATE OFFICE  
PUBLIC UTILITY COMMISSION  
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

**CITY OF AUSTIN'S UNOPPOSED REQUEST FOR CONTINUANCE OF  
PREHEARING CONFERENCE**

TO THE HONORABLE ADMINSTRATIVE LAW JUDGES:

NOW COMES the City of Austin, (herein sometimes referred to as "City," "Austin" or "Respondent"), in the above styled and docketed retail water and wastewater rate appeal contested case hearing and serves this, the City of Austin's Request of Continuance of Prehearing Conference. Austin would respectfully show the Administrative Law Judges ("ALJs") as follows:

**I. INTRODUCTION AND BACKGROUND**

1. On March 23, 2015 the Administrative Law Judges ("ALJs") convened a Prehearing Conference pertaining to City of Austin's Motion to Dismiss, and all subsequent filings in response.

2. On March 25, 2015 the ALJs issued Order No. 4 Memorializing Prehearing Conference; Establishing Filing Deadline; and Notice of Prehearing Conference. In that order, the ALJs notified the parties that a second prehearing conference will be held on April 16, 2015 at 10:00 a.m.

3. Counsel of record for the City of Austin, Stephen P. Webb, underwent surgery on Monday, April 13, 2015, and needs assistance at home during his recovery period.

## **II. REQUEST FOR CONTINUANCE**

Due to counsel's medical necessity for home assistance, the City of Austin requests a brief continuance of the prehearing conference, now scheduled for Thursday, April 16, 2015. This continuance is not sought for purposes of delay only.

## **III. CERTIFICATE OF CONFERENCE**

The undersigned counsel hereby certifies that she has conferred with Petitioners' counsel of record and PUC Staff Counsel on Tuesday, April 14, 2015 via email. Both counsel stated that they had no objection to a short continuance. On behalf of Petitioners, Mr. Wilburn indicated that he and Judge Newchurch will be in a hearing all next week, and that he would not be available until May 1, 2015. Both Petitioners and PUC Staff Counsel expressed concerns and well wishes for Mr. Webb's speedy recovery. Therefore, this continuance is unopposed.

## **IV. REQUESTED RELIEF**

CONSIDERING THE FOREGOING, the City of Austin respectfully requests that the Administrative Law Judges GRANT the City of Austin's Request for Continuance of Prehearing Conference and reschedule the Prehearing Conference (now scheduled for Thursday, April 16, 2015) at their convenience during the week of May 4-8, 2015.

Respectfully submitted,

**KAREN KENNARD,**  
City Attorney

**MEITRA FARHADI**  
Assistant City Attorney

**MARIA SANCHEZ**  
Assistant City Attorney

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By: Gwendolyn Hill WEBB  
Gwendolyn Hill Webb WITH PERMISSION/CLP  
State Bar No. 21026300

Stephen P. Webb  
State Bar No. 21033800

ATTORNEYS FOR CITY OF AUSTIN

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served via hand delivery, facsimile, electronic mail, overnight mail, US mail and/or Certified Mail Return Receipt Requested on all parties whose names appear on the mailing list below on this 15 day of April, 2015.

FOR THE PUBLIC UTILITY COMMISSION:

1701 N. Congress Avenue, 7<sup>th</sup> Floor  
PO Box 13326  
Austin, Texas 78711-3326  
Via Electronic Upload

FOR THE ADMINISTRATIVE LAW JUDGES:

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Honorable William B. Newchurch  
Administrative Law Judges  
State Office of Administrative Hearings  
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FOR THE SOAH DOCKET CLERK:

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