



Control Number: 44268



Item Number: 7

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

44268

SOAH DOCKET NO. 582-08-0132  
TCEQ DOCKET NO. 2007-0358-UCR

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BEFORE THE STATE OFFICE  
PUBLIC UTILITY COMMISSION  
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APPLICATION OF CITY OF ORANGE  
TO DECERTIFY PORTIONS OF  
WATER CERTIFICATES OF  
CONVENIENCE AND NECESSITY  
(CCNs) FROM AQUA TEXAS, INC.;  
NORTH ORANGE WATER & SEWER,  
LLC; AND KELLY BREWER (RURAL  
WATER COMPANY)

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OF

ADMINISTRATIVE HEARINGS

**ORDER NO. 1  
MEMORIALIZING PRELIMINARY HEARING**

A preliminary hearing in this matter was convened on November 13, 2007. The Applicant, City of Orange; the Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ); Kelly Brewer, Rural Water Company; Aqua Texas, Inc., and North Orange Water & Sewer appeared. This order memorializes the matters taken up at the preliminary hearing.

**I. PARTIES**

The parties to this case are the Applicant; the ED; Kelly Brewer, Rural Water Company; Aqua Texas, Inc.; North Orange Water & Sewer; and the Commission's Office of Public Interest Counsel.

**II. NOTICE AND JURISDICTION**


ED's Exhibits A-E were offered and admitted for purposes of establishing notice and jurisdiction. Neither party challenged the sufficiency of notice or the jurisdiction of the Commission and the State Office of Administrative Hearings (SOAH). Notice was sufficient, and the Commission and SOAH have jurisdiction over this matter.

### III. SCHEDULE

This case is abated for all purposes, including discovery, in order for the parties to pursue settlement discussions. **On or before January 16, 2008**, either the Applicant or the ED shall file a status report stating whether the parties have either reached an agreement, are submitting a jointly proposed procedural schedule, need additional time for settlement, request mediation, or require a prehearing conference in order to set a schedule.

Parties with questions about procedures can call the ALJ's assistant, Norma Lopez, at (512) 936-0712.

**SIGNED November 14, 2007.**



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**LILO D. POMERLEAU**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

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**AGENCY:** Environmental Quality, Texas Commission on (TCEQ)

**STYLE/CASE:** CITY OF ORANGE

**SOAH DOCKET NUMBER:** 582-08-0132

**REFERRING AGENCY CASE:** 2007-0358-UCR

**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE  
ALJ LILO D. POMERLEAU**

**REPRESENTATIVE / ADDRESS**

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CITY OF ORANGE

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xc: Docket Clerk, State Office of Administrative Hearings

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DATE: **11/14/2007**

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REGARDING: **ORDER NO. 1 MEMORIALIZING PRELIMINARY HEARING**

DOCKET NUMBER: **582-08-0132**

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