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DOCKET NO. 44322

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REQUEST OF YES PREP PUBLIC
SCHOOLS FOR EMERGENCY ORDER
TO OBTAIN WATER SERVICE FROM
SUNBELT FRESH WATER SUPPLY
DISTRICT

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PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

**ORDER ESTABLISHING PROCEDURES AND GUIDELINES FOR THE
HEARING ON THE EMERGENCY ORDER**

I. BACKGROUND

On January 15, 2015, YES Prep Public Schools (YES Prep) filed an application with the Commission for the issuance of an emergency order under 16 Tex. Admin. Code § 24.14 to allow YES Prep's north central campus to take water service from the Sunbelt Fresh Water Supply District (Sunbelt) rather than Suburban Utility Company (Suburban) because Suburban was not providing continuous and adequate service. Yes Prep and Suburban negotiated a Settlement Agreement (Agreement) and on March 17, 2015, the Commission issued an emergency order, without a hearing, approving the Agreement.

II. HEARING ON EMERGENCY ORDER

The hearing on the Emergency Order issued in this docket is set for **Friday, April 17, 2015**, in the Commissioners' Hearing Room, 7th Floor of the William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701. The hearing is expected to start following the conclusion of the open meeting which is scheduled to begin at 9:30 a.m.

The Parties should be prepared to present evidence on whether the Commission should affirm, modify, or set aside the Emergency Order. The evidence may include documentation and/or oral testimony addressing the directives in the Emergency Order, including the following:

1. Yes Prep payment to Suburban and Yes Prep statement of payment;
2. The filing of an application requesting that Yes Prep's north central campus be removed from Suburban's certificated area;
3. Yes Prep efforts to secure retail water service from Sunbelt;

4. Yes Prep withdrawal from Suburban's pending rate case, Docket No. 42859;¹ and
5. Compliance with obligations in the Agreement.

III. Exhibits

If the parties intend to present documents during the proceeding, the documents shall be pre-marked as exhibits. It is the obligation of the party offering the evidence to make sure that all exhibits, including copies distributed to other parties, are properly marked and included in the record. The exhibits presented to the ALJ for admission into the record shall be grouped as sets of exhibits, each set containing one copy of consecutively numbered exhibits. For instance, if Exhibits 1 through 5 are introduced, there shall be 6 banded sets of Exhibits 1 through 5.

IV. Copies of exhibits

Parties are required to provide the following number of copies of exhibits:

- **For all evidence:** In addition to copies provided to parties, a total of 8 copies of all offered evidence will be required for hearing purposes. The exhibits should be grouped by sets as indicated above. Distribution of exhibits will be as shown on the following table.

Distribution of Exhibits	Number of Copies
Commissioners	3
Appeals Box	2
Advising Staff	1
Court Reporter	2
Total Copies	8

The Administrative Law Judge is responsible for distribution of copies to the Commissioners, Appeals Box and appropriate Commission personnel; parties are responsible for distribution to the Court Reporter.


¹ *Application of Suburban Utility Company for a Water Rate/Tariff Change Under Certificate of Convenience and Necessity No. 10835 in Harris County, Texas, Docket No. 42859 (pending).*

V. Testimony

Any witness presenting testimony shall be available for cross-examination by the other parties. The Commissioners and/or advisory staff members may ask clarifying questions at any point during the proceeding and may direct a party or a witness to provide additional information as needed to fully develop the record of the proceeding. All witnesses will be sworn in prior to the start of the hearing.

SIGNED AT AUSTIN, TEXAS on the 10th day of April 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE

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