



Control Number: 44485



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**SOAH DOCKET NO. 473-15-3743.WS
PUC DOCKET NO. 44485**

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FILED

**RATEPAYERS' APPEAL OF THE
DECISION BY THE CITY OF
WILMER TO CHANGE RATES**

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**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

**COMMISSION STAFF'S REQUEST FOR WAIVER OF DEADLINE TO PRE-FILE
DIRECT TESTIMONY**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Request for Waiver of Deadline to Pre-file Direct Testimony. In support thereof, Staff shows the following:

I. BACKGROUND

On February 24, 2015, outside ratepayers (Ratepayers) of the City of Wilmer (City) filed an appeal of the rates adopted by the Wilmer City Council. On May 7, 2015 the Commission referred the docket to the State Office of Administrative Hearings (SOAH), and on June 17, 2015, SOAH Order No. 2 was issued, which established a procedural schedule for parties to pre-file direct testimony and for a hearing on the merits. The procedural schedule set a deadline for direct testimony for the City as August 26, 2015, for Ratepayers as September 16, 2015, and for Staff as October 7, 2015. To date, neither the City nor the Ratepayers have filed direct testimony. Additionally, the City has not filed responses to Staff's Second and Third Requests for Information.

II. REQUEST FOR WAIVER OF DEADLINE

Staff requests a waiver of Staff's deadline to pre-file direct testimony on October 7, 2015. Staff is preparing a motion for summary decision that will soon be filed. Staff has been in contact with the City of Wilmer and Ratepayers regarding this request. Neither the City nor

Ratepayers object to the waiver of Staff's deadline to pre-file direct testimony. Staff asks that the ALJ waive the deadline for Staff to pre-file direct testimony until such time as there is a ruling on the soon to be filed motion for summary decision. Once a ruling on the motion for summary decision is issued, Staff will file a supplemental procedural schedule, if necessary.

III. CONCLUSION

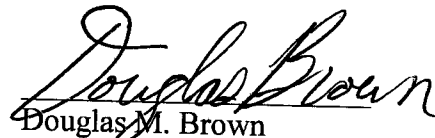
Staff respectfully requests the ALJ issue an order consistent with the above request.

Dated: October 6, 2015

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 6, 2015 in accordance with 16 TAC § 22.74.


Douglas M. Brown