



Control Number: 44541



Item Number: 41

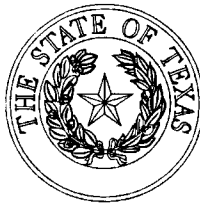
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**Donna L. Nelson**  
Chairman

**Kenneth W. Anderson, Jr.**  
Commissioner

**Brandy Marty Marquez**  
Commissioner

**Brian H. Lloyd**  
Executive Director




**Greg Abbott**  
Governor

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PUBLIC UTILITY COMMISSION  
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## *Public Utility Commission of Texas*

**TO:** State Office of Administrative Hearings

**FROM:** Stephen Journey   
Director, Commission Advising & Docket Management

**RE:** Order of Referral  
P.U.C. Docket No. 44541; SOAH Docket No. 473-16-0193.WS—*Application of City of Heath to Amend a Certificate of Convenience and Necessity and to Decertify a Portion of Forney Lake Water Supply Corporation's Service Area in Rockwall County*

**DATE:** September 16, 2015

Enclosed herewith are the following documents related to the above referenced application:

1. Application and Commission file in the above referenced docket\*
2. Request for assignment of Administrative Law Judge
3. Order of Referral

cc: without Items 1 and 2: All Parties of Record

\*Referred file contains all filings through September 15, 2015

/krw

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**P.U.C. DOCKET NO. 44541  
SOAH DOCKET NO. 473-16-0193.WS**

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<b>APPLICATION OF CITY OF HEATH</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>TO AMEND A CERTIFICATE OF</b>	<b>§</b>	
<b>CONVENIENCE AND NECESSITY AND</b>	<b>§</b>	<b>OF TEXAS</b>
<b>TO DECERTIFY A PORTION OF</b>	<b>§</b>	
<b>FORNEY LAKE WATER SUPPLY</b>	<b>§</b>	
<b>CORPORATION'S SERVICE AREA IN</b>	<b>§</b>	
<b>ROCKWALL COUNTY</b>	<b>§</b>	

**ORDER OF REFERRAL**

The Public Utility Commission of Texas (Commission) refers this docket to the State Office of Administrative Hearings (SOAH) and requests the assignment of an administrative law judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary in the event one or more issues are contested by the parties.

In order to develop a list of the issues to be addressed in this docket, as well as any necessary statement of Commission policy, precedent, and/or position on any threshold legal or policy issue(s) relevant to this proceeding City of Heath, shall, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in the docket by **September 24, 2015**. This pleading may also (1) identify any issue(s) which should not be addressed in the docket, and (2) identify any threshold legal and/or policy issue(s) which should be briefed for purposes of a preliminary order. Specific explanations should support proposals included in the pleading pursuant to (1) and (2). Parties shall not file responses to any pleading submitted in response to this Order, unless specifically requested.

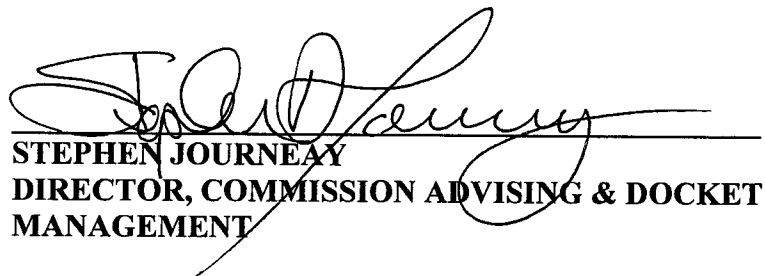
All subsequent pleadings in this docket must contain both the SOAH and PUC docket numbers to allow for efficient processing. Parties shall make filings in accordance with 16 Tex. Admin. Code § 22.71(c) (TAC) regarding the number of copies to be filed or 16 TAC § 22.71(d) regarding the number of confidential items to be provided.

The Commission will issue and provide to SOAH a preliminary order which includes a list of issues and areas that must be addressed in this proceeding, pursuant to Tex. Gov't Code

Ann. § 2003.049(e) (West 2008 & Supp. 2014) (APA), and any necessary statement of Commission policy, precedent, or position on threshold issues, or combination thereof, relevant to this proceeding, pursuant to APA § 2001.058(c). The Commission will consider and possibly adopt a preliminary order in this docket in the open meeting currently scheduled to convene on **October 8, 2015.**

SIGNED AT AUSTIN, TEXAS the 16<sup>th</sup> day of September 2015.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
STEPHEN JOURNEY  
DIRECTOR, COMMISSION ADVISING & DOCKET  
MANAGEMENT