



Control Number: 44541



Item Number: 54

Addendum StartPage: 0

**SOAH DOCKET NO. 473-16-0193.WS  
PUC DOCKET NO. 44541**

**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**

**BEFORE THE STATE OFFICE**

2015 OCT 26 AM 10:13

PUBLIC UTILITY COMMISSION  
FILING CLERK

**ADMINISTRATIVE HEARINGS**

**SOAH ORDER NO. 1  
JURISDICTION, NOTICE OF PREHEARING CONFERENCE,  
AND GENERAL PROCEDURES**

On March 16, 2015, the City of Heath (Heath) filed an application (Application) with the Public Utility Commission of Texas (Commission) seeking single certification to serve new customers in Forney Lake's certificated service area and Health's corporate limits. The Commission referred this proceeding to the State Office of Administrative Hearings (SOAH) on September 16, 2015, and issued its Preliminary Order, including a list of issues to be addressed on October 8, 2015.

**I. JURISDICTION**

Texas Water Code §§ 13.255 and 13.301 vests jurisdiction over CCN matters in the Commission. Pursuant to chapter 2003 of the Texas Government Code, SOAH has jurisdiction over all matters relating to the conduct of a hearing in this matter.

**II. NOTICE OF PREHEARING CONFERENCE**

The Administrative Law Judge (ALJ) will hold a prehearing conference at **1:00 p.m. on November 4, 2015**. The ALJ may discuss the following matters at the conference:

- (1) Motions and other preliminary matters related to the proceeding, including notice, discovery, and procedural schedules;
- (2) Settlement of the case, or clarification and simplification of the issues;
- (3) The necessity or desirability of amended pleadings;
- (4) The possibility of obtaining stipulations that would avoid the unnecessary introduction of evidence;
- (5) Evidentiary matters;
- (6) The specific procedures to be followed at the hearing;

34 1

- (7) The scheduling of the hearing on the merits; and
- (8) Any other matters as may assist in the disposition of the proceeding in a fair and efficient manner.

### III. GENERAL PROCEDURES

The Commission's procedural rules govern this proceeding. *See* 16 Tex. Admin. Code ch. 22. The procedural rules may be found at the Commission's website, [www.puc.texas.gov](http://www.puc.texas.gov). Parties are expected to know these procedures and comply with them fully.

#### A. Filing

The procedures for the filing of pleadings and other documents are set out in chapter 22, subchapter E of the Commission's procedural rules. Pleadings and other documents shall be deemed filed when the proper number of legible copies are presented to the Commission's filing clerk for filing. **All pleadings must contain both the SOAH and PUC docket numbers to allow for efficient processing.**

#### B. Service

As stated above, all documents filed in this case must be filed at the Commission. When a party files a document with the Commission, that party is required to serve or give a copy of that document to every other party. Attached to this order is a service list for the parties' convenience.

Parties may wish to provide an email address for receiving orders from the ALJ. If so, go to SOAH's website at [www.soah.texas.gov](http://www.soah.texas.gov) and click on "Request Service by Email" and complete a short form. The service list will be updated as necessary.

**C. Motions and Responses to Motions and Other Pleadings**

Before filing a motion or a request for relief, the party filing the motion must contact the other parties to determine if the parties agree to or oppose the motion. The motion must state the parties' positions on the requested relief.

Unless otherwise specified, responses to a motion or another pleading must be filed within **five working days** from receipt of the pleading to which the response is made. Such responsive pleadings shall state the date of receipt of the original pleading. Failure to file a timely response will be considered acquiescence to the relief requested.

**D. Discovery**

Discovery has begun and is governed by the Commission's procedural rules at 16 Texas Administrative Code, chapter 22, subchapter H. All discovery requests and responses shall be filed with the Commission in accordance with its procedural rules. Discovery requests and responses are not filed with SOAH.

**SIGNED October 23, 2015.**



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**SARAH G. RAMOS  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS**