



Control Number: 44809



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**SOAH DOCKET NO. 473-16-1848.WS  
PUC DOCKET NO. 44809**

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**APPLICATION OF QUADVEST, LP,  
FOR RATE/TARIFF CHANGE**

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**BEFORE THE STATE OFFICE OF  
ADMINISTRATIVE HEARINGS**

**SOAH ORDER NO. 4  
INFORMATION REGARDING FILING OF STATEMENT OF POSITION OR DIRECT  
TESTIMONY BY INTERVENORS AND ATTENDANCE AT SETTLEMENT  
CONFERENCE**

SOAH Order No. 2 established the procedural schedule in this matter. Among the matters included in the procedural schedule was a requirement that intervenors filed direct testimony or a statement of position by April 6, 2016, and the establishment of April 11, 2016, as the date for a settlement conference. Both aspects are extremely important to the processing of this case and are explained in more detail below.

**I. FILING OF DIRECT TESTIMONY OR STATEMENTS OF POSITION BY  
INTERVENORS**

Intervenors must file either written testimony or a statement of position by April 6, 2016. This deadline is one of the most important deadlines for intervenors because if an intervenor fails to file either testimony or a statement of position by the deadline, the intervenor will be dismissed as a party to this case and prohibited from further participation.

In a traditional trial, a party offers its evidence through direct witness testimony, followed by a round of cross-examination by other parties. In this proceeding, however, parties will pre-file their direct testimony in writing, by the deadline set out above, and then be subject to cross-examination at the hearing. Pre-filed direct testimony is evidence, not a statement of position or a protest of a rate hike.

Intervenors may opt to file a statement of position instead of testimony. A statement of position is simply an intervenor's position in support of, or in opposition to, one or more aspects of the rate application. A statement of position is not sworn-to, is not considered evidence, and is not subject to cross-examination. However, so long as an intervenor timely files a statement of position, that party will be permitted to participate at the hearing on the merits, cross-examine witnesses, and file post-hearing briefing, if the party wishes. Intervenors must understand that the initial comments or letter you sent in to intervene is not a statement of position or testimony.

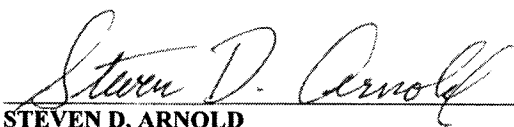
## **II. ATTENDANCE AT SETTLEMENT CONFERENCE**

The ability of the parties to engage in meaningful settlement discussions is important in any contested case, but especially so in cases such as this where the cost of conducting a contested proceeding may be added to the costs included in rates ultimately adopted by the Public Utility Commission of Texas. As stated in SOAH Order No. 2, a settlement conference will be held beginning at **10:00 a.m. on April 11, 2016, at the SOAH hearing facilities located at the William P. Clements Office Building, 300 West 15th, Fourth Floor, Austin, Texas.** The Administrative Law Judge will convene to settlement conference to confirm attendance and will then adjourn to permit the participating parties to engage in settlement discussions.

## **III. ACTIONS REQUIRED TO REMAIN A PARTY TO THIS PROCEEDING**

All intervenors must either: (1) file direct testimony and exhibits by April 6, 2016; (2) file a statement of position by April 6, 2016; or (3) attend the settlement conference on April 11, 2016. **Any intervenor who fails to take one of these three actions will be dismissed and not allowed to participate further unless good cause for the failure is shown.**

**SIGNED March 31, 2016.**

  
STEVEN D. ARNOLD  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

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