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SOAH DOCKET NO. 473-16-1108.WS

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COMPLAINT OF J. HINKEN

§

BEFORE THE STATE OFFICE

2016 JUL 7 PM 4:03

AGAINST

§

OF PUBLIC UTILITY COMMISSION  
FILING CLERK

§

BASTROP WEST WATER AND

§

PAUL KLAUS

§

ADMINISTRATIVE HEARINGS

**BASTROP WEST WATER AND PAUL KLAUS' REPLY TO  
MOTION TO COMPEL AND MOTION FOR SANCTIONS**

COMES NOW Bastrop Water West and Paul Klaus (collectively BWB) through their attorney of record and file this response to Ms. Hinken's Motion to Compel and Motion for Sanctions.

1. Ms. Hinken's motions do not comply with the PUC or SOAH procedural rules.
  - a. PUC Rule 22.161(e) requires a motion to compel to be verified by affidavit.
  - b. SOAH Rule 155.305(b) requires all motions to include a certificate of conference indicating that the moving party has communicated with the other party and made a good faith attempt to resolve the dispute before filing the motion.
  - c. Rule 155.251(e) also requires the moving party to include a certificate of conference in all discovery motions.
2. Ms. Hinken did comply with the PUC or SOAH procedural rules.
  - a. Ms. Hinken failed to make any good faith attempts to negotiate a resolution of the discovery matter as required by Rule 155.251(e).
  - b. Before filing her motions, Ms. Hinken did not make any attempts to contact BWB's attorney by email, telephone, or any other means to discuss the dispute as required by Rule 155.305.

Respectfully submitted,

A handwritten signature in cursive script that reads "Deea Western".

Deea Western  
SBN: 00785378

Certificate of Service

I certify that a copy of BWV's Reply to Motion to Compel and Motion for Sanctions was served electronically on all parties and filed at SOAH on July 1, 2016.

A handwritten signature in cursive script that reads "Deea Western".

Deea Western