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RATEPAYERS' APPEAL OF THE  
DECISION BY THE CITY OF FRITCH  
TO CHANGE RATES

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§

PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF TEXAS

**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.

Under Commission rules, if the Commission receives a petition for review from the lesser of 10,000 or 10% of the ratepayers of the utility whose rates have been changed and who are eligible to appeal, or on its own motion, the Commission shall set the matter for hearing.<sup>1</sup> It appears that over 10% of the eligible ratepayers have filed a petition to appeal the rates set by the municipality. In addition, Commission Staff has requested a hearing on this matter.

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 Fritch, 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 **February 12, 2016**. 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.

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<sup>1</sup> 16 Tex. Admin. Code § 24.41(b).


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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. 2015) (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 **March 3, 2016**.

SIGNED AT AUSTIN, TEXAS the 27<sup>th</sup> day of January 2016.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
**STEPHEN JOURNEY, DIRECTOR**  
**COMMISSION ADVISING & DOCKET MANAGEMENT**