



Control Number: 45489



Item Number: 74

Addendum StartPage: 0

RECEIVED

SOAH DOCKET NO. 473-18-4178.WS  
PUC DOCKET NO. 45489

2018 JUN 21 PM 4:43

PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF CITY OF GREGORY § BEFORE THE STATE OFFICE  
TO OBTAIN CERTIFICATES OF §  
CONVENIENCE AND NECESSITY IN § OF  
SAN PATRICIO COUNTY §  
§ ADMINISTRATIVE HEARINGS

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

**I. FILING DESCRIPTION**

On December 31, 2015, the City of Gregory (Gregory) filed with the Public Utility Commission of Texas (Commission) an application to obtain new water and sewer certificates of convenience and necessity in San Patricio County, Texas. Gregory currently serves customers in the city but purchases water from San Patricio Municipal Water District. Gregory seeks to acquire CCNs for the area within their extraterritorial jurisdiction.

**II. NOTICE OF TELEPHONIC PREHEARING CONFERENCE**

The undersigned Administrative Law Judge (ALJ) will hold a telephonic prehearing conference at **2:00 p.m. on July 12, 2018**. The ALJ will use a conference bridge for the prehearing conference. Anyone wishing to participate in the prehearing conference must call the dial-in number below and, at the prompt, enter the conference ID followed by the # sign:

Dial-in-toll number: (512) 717-4201  
Dial-in toll-free number: (800) 717-4201  
Conference ID: 161-9987

The ALJ may discuss the following matters at the July 12, 2018 prehearing conference:

1. Any motion filed by 3:00 p.m. on July 11, 2018, including motions to intervene.

2. The status of this case and positions of the Commission Staff, Gregory, and any other parties or participants, including those persons who have filed requests to be excluded from or to “opt out” of Gregory’s proposed CCN boundaries.
3. A procedural schedule, including a date for the hearing.
4. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

### III. JURISDICTION

Texas Water Code §§ 13.241 – 13.257 vest 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.

On June 12, 2018, the Commission issued its Order of Referral, referring this matter to SOAH and requesting the assignment of an ALJ to conduct a hearing and issue a proposal for decision, if necessary. In its referral order, the Commission stated it will consider and possibly adopt a preliminary order at its July 12, 2018 open meeting.

### IV. GENERAL PROCEDURES

The Commission’s procedural rules govern this proceeding. *See* 16 Texas Administrative Code, chapter 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 are deemed filed when the proper number of legible copies is 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.**

For parties who may not be familiar with the PUC processes, all PUC filings in this case are available for viewing and downloading from the Commission's website ([www.puc.state.tx.us](http://www.puc.state.tx.us)). Once there, click at the top under "Filings." Then go to Filings Search, click on "Filings Search," type in control number 45489, and press "enter." A list of documents filed in this docket will appear and you may access those documents by clicking on the document number. The PUC's procedural rules are also available at the PUC website.

**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 are responsible for ensuring that their service list is up to date.

Parties may wish to provide an email address for receiving orders from the A.I.J. If so, go to SOAH's website at <http://soah.texas.gov> click on "E-Services," click on "Email Service" 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 may begin immediately 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.

**SIGNED June 21, 2018.**



STEVEN H. NEINAST  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**AUSTIN OFFICE**  
**300 West 15th Street Suite 504**  
**Austin, Texas 78701**  
**Phone: (512) 475-4993**  
**Fax: (512) 322-2061**

**SERVICE LIST**

**AGENCY:** **Public Utility Commission of Texas (PUC)**

**STYLE/CASE:** **CITY OF GREGORY**

**SOAH DOCKET NUMBER:** **473-18-4178.WS**

**REFERRING AGENCY CASE:** **45489**

---

**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

---

**ADMINISTRATIVE LAW JUDGE**  
**ALJ STEVEN NEINAST**

---

**REPRESENTATIVE / ADDRESS**

**PARTIES**

KENNEDY R. MEIER  
ATTORNEY  
PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION  
1701 N CONGRESS AVE  
AUSTIN, TX 78711-3326  
(512) 936-7265 (PH)  
(512) 936-7268 (FAX)  
kennedy.meier@puc.texas.gov

PUBLIC UTILITY COMMISSION OF TEXAS

---

HECTOR CASTANEDA, JR., EIT  
DEPUTY PROJECT MANAGER  
LNV, INC  
801 NAVIGATION BLVD, STE. 300  
CORPUS CHRISTI, TX 78408  
(361) 883-1984 (PH)  
(361) 883-1986 (FAX)

CITY OF GREGORY

---

RANDY WRIGHT  
1900 BILLY G. WEBB  
PORTLAND, TX 78374  
(361) 777-4513 (PH)

RANDY WRIGHT

---