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SOAH DOCKET NO. 473-16-2873.WS
PUC DOCKET NO. 45570

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APPLICATION OF MONARCH §
UTILITIES I, L.P. TO CHANGE RATES §
FOR WATER AND SEWER SERVICE §

BEFORE THE STATE OFFICE
ADMINISTRATIVE HEARINGS

MONARCH UTILITIES I, L.P.'S MOTION TO STRIKE INTERVENORS

Monarch Utilities I, L.P.'s, ("Monarch"), files this Motion to Strike Intervenor in this docket and in support respectfully shows the following;

I. SOAH ORDER NO. 2

In SOAH Order No. 2, the Administrative Law Judges ("ALJs") outlined two specific requirements for participation in the case as an intervenor: "(1) the filing of a statement of position or testimony; and (2) participation at the settlement conference," and stated that a "mandatory settlement conference" will convene in Austin, Texas at the SOAH offices located at the William P. Clements Office Building. The conference was originally scheduled for May 24, 2016, but because of the temporary abatement of the proceeding, the settlement conference was rescheduled for August 10, 2016 by the ALJs in SOAH Order No. 4 entered on July 1, 2016.

II. MANDATORY SETTLEMENT CONFERENCE

Beginning at 10 am on Wednesday, August 10, 2016, Monarch, through its legal counsel, opened the settlement conference and noted that parties present were representatives of the Office of Public Utility Counsel ("OPUC"), Texans Against Monopolies' Excessive Rates ("TAMER"), and the Public Utility Commission ("Commission") Staff, along with Kathy Nielsen, who was participating through video-teleconference per SOAH Order No. 6. Monarch's legal counsel then proceeded to verbally call the names of all remaining intervenors.¹ Monarch's counsel also called the name of Michael Sugrue, who filed a motion to intervene in

¹ Attached as Exhibit "A" is a list of intervenors who have been identified by Monarch in this docket, whose names were called at the mandatory settlement conference, and who were not in attendance.

this proceeding on August 8, 2016, which has not been ruled on by the ALJs. Mr. Sugrue did not attend the mandatory settlement conference. No other intervenors identified themselves, and the parties present proceeded with the scheduled mandatory settlement conference. No other intervenors identified themselves prior to the conclusion of the settlement conference.

III. PRAYER

Wherefore, premises considered, Monarch respectfully requests, per SOAH Order No. 2, that an order be entered striking all intervenors who failed to attend the mandatory settlement conference on August 10, 2016, declaring that all motions for intervention henceforth will be denied *ab initio*, and granting any other relief to which Monarch shows that it is justly entitled.

Respectfully submitted,

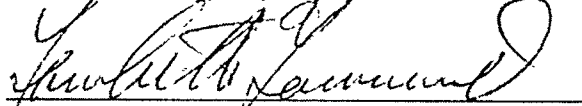
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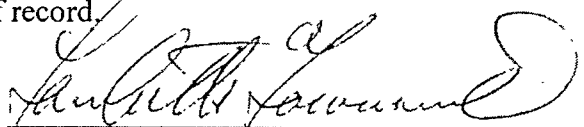
WILLIAM A. FAULK, III

State Bar No. 24075674

ATTORNEYS FOR MONARCH UTILITIES I, LP

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August, 2016, a true and correct copy of the foregoing document has been sent via facsimile, certified mail, return receipt requested, first class mail, or hand-delivered to all parties of record.



LAMBETH TOWNSEND

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APPLICATION OF MONARCH
UTILITIES, I, L.P., TO CHANGE
FOR WATER AND SEWER SERVICE

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PUBLIC UTILITY COMMISSION
OF TEXAS

INTERVENORS NOT PRESENT AT MANDATORY SETTLEMENT CONFERENCE

No.	Date	Name
1.	3/11/16	Joe Merritt
2.	3/15/16	Marcus Cherry
3.	3/15/16	Robert Beiler
4.	3/15/16	Mike Jenkins
5.	3/15/16	Marni Smith
6.	3/18/16	Dale R. McHaney
7.	3/21/16	Kathy McGuire
8.	3/24/16	Annette Gabbert
9.	3/25/16	Bryan Morgan
10.	4/1/16	Douglas Penland
11.	4/1/16	Jerry Batt
12.	4/12/16	David Morris
13.	4/26/16	Bob Storey