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APPLICATION OF RIO CONCHO
AVIATION, INC. FOR A
RATE/TARIFF CHANGE

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BEFORE THE STATE OF NEW YORK
PUBLIC UTILITY COMMISSION
FILING CLERK
OF
ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 11
CONFIRMING AGREED EFFECTIVE DATE AND RELATE BACK DATE;
ADMITTING LATE-FILED EXHIBIT; ADOPTING BRIEFING SCHEDULE AND
BRIEFING OUTLINE; REMINDER TO PARTIES

I. CONFIRMING AGREED EFFECTIVE DATE AND RELATE BACK DATE

Prior to the hearing on the merits in this matter, a prehearing conference was held in which Rio Concho Aviation, Inc.'s (Rio Concho) Motion to Extend Effective Date and Establish "Relate Back" Date was considered. After discussion, the parties unanimously agreed that the effective date of the proposed rates would be extended to August 23, 2016, which extends the 265-day rate suspension date to May 16, 2017, and that there would be established an agreed "relate back" date of January 16, 2017, for purposes of determining refunds or surcharges depending upon the outcome of the case. The Administrative Law Judges (ALJs) found the agreement acceptable and approved it.

II. ADMITTING LATE-FILED EXHIBIT

On December 7, 2016, Rio Concho filed an exhibit outlining additional rate case expenses as discussed at the conclusion of the hearing on the merits. On December 12, 2016, Staff filed, indicating that it did not object to the late filed exhibit, but retained its right to make a later recommendation on whether the expenses presented within the exhibit are reasonable and necessary. No other party filed with respect to the exhibit. Rio Concho's late-filed exhibit is admitted into evidence as Rio Concho Exhibit 18. No later than December 22, 2016, Rio Concho shall deliver a copy of this exhibit to the court reporter. The ALJs will ensure appeal copies are delivered to the Commission.

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III. ADOPTING BRIEFING SCHEDULE AND BRIEFING OUTLINE

On December 16, 2016, the parties submitted an agreed briefing schedule and agreed briefing outline as required by the ALJs at the conclusion of the hearing on the merits. The ALJs have reviewed both the agreed briefing schedule and briefing outline and find them acceptable. Accordingly, the parties shall file initial briefs on January 11, 2017, and reply briefs on January 25, 2017. Proposed findings of fact, conclusions of law, and ordering paragraphs shall be filed on the same date as reply briefs. Initial briefs and reply briefs shall use the briefing outline set forth in the parties' December 16, 2016, filing.

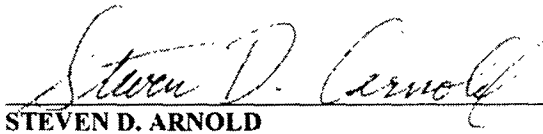
IV. REMINDER TO PARTIES

The parties are reminded that all testimony and briefs (to the extent available) shall be provided to the ALJs in Microsoft Word format by delivery to the ALJs' administrative assistant, Kelly Morante, at kelly.morante@soah.texas.gov.

SIGNED December 19, 2016.



LILLO D. POMERLEAU
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



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