

Control Number: 45720



Item Number: 21

Addendum StartPage: 0



**SOAH DOCKET NO. 473-16-3831.WS  
PUC DOCKET NO. 45720**

RECEIVED

2016 MAY -5 PM 4:43

**APPLICATION OF RIO CONCHO § BEFORE THE STATE OFFICE OF PUBLIC UTILITY COMMISSION  
AVIATION, INC. FOR A §  
RATE/TARIFF CHANGE § ADMINISTRATIVE HEARINGS**

**SOAH ORDER NO. 1  
DESCRIPTION OF CASE, NOTICE OF PREHEARING CONFERENCE,  
AND GENERAL PROCEDURAL REQUIREMENTS**

**I. DESCRIPTION OF CASE**

On March 22, 2016, Rio Concho Aviation, Inc. (Rio Concho) filed with the Public Utility Commission of Texas (Commission) an application for a rate/tariff change under Certificate of Convenience and Necessity No. 12835 in Tarrant County. Pursuant to Texas Water Code (Code) see 13.002(4-c) and 13.1872(c)(2), Rio Concho is a Class C water utility; however, it is filing its application pursuant to Code § 13.1871, which governs Class C water utilities. With regards to this rate case, the procedures applying to a Class B utilities are applicable to Rio Concho.

Commission Order No. 2 (issued by a Commission Administrative Law Judge (ALJ) on April 25, 2016) found the Application sufficient and suspended the rate change effective date for 265 days from Rio Concho's proposed effective date of April 26, 2016, until January 16, 2017.

On April 26, 2016, as recommended by Staff, in its Order of Referral the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of a SOAH ALJ to conduct a hearing and issue a proposal for decision, if such is necessary. The Order of Referral states that Staff has requested a hearing in the case and that it appears that over 10 percent of affected ratepayers have filed a petition to appeal the rates. The order also states that the Commission will consider and possibly adopt at an open meeting currently scheduled for May 19, 2016, a preliminary order that includes a list of issues in this case and any necessary statement of Commission policy, precedent, or position on threshold issues.

21 1



The Commission has jurisdiction in this matter pursuant to Code §§ 13.041, 13.042, 13.1872(c(2)) and 13.1871 and 16 Texas Administrative Code § 24.22. SOAH has jurisdiction over matters in this case relating to the conduct of the hearing and issuance of a proposal for decision, if needed, pursuant to Texas Government Code § 2003.049.

## II. NOTICE OF PREHEARING CONFERENCE

The undersigned ALJ will convene a telephone prehearing conference at 10:00 a.m., on May 17, 2016. The ALJ will call the parties at the following telephone numbers:

**Rio Concho: Randy Manus and/or Barbie Brunson 817-233-1058**

**Staff: Kennedy Meier 512-936-7265**

If these numbers are incorrect, please contact my assistant, Erin Hurley at 512-475-3419 or [erin.hurley@soah.texas.gov](mailto:erin.hurley@soah.texas.gov)

At the prehearing conference, the parties should be prepared to discuss any procedural matter, including clarification of the effective date and the pending motion for immediate implementation of the proposed rates, any pending motions including motions to intervene, any jurisdictional deadlines, the procedural schedule including hearing dates, and any other relevant matter.

## III. PARTY STATUS

The service list the Commission provided to SOAH with its order of referral lists no intervenors. The undersigned ALJ has reviewed the protests that have been filed and found none that indicate a desire to participate in this case **as a party**. The ALJ concludes that no motions to intervene have been filed. A copy of this order is thus being sent only to Rio Concho and Staff.




#### IV. GENERAL PROCEDURAL REQUIREMENTS

All Commission filings are available for viewing and downloading from the Commission's website at <http://www.puc.texas.gov/>. Once there, click "Filings," then "Filings Search," then click "Filings Search" again, then type in the control number 45720 and press "enter." A list of documents filed in this docket will appear and those documents (with a few exceptions such as confidential documents) can be accessed by clicking on the document number.

The Commission's procedural rules are available on the Commission's website (<http://www.puc.texas.gov/agency/rulesnlaws/procrules/Procedural.aspx>). The procedural rules will govern the conduct of this case, and the parties are expected to comply with those rules.

**SIGNED May 5, 2016.**

  
\_\_\_\_\_  
**LILO D. POMERLEAU**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

