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

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 2
RESETTING PREHEARING CONFERENCE,
SETTING INTERVENTION DEADLINE, AND REQUIRING NOTICE

On May 5, 2016, the Administrative Law Judge (ALJ) issued State Office of Administrative Hearings (SOAH) Order No. 1, setting a telephone prehearing conference for May 17, 2016, and addressing other matters. Based on the procedures used by SOAH in another pending Class B water rate case and on 16 Texas Administrative Code (TAC) § 24.22(d), the ALJ has determined that a telephone prehearing conference is insufficient. Accordingly, the ALJ will convene a live prehearing conference as follows.

The ALJ will convene the prehearing conference at 10:00 a.m., on June 17, 2016, at SOAH, 300 West 15th Street, 4th Floor, Austin, Texas.¹ At the prehearing conference, the parties should be prepared to discuss any procedural matter, including clarification or suspension of effective dates, any pending motions including motions to intervene, any jurisdictional deadlines, the procedural schedule including hearing dates, and any other relevant matter.


At least 20 days before the prehearing conference, Rio Concho Aviation, Inc. (Rio Concho) **SHALL** provide notice of the prehearing conference to the governing body of each affected municipality and county and to each ratepayer as though the requirements in Texas Water Code § 13.1871(m)-(n) and 16 TAC § 24.22(d)(2) relating to notice of the hearing applied to the prehearing conference. In addition, the notice **SHALL** include notification of: (1) the intervention deadline established below; and (2) the fact that persons who want to participate in this case as a party (*i.e.*, intervene) are required to move to intervene as described below; previous submission of a protest does not meet that requirement. Before providing notice,

¹ Because the ALJ cannot predict the number of people who might want to participate in the prehearing conference by telephone, the ALJ will not make arrangements for participation by telephone.

Rio Concho shall consult the Staff of the Public Utility Commission of Texas regarding the notice to be provided. Rio Concho SHALL file **no later than June 14, 2016**, proof that it provided the required notice.

Persons wanting to intervene in this case shall do so either (1) by filing **by no later than June 17, 2016**, a motion to intervene in this case in compliance with the Commission's procedural rules; or (2) orally at the June 17, 2016 prehearing conference.

SIGNED May 6, 2016.



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