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SOAH DOCKET NO. 473-16-5010.WS

DOCKET NO. 45781

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APPLICATION OF CITY OF  
PORTLAND TO AMEND ITS  
CERTIFICATES OF CONVENIENCE  
AND NECESSITY IN SAN PATRICIO  
COUNTY

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PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF TEXAS

### STAFF'S STATUS REPORT

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this response to SOAH Order No. 4:

#### I. Background

On June 15, 2016, Rincon Water Supply Company (Rincon) intervened in this case and requested a hearing. Based on this request, Staff requested the referral of this case to the State Office of Administrative Hearings (SOAH) for development of a record. The case was referred to SOAH on July 7, 2016.

On February 7, 2017, the City of Portland filed a letter stating that an agreement between the parties had been reached. On February 16, 2017, the Administrative Law Judge ordered Staff to file a status report describing its position on the February 7, 2017 filing by February 27, 2017. Therefore, this pleading is timely filed.

#### II. Staff's Position

The February 7, 2017 filing is a description of an agreement that allegedly took place between the parties to this proceeding. It is not a written copy of the agreement itself and is not signed by Rincon. Thus, Staff contends that the filing is not sufficient to withdraw Rincon's request for a hearing. Staff recommends the ALJ schedule a prehearing conference for the parties to discuss the status of the case.


Dated: February 24, 2017

Respectfully Submitted,

PUBLIC UTILITY COMMISSION  
OF TEXAS – LEGAL DIVISION

Margaret Uhlig Pemberton  
Division Director

Karen S. Hubbard  
Managing Attorney



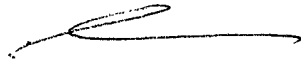
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**SOAH DOCKET NO. 473-16-5010.WS**  
**DOCKET NO. 45871**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this the 24th day of June in accordance with 16 TAC § 22.74.



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Landon J. Lill