



Control Number: 45848



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**SOAH DOCKET NO. 473-16-5011.WS
PUC DOCKET NO. 45848**

RECEIVED

**CITY OF CELINA'S NOTICE OF
INTENT TO PROVIDE WATER AND
SEWER SERVICE TO AREA
DECERTIFIED FROM AQUA TEXAS,
INC. IN DENTON COUNTY**

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§

**BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS**

2016 SEP 23 PM 1:5
PUBLIC UTILITY COMMISSION
FILING CLERK

AGREED SCHEDULE AND BRIEFING OUTLINE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, on behalf of itself, the City of Celina (Celina), and Aqua Texas, Inc. (Aqua) (collectively, the Parties) and files this Agreed Schedule and Briefing Outline. In support of this Agreed Schedule and Briefing Outline, the Parties state the following:

I. BACKGROUND

On September 16, 2016, at the conclusion of the hearing on the merits in this case, the administrative law judge (ALJ) requested that the Parties provide an agreed proposed briefing schedule and outline by September 23, 2016. Therefore, this pleading is timely filed.

II. AGREED BRIEFING SCHEDULE

The Parties propose the following briefing schedule:

Event	Date
Deadline for Initial Post-Hearing Briefs	October 28, 2016
Deadline for Reply Briefs	November 14, 2016

III. AGREED BRIEFING OUTLINE

I. Introduction

II. Procedural Background

III. What property, if any, has been rendered useless or valueless to Aqua by the decertification granted in Docket No. 45329? TWC § 13.254(d); 16 TAC § 24.113(h).

A. Definition of Property

B. What Any Party Has Alleged to Be Property in this Proceeding?

1. Expenditures for planning, design, or construction of service facilities that are allocable to service to the area in question.
2. Necessary and reasonable legal expenses and professional fees.
3. Lost Economic Opportunity.

C. Arguments as to Whether Alleged Property, is in fact, Property

1. Expenditures for planning, design, or construction of service facilities that are allocable to service to the area in question.
2. Necessary and reasonable legal expenses and professional fees.
3. Lost Economic Opportunity.

D. Definition of “Useless” or “Valueless”

E. Whether any of the Identified Property has been Rendered Useless or Valueless.

1. Expenditures for planning, design, or construction of service facilities that are allocable to service to the area in question.
2. Necessary and reasonable legal expenses and professional fees.
3. Lost Economic Opportunity.

IV. Are the existing appraisals limited to property that has been determined to have been rendered useless or valueless by decertification?

V. Conclusion

IV. CONCLUSION

The Parties have indicated to Staff that Staff is authorized to file this pleading on their behalf. Therefore, the Parties respectfully requests that the above proposed briefing schedule and outline be adopted.

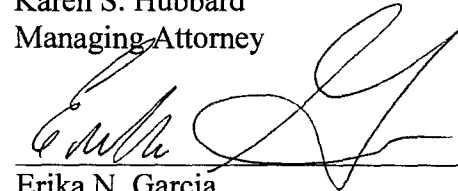
Dated: September 23, 2016

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Karen S. Hubbard
Managing Attorney

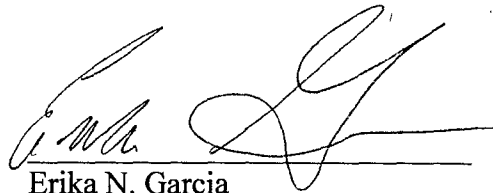


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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on September 23, 2016,
in accordance with 16 TAC § 22.74.



Erika N. Garcia