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SOAH DOCKET NO. 473-17-1434.WS  
PUC DOCKET NO. 46069

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PUBLIC UTILITY COMMISSION  
FILING CLERK

APPLICATION OF NITSCH & SON  
UTILITY COMPANY, INC. FOR A  
RATE/TARIFF CHANGE

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BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

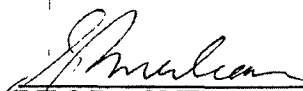
SOAH ORDER NO. 2  
MEMORIALIZING PREHEARING CONFERENCE,

On December 16, 2016, the undersigned Administrative Law Judge (ALJ) convened a prehearing conference. Appearances were by Nitsch & Son Utility Company, Inc. (Nitsch), represented by Bill Flickinger, and Michael Crnich, on behalf of the Staff of the Public Utility Commission of Texas (Commission). The parties stated they have begun settlement discussions and requested a three-week abatement. In support of the abatement period, Nitsch agreed to extend the effective date of its proposed rate change for three weeks. With the suspension, the ALJ calculates that the jurisdictional deadline in this case is May 9, 2017. The request is reasonable and is GRANTED.

On or before January 6, 2017, Staff shall file either a status report, a stipulation and proposed order, or a proposed procedural schedule with a hearing date.

Nitsch noted that SOAH Order No. 1 contained inaccurate information. The order stated that the Commission ALJ suspended the effective date of the rate change; however, the Commission ALJ suspended the effective date of the surcharge for rate case expenses only. Additionally, the order incorrectly stated that over 10% of affected ratepayers appealed the rates. This case was referred to the State Office of Administrative Hearings solely because Commission Staff requested a hearing.

SIGNED December 19, 2016.

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