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PUBLIC UTILITY COMMISSION
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Public Utility Commission of Texas

TO: State Office of Administrative Hearings

FROM: Stephen Journeay
Director, Commission Advising & Docket Management

RE: Order of Referral
P.U.C. Docket No. 46245; SOAH Docket No. 473-17- 0119.WS— *Application of Double Diamond Utility Company, Inc. for a Water and Sewer Rate/Tariff Change.*

DATE: September 8, 2016

Enclosed herewith are the following documents related to the above referenced application:

1. Application and Commission file in the above referenced docket*
2. Request for assignment of Administrative Law Judge
3. Order of Referral

cc: without Items 1 and 2: All Parties of Record

*Referred file contains all filings through September 7, 2016

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**P.U.C. DOCKET NO. 46245
SOAH DOCKET NO. 473-17-0119.WS**

APPLICATION OF DOUBLE	§	PUBLIC UTILITY COMMISSION
DIAMOND UTILITY COMPANY, INC	§	
FOR A RATE/TARIFF CHANGE	§	OF TEXAS

ORDER OF REFERRAL

The Public Utility Commission of Texas (Commission) refers this docket to the State Office of Administrative Hearings (SOAH) and requests the assignment of an administrative law judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary, in the event one or more issues are contested by the parties.

Under Commission rules, if the Commission receives a complaint from any affected municipality or protests from the lesser of 1,000 or 10% of the ratepayers of the utility, or on its own motion, the Commission shall set the matter for hearing.¹ It appears that over 10% of the affected ratepayers have filed a petition to appeal the rates. In addition, Commission Staff has requested a hearing on this matter.

In order to develop a list of the issues to be addressed in this docket, as well as any necessary statement of Commission policy, precedent, and/or position on any threshold legal or policy issue(s) relevant to this proceeding Double Diamond Utility Company, Inc., shall, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in the docket by **September 16, 2016**. This pleading may also (1) identify any issue(s) which should not be addressed in the docket, and (2) identify any threshold legal and/or policy issue(s) which should be briefed for purposes of a preliminary order. Specific explanations should support proposals included in the pleading pursuant to (1) and (2). Parties shall not file responses to any pleading submitted in response to this Order, unless specifically requested.

All subsequent pleadings in this docket must contain both the SOAH and PUC docket numbers to allow for efficient processing. Parties shall make filings in accordance with 16 Tex.

¹ 16 Tex. Admin. Code § 24.28(c).

Admin. Code § 22.71(c) (TAC) regarding the number of copies to be filed or 16 TAC § 22.71(d) regarding the number of confidential items to be provided.

The Commission will issue and provide to SOAH a preliminary order which includes a list of issues and areas that must be addressed in this proceeding, pursuant to Tex. Gov't Code Ann. § 2003.049(e) (West 2016) (APA), and any necessary statement of Commission policy, precedent, or position on threshold issues, or combination thereof, relevant to this proceeding, pursuant to APA § 2001.058(c). The Commission will consider and possibly adopt a preliminary order in this docket in the open meeting currently scheduled to convene on **October 7, 2016**.

SIGNED AT AUSTIN, TEXAS the 07 day of September 2016.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHEN JOURNEY, DIRECTOR
COMMISSION ADVISING & DOCKET MANAGEMENT