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APPLICATION OF CITY OF §
 TOMBALL TO OBTAIN A WATER §
 AND SEWER CERTIFICATE OF §
 CONVENIENCE AND NECESSITY IN §
 HARRIS AND MONTGOMERY §
 COUNTIES §

PUBLIC UTILITY COMMISSION

OF TEXAS

2016 SEP -6 PM 12:19
 PUBLIC UTILITY COMMISSION
 FILING CLERK

**ORDER NO. 1
 REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS AND NOTICE;
 REQUESTING PROCEDURAL SCHEDULE;
 ADDRESSING OTHER PROCEDURAL MATTERS**

I. Application

On September 1, 2016, the City of Tomball filed with the Public Utility Commission of Texas an application to obtain new water and sewer certificates of convenience and necessity in Harris and Montgomery Counties.

II. Requiring Comments on the Administrative Completeness of Application and Proposed Notice

Pursuant to 16 Texas Administrative Code § 24.8(a) (TAC), by **October 3, 2016**, Commission Staff shall file comments on the administrative completeness of the application and proposed notice. Notice of this application will appear in the September 16, 2016, issue of the *Texas Register*.

III. Requesting Procedural Schedule

By October 3, 2016, Applicant and Commission Staff shall file comments regarding how this application should be processed and propose a procedural schedule.

IV. Ex Parte Communications

Pursuant to 16 TAC § 22.3(a) *ex parte* communications with the administrative law judges and presiding officer (collectively, ALJs) are prohibited. Parties shall communicate with the ALJs only through written documents filed with the Commission's Filing Clerk and served on all parties.

V. Discovery

Discovery may proceed informally; however, objections to Requests for Information (RFIs) must be filed and served within 10 days of receiving the RFI. Objections shall include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be filed and served within five (5) working days of receipt of an objection. The motion to compel shall specify the grounds for the motion.

VI. Filing Requirements

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission filing clerk according to 16 TAC § 22.71. A copy of each document filed with the Commission must also be served on all parties under 16 TAC § 22.74.

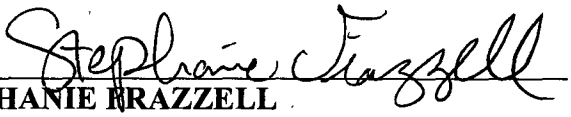
16 TAC § 22.78 governs responsive pleadings. Unless otherwise specified, responses or replies to any motion or other pleading shall be filed within five (5) working days after the date on which the motion or other pleading was received by the responding party. Failure to file a timely response will be considered acquiescence to the relief requested.

All parties shall provide their current addresses, telephone and facsimile numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party shall provide the Commission and all parties with updated address, telephone, and facsimile information if such information changes. The telephone and facsimile numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

Questions concerning this order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

SIGNED AT AUSTIN, TEXAS the 6th day of September 2016.

PUBLIC UTILITY COMMISSION OF TEXAS


STEPHANIE BRAZZELL
ADMINISTRATIVE LAW JUDGE