



Control Number: 46438



Item Number: 139

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**Donna L. Nelson**  
Chairman

**Kenneth W. Anderson, Jr.**  
Commissioner

**Brandy Marty Marquez**  
Commissioner

**Brian H. Lloyd**  
Executive Director



**Greg Abbott**  
Governor

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PUBLIC UTILITY COMMISSION  
FILING CLERK

## *Public Utility Commission of Texas*

**TO:** State Office of Administrative Hearings

**FROM:** Stephen Journey  
Director, Commission Advising & Docket Management

**RE:** Order of Referral  
P.U.C. Docket No. 46438; SOAH Docket No. 473-17-2372.WS— *Application of J&S Water Company, LLC for a Rate/Tariff Change*

**DATE:** January 26, 2017

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 January 25, 2017

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APPLICATION OF J&S WATER  
COMPANY, LLC FOR A RATE/TARIFF  
CHANGE

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PUBLIC UTILITY COMMISSION  
PUBLIC UTILITY COMMISSION  
OF TEXAS

**ORDER OF REFERRAL**

The Public Utility Commission of Texas 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 necessary to resolve any issues that 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.<sup>1</sup> 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, or position on any threshold legal or policy issues relevant to this proceeding J&S Water Company, LLC, 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 **February 13, 2017**. This pleading may also identify any issues that should not be addressed in the docket, and identify any threshold legal and policy issues that should be briefed for purposes of a preliminary order. Specific explanations should support any such issues identified in the pleading. 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 Texas

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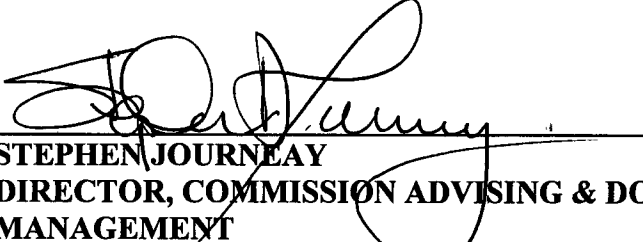
<sup>1</sup> 16 Texas Administrative Code § 24.28(c).

Administrative 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 that includes a list of issues and areas that must be addressed in this proceeding, as required by Texas Government Code § 2003.049(e) and any necessary statement of Commission policy, precedent, or position on threshold issues, or combination thereof, relevant to this proceeding, as required by Texas Government Code § 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 **March 9, 2017**.

SIGNED AT AUSTIN, TEXAS the 26<sup>th</sup> day of January 2017.

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
**STEPHEN JOURNEY**  
**DIRECTOR, COMMISSION ADVISING & DOCKET**  
**MANAGEMENT**