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**SOAH DOCKET NO. 473-17-4821.WS
PUC DOCKET NO. 46782**

APPLICATION OF KAMIRA PROPERTY OWNERS ASSOCIATION, INC. DBA KAMIRA WATER SYSTEM TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY IN KERR COUNTY	§ § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**SOAH ORDER NO. 1
JURISDICTION, NOTICE OF PREHEARING CONFERENCE,
AND GENERAL PROCEDURES**

I. INTRODUCTION

On January 19, 2017, Kamira Property Owners Association, Inc. DBA Kamira Water System (Kamira) filed an application to amend its certificate of convenience and necessity (CCN) No. 12176, in Kerr County, Texas. Kamira states that its certificated service area was expanded in 1998 to include the Box S Subdivision. It now appears Kamira seeks to relinquish the portion of its certificated service territory serving the Box S Subdivision.

On February 28, 2017, the Public Utility Commission's (Commission) Administrative Law Judge (Commission's ALJ) deemed Kamira's CCN Application incomplete and deficient in Order No. 2. On April 27, 2017, the Commission's ALJ deemed Kamira's CCN Application administratively complete. On June 12, 2017, Commission staff (Staff) recommended a finding that Kamira's notice was legally sufficient, and on June 13, 2017, the Commission's ALJ confirmed Staff's recommendation in Order No. 3, finding Kamira's notice legally sufficient and approved a preliminary procedural schedule. The preliminary procedural schedule provided a deadline to intervene as 30 days after notice was provided. On June 14, 2017, James F. Weathersbee and Cindy Dix, filed a request for a public hearing in this case. It is not clear that Mr. Weathersbee or Ms. Dix requested intervenor status, and they should clarify their requested status as soon as possible. On June 26, 2017, the Commission referred this case to the State Office of Administrative Hearings (SOAH).

II. JURISDICTION

Texas Water Code §§ 13.241 – 13.257 vest jurisdiction over CCN matters in the Commission. Pursuant to chapter 2003 of the Texas Government Code, SOAH has jurisdiction over all matters relating to the conduct of a hearing in this matter. As discussed above, on June 26, 2017, the Commission issued its Order of Referral, referring this matter to SOAH and requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision (PFD), if necessary.

III. NOTICE OF PREHEARING CONFERENCE

The ALJ will hold a prehearing conference at **10:00 a.m. on August 2, 2017, at SOAH's hearing facility, William Clements Office Building, 300 W. 15th Street, Fourth Floor, Austin, Texas 78701. The parties are notified that they must clear security on the first floor and should allow sufficient time to complete the process.**

The ALJ notes that Mr. Weathersbee and Ms. Dix indicated in a June 11, 2017, email to the Director of Commission Advising and Docket Management that they would be on vacation for the months of August and September and cannot attend live hearings. Therefore, Mr. Weathersbee and Ms. Dix are advised that they can participate in the prehearing conference by telephone by filing a request to do so. In lieu of that, they may designate another person or persons to take their place at the prehearing conference scheduled for August 2, 2017. Anyone else wishing to participate in the prehearing conference may also do so telephonically by filing a request to do so.

The ALJ may discuss the following matters at the August 2, 2017 prehearing conference:

- (1) Motions and other preliminary matters related to the proceeding, including the possibility of a new intervention date, notice, discovery, **and a procedural schedule;**

- (2) Settlement of the case, or clarification and simplification of the issues;
- (3) The necessity or desirability of amended pleadings;
- (4) The possibility of obtaining stipulations that would avoid the unnecessary introduction of evidence;
- (5) Service issues, including the possible use of email service;
- (6) Evidentiary matters;
- (7) The specific procedures to be followed at the hearing;
- (8) The scheduling of the hearing on the merits; and
- (9) Any other matters as may assist in the disposition of the proceeding in a fair and efficient manner.

IV. GENERAL PROCEDURES

The Commission's procedural rules govern this proceeding. *See* 16 Tex. Admin. Code ch. 22. The procedural rules may be found at the Commission's website, www.puc.texas.gov. Parties are expected to know these procedures and comply with them fully.

A. Filing

The procedures for the filing of pleadings and other documents are set out in chapter 22, subchapter E of the Commission's procedural rules. Pleadings and other documents are deemed filed when the proper number of legible copies is presented to the Commission's filing clerk for filing. **All pleadings must contain both the SOAH and PUC docket numbers to allow for efficient processing.**

B. Service

As stated above, all documents filed in this case must be filed at the Commission. When a party files a document with the Commission, that party is required to serve, or give a copy of

that document, to every other party. Attached to this order is a service list for the parties' convenience. Parties are responsible for ensuring that their service list is up to date.

Parties may wish to provide an email address for receiving orders from the ALJ. If so, go to SOAH's website at <http://soah.texas.gov> and click on "Request Email Service" and complete a short form. The service list will be updated as necessary. The possible use of electronic service between and among the parties will be discussed at the prehearing conference.

C. Motions and Responses to Motions and Other Pleadings

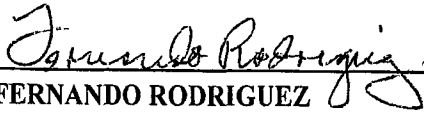
Before filing a motion or a request for relief, the party filing the motion must contact the other parties to determine if the parties agree to or oppose the motion. The motion must state the parties' positions on the requested relief.

Unless otherwise specified, responses to a motion or another pleading must be filed within **five working days** from receipt of the pleading to which the response is made. Such responsive pleadings shall state the date of receipt of the original pleading. Failure to file a timely response will be considered acquiescence to the relief requested.

D. Discovery

Discovery may begin immediately and is governed by the Commission's procedural rules at 16 Texas Administrative Code, chapter 22, subchapter H. All discovery requests and responses shall be filed with the Commission in accordance with its procedural rules. Discovery requests and responses are not

SIGNED July 19, 2017.


FERNANDO RODRIGUEZ
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS