



Control Number: 46948



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SOAH DOCKET NO. 473-17-5930.WS  
PUC DOCKET NO. 46948

APPLICATION OF VINEYARD RIDGE  
LLC FOR A WATER CERTIFICATE  
OF CONVENIENCE AND NECESSITY  
IN GILLESPIE COUNTY

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BEFORE THE STATE

OF

ADMINISTRATIVE HEARINGS

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PUBLIC UTILITY COMMISSION  
FILING CLERK

SOAH ORDER NO. 1  
CASE DESCRIPTION, NOTICE OF PREHEARING CONFERENCE,  
FILING AND SERVICE REQUIREMENTS, AND PARTY STATUS

I. DESCRIPTION OF CASE

On March 15, 2017, Vineyard Ridge LLC (VR) filed an application (the Application) with the Public Utility Commission of Texas (the Commission) to obtain a new water certificate of convenience and necessity (CCN) in Gillespie County. The Commission deemed the Application administratively complete on June 21, 2017, and the notice sufficient on July 21, 2017.

On August 11, 2017, John McCrae filed a motion to intervene and requested a public hearing. On August 29, 2017, the Commission granted the motion to intervene. On August 30, 2017, the Commission referred this docket to the State Office of Administrative Hearings (SOAH) for assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if necessary. The Commission will consider this docket at its open meeting on September 28, 2017, and subsequently issue a preliminary order setting forth issues that must be addressed in this proceeding.

II. JURISDICTION

Pursuant to Texas Water Code §§ 13.242-13.250, the Commission has jurisdiction over CCN matters. SOAH has jurisdiction over all matters relating to the conduct of the hearing in this proceeding pursuant to Texas Government Code § 2003.049.

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### III. NOTICE OF PREHEARING CONFERENCE

The ALJ will hold a prehearing conference in this matter at **10:00 a.m. on October 11, 2017**, at the William P. Clements Office Building, Fourth Floor, 300 West 15th Street, Austin, Texas. Parties wishing to appear by telephone must file a motion to appear by telephone before the prehearing conference.

At the prehearing conference, the ALJ will discuss the Commission's preliminary order; establish a procedural schedule (including a hearing date); and address any pending motions and other matters relevant to this proceeding and necessary for the fair and efficient disposition of this case.

### 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](http://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. **All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. The Commission's filing clerk will forward a copy of the pleadings to SOAH. All pleadings must contain both the SOAH and PUC docket numbers to allow for efficient processing.** Pleadings and other documents shall be deemed filed when the proper number of legible copies is presented to the Commission's filing clerk for filing.

#### B. Service

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 may wish to provide an email address for receiving orders from the ALJ. If so, go to SOAH's website at [www.soah.texas.gov](http://www.soah.texas.gov) and click on "Request Service by Email" and complete a short form. The service list will be updated as necessary.

**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 filed with SOAH.

**SIGNED September 5, 2017.**

  
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JOANNE SUMMERHAYS  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS