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**SOAH DOCKET NO. 473-18-0193.WS**  
**PUC DOCKET NO. 47275**

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<b>APPLICATION OF THE COMMONS</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>WATER SUPPLY, INC. FOR</b>	<b>§</b>	<b>OF</b>
<b>AUTHORITY TO CHANGE RATES</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**SOAH ORDER NO. 1**  
**DESCRIPTION OF CASE, NOTICE OF PREHEARING CONFERENCE,**  
**AND GENERAL PROCEDURAL REQUIREMENTS**

**I. DESCRIPTION OF CASE**

On June 30, 2017, The Commons Water Supply, Inc. (The Commons or Applicant), filed with the Public Utility Commission of Texas (Commission) an application for a rate/tariff change (Application) under Water Certificate of Convenience and Necessity (CCN) No. 12781 in Harris County, Texas. The Commons is a Class B utility, and provides retail water utility service to approximately 950 connections or customers.

On July 12, 2017, the Commission's Administrative Law Judge (ALJ) issued Order No. 1, requiring Public Utility Commission staff (Staff) to comment on the sufficiency of The Commons' application. On July 31, 2017, Staff filed its recommendation regarding sufficiency of The Commons' Application and found it deficient. On August 1, 2017, the Commission's ALJ issued Order No. 2 finding The Commons' application deficient and ordering the Applicant to amend its rate application by August 21, 2017.

On August 7, 2017, The Commons amended its Application to address Staff's concerns, and on September 11, 2017, Staff filed its "Supplemental Recommendation on Sufficiency of Application and Notice." In that pleading, Staff recommended that the Application be deemed administratively complete. Staff also moved to suspend the effective date of the Applicant's rate increase for 265 days, pursuant to 16 Texas Administrative Code § 24.26(a).

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On September 12, 2017, the Commission's ALJ issued Order No. 3 and found the Application administratively complete. The order also suspended the effective date of Applicant's rate application for 265 days, as requested by Staff.

On September 18, 2017, the Commission referred this case to the State Office of Administrative Hearings (SOAH) for hearing, if necessary, and on October 11, 2017, the Commission issued its Preliminary Order setting out the issues on which it seeks the ALJ's recommendation.

## **II. JURISDICTION**

The Commission has jurisdiction over this matter pursuant to Texas Water Code §§ 13.041, 13.181, 13.1871, and 13.1872. SOAH has jurisdiction over matters in this case relating to the conduct of the hearing and issuance of a proposal for decision, if needed, pursuant to Texas Government Code § 2003.049.

## **III. NOTICE OF PREHEARING CONFERENCE**

**The undersigned ALJ will convene a prehearing conference at 10:00 a.m. on Thursday, November 9, 2017, at SOAH's hearing facilities located at 300 West 15th Street, 4th Floor, Austin, Texas.** At the prehearing conference, the parties should be prepared to discuss any procedural matter, including clarification or suspension of effective dates, any pending motions including motions to intervene, any jurisdictional deadlines, and the procedural schedule including hearing dates, and any other relevant matter.

Note, the ALJ has calculated the jurisdictional deadline in this case as being approximately June 4, 2018. **The parties are expressly requested to comment on this particular date and whether the proposed deadline is correct.**

The ALJ urges the parties to attend the prehearing conference in person to better facilitate discussion of the issues between the parties. However, if a party or its representative wishes to participate by telephone, the ALJ will also use a conference bridge for the prehearing conference. Anyone wishing to participate in the prehearing conference should call the dial-in number below and, at the prompt, enter the conference ID followed by the # sign.

Dial-in toll-free number: (855) 999-5357

Conference ID: 207-3205

#### IV. PARTY STATUS AND INTERVENTION DEADLINE

The service list the Commission provided to SOAH with the Order of Referral lists no intervenors. As of the date of this order, no motions to intervene have been filed or appear on the Commission's Interchange. Therefore, a copy of this order is being sent only to the Applicant and Staff.

Persons wanting to intervene in this case must do so either: (1) by filing **no later than October 28, 2017**, a written motion or request to intervene in this case in compliance with the Commission's procedural rules, which provide for a 45-day intervention period; or (2) orally at the November 9, 2017 prehearing conference. However, if a motion or request to intervene is filed (orally or in writing) after the October 28, 2017 intervention date, good cause must be shown.

#### V. GENERAL PROCEDURAL REQUIREMENTS

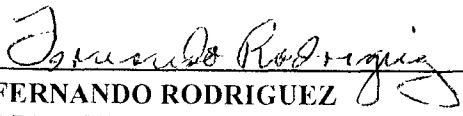
All Commission filings are available for viewing and downloading from the Commission's website at <http://www.puc.texas.gov/>. Once there, click "Filings," then "Filings Search," then click "Filings Search" again, then type in the control number 47275 and press "enter." A list of documents filed in this docket will appear and those documents

(with a few exceptions such as confidential documents) can be accessed by clicking on the document number. The Commission's procedural rules are available on the Commission's website at: (<http://www.puc.texas.gov/agency/rulesnlaws/procrules/Procedural.aspx>).

The procedural rules will govern the conduct of this case, and the parties are expected to comply with those rules. Routine procedural and logistical questions may be directed to the undersigned ALJ's administrative assistant Denise Kimbrough at (512) 936-0712, or at her email address: [denise.kimbrough@soah.texas.gov](mailto:denise.kimbrough@soah.texas.gov).

SOAH support personnel may not provide any legal advice to the parties.

**SIGNED October 17, 2017.**

  
FERNANDO RODRIGUEZ  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS