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APPLICATION OF THE COMMONS § BEFORE THE STATE OFFICE
WATER SUPPLY, INC. FOR A §
RATE/TARIFF CHANGE §
§
§ OF
§ ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 3
GRANTING MOTION FOR ENTRY OF PROTECTIVE ORDER AND REQUIRING
STATEMENT REGARDING COURT REPORTER

I. PROTECTIVE ORDER

On November 30, 2017, The Commons Water Supply, Inc. (The Commons) filed its Motion for Entry of Protective Order (Motion). Requests for the entry of a protective order are not unusual in large utility cases, and the request for entry of the protective order attached to the Motion is **GRANTED** with the following proviso. The Administrative Law Judge notes that this case only involves two parties. As a result, it is expected that the two parties will work together to resolve disputes. A protective order in a relatively small utility case should not result in protracted or unnecessary discovery disputes such as those that might be expected in large, multi-party utility cases. Disputes that result in regulatory and rate-case expense will be reviewed closely at the conclusion of this case.

II. REQUIRING STATEMENT REGARDING COURT ORDER


As noted in SOAH Order No. 2, the parties estimate that the hearing on the merits will last longer than one day. Under 1 Texas Administrative Code § 155.423(b),¹ for any proceeding set to last longer than one day, a court reporter is generally required. **No later than December 18, 2017, the parties shall confirm that a court reporter will be provided at**

¹ This SOAH procedural rule is not inconsistent with 16 Texas Administrative Code § 22.204.

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the hearing and address how the court reporter's fees will be paid. The ALJ notes that in proceedings before the Commission, Kennedy Reporting Services, Inc. is typically used.

SIGNED December 5, 2017.



FERNANDO RODRIGUEZ
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS