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SOAH DOCKET NO. 473-18-1005.WS
PUC DOCKET NO. 4767

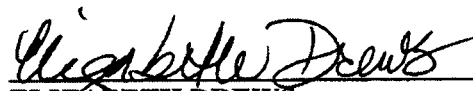
NOTICE OF VIOLATION BY § 2019 AUG 16 AM 11:16
CHUCK BELL WATER SYSTEMS LLC § BEFORE THE STATE OFFICE
OF TEXAS WATER CODE § PUBLIC UTILITY COMMISSION
§
AND OTHER PROVISIONS OF THE § OF
WATER CODE, AND 16 TAC § 24.21, §
AND OTHER RULES OF THE PUBLIC §
UTILITY COMMISSION § ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 11
DISMISSING CASE WITHOUT PREJUDICE

On August 14, 2019, the Public Utility Commission of Texas (Commission) staff (Staff) filed a notice withdrawing its notice of violation without prejudice to refiling. Pursuant to 16 Texas Administrative Code (TAC) § 22.181(f)(2) and (6), an order by an Administrative Law Judge (ALJ) dismissing a proceeding based solely on withdrawal of a petition is the final order of the Commission. Under 16 TAC § 22.181(g)(5), an order granting a request to withdraw a petition must state whether the dismissal is with or without prejudice. In accordance with 16 TAC § 22.181(g)(1), a party that initiated a proceeding may withdraw its petition without prejudice to refiling at any time before that party has presented its direct case. Staff has not yet presented its direct case. 16 TAC § 22.281(f)(2) thus authorizes the ALJ to issue an order dismissing this proceeding without preparing a proposal for decision.

Accordingly, Staff's request to dismiss this proceeding without prejudice on the basis of withdrawal is **GRANTED**, and this case is **DISMISSED WITHOUT PREJUDICE** from the dockets of the State Office of Administrative Hearings and the Commission, pursuant to 16 TAC § 22.181(f)(2) and (6), (g)(1) and (5).

SIGNED August 16, 2019.


ELIZABETH DREWS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

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