



Control Number: 47795



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SOAH DOCKET NO. 473-18-2486.WS

PUC DOCKET NO. 47795

2018 MAR -5 PM 2:12

APPLICATION OF THE CITY OF
HUTTO TO AMEND A SEWER
CERTIFICATE OF CONVENIENCE
AND NECESSITY IN WILLIAMSON
COUNTY

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BEFORE THE STATE OFFICE
FILING CLERK

OF

ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 1
FILING DESCRIPTION, NOTICE OF PREHEARING CONFERENCE, AND
PROCEDURES

I. FILING DESCRIPTION

On November 21, 2017, the City of Hutto (Hutto) filed an application with the Public Utility Commission of Texas (Commission) to amend a sewer certificate of convenience and necessity (CCN). The Commission issued an Order of Referral on February 27, 2018, referring the case to the State Office of Administrative Hearings for assignment of an Administrative Law Judge (ALJ) to conduct a hearing. The Commission will consider and possibly adopt a preliminary order in the open meeting currently scheduled to convene on March 29, 2018.

II. NOTICE OF PREHEARING CONFERENCE

The undersigned Administrative Law Judge will convene a **prehearing conference at 10:00 a.m., April 3, 2018**, at the State Office of Administrative Hearings, William P. Clements State Office Building, 300 West 15th Street, Fourth Floor, Austin, Texas. Those attending the prehearing conference are advised that they must check in with building security personnel in the lobby of the William P. Clements Building and be issued visitor badges before proceeding to the hearing room. The parties should allow sufficient time for the check-in procedure.

At the prehearing conference, the following matters will be discussed:

1. Pending motions filed by 3:00 p.m. on **April 2, 2018**;

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2. A procedural schedule; and
3. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

The parties may confer before the prehearing conference regarding the procedural schedule that will apply in this case. Any proposed procedural schedule must include, at a minimum, deadlines for discovery and prefiled testimony, and three alternative dates for the hearing on the merits. If the parties are able to agree to a procedural schedule, they may file an agreed schedule no later than **3:00 p.m. on March 26, 2018**, and agree to cancel the prehearing conference.

III. PROCEDURES

A. Filing Procedures

Parties are expected to know how to file documents. The rules setting out how to file documents are found in Subchapter E of the Commission's procedural rules, which are available for viewing and downloading from the Commission's website at www.puc.state.tx.us.¹ Pleadings and other documents shall be deemed filed when the proper number of legible copies is presented to the PUC filing clerk for filing. **All pleadings must contain both the SOAH and PUC docket numbers to allow for efficient processing.**

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. Parties wishing to hand-deliver a file-stamped copy of a pleading to the ALJ should deliver it to Room 504, 5th Floor, Clements Building, 300 W. 15th St., Austin, Texas.

¹ For those parties who may not be familiar with the Commission's processes, all PUC filings are available for viewing and downloading from the Commission's website at <http://www.puc.texas.gov>. Once there, click on "Filings," then click on "Filings Search," then click on "Filings Search," again. Then type in the control number, "47795," and click on "Search." A list of documents filed in this docket will appear and you may access those documents by clicking on the document number.

B. Service Procedures

A copy of any document filed with the Commission must also be served on (given to) all parties. All parties shall provide their current telephone and facsimile number, if available, and email address, if available, to all other parties.

All mail sent to the parties by the ALJ will be sent by first class mail or by fax. However, SOAH has implemented service by email for proposals for decision, orders, and other case-related documents and communications in general docket cases. If you would like to receive service by email from SOAH, please go to SOAH's website, www.soah.state.tx.us, for information and the form to request email service. Click on the "E-Services" link in the Main Menu box, and then the "Email Service" button.

C. Motions

Motions for continuance shall be governed by 16 Texas Administrative Code § 22.79. If a continuance or extension of time is sought, the motion shall propose a new date or dates and shall indicate whether the other parties agree to the new date or dates. Because the ALJ or a hearing room may not be available on a given day, a proposed range of dates would be preferable. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, a contested motion for continuance or extension is not granted and the existing schedule remains in place.


Unless otherwise specified in the applicable procedural rules, responses to any motion or other pleading shall be filed within **five working days** from receipt of the motion or pleading. The response shall state the date of receipt of the motion or pleading to which a response is made. If a party does not respond to a motion, the ALJ will assume that the party agrees with the motion or does not oppose the requested relief.

D. Other Procedural Matters

Any matters not addressed by this order shall be governed by the procedural rules of the Commission, which are available for viewing and downloading from the Commission's website at www.puc.state.tx.us.

Discovery may begin immediately pursuant to Subchapter H of the Commission's procedural rules.

SIGNED March 5, 2018.



JOANNE SUMMERHAYS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS