



Control Number: 47863



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SOAH DOCKET NO. 473-17-4964.WS
PUC DOCKET NO. 46662

2018 MAR 22 PM 2: 24

PETITION OF THE CITIES OF
GARLAND, MESQUITE, PLANO
AND RICHARDSON APPEALING
THE DECISION BY NORTH
TEXAS MUNICIPAL WATER
DISTRICT AFFECTING
WHOLESALE WATER RATES

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PUBLIC UTILITY COMMISSION
FILING CLERK
BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

SOAH DOCKET NO. 473-18-1905.WS
PUC DOCKET NO. 47863

PETITION OF THE CITIES OF
GARLAND, MESQUITE, PLANO,
AND RICHARDSON APPEALING
THE DECISION BY NORTH
TEXAS MUNICIPAL WATER
DISTRICT AFFECTING 2018
WHOLESALE WATER RATES

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

UNOPPOSED MOTION TO ABATE THE PROCEDURAL SCHEDULE IN
PUC DOCKET NO. 47863 AND UNOPPOSED REQUEST NOT TO CONSOLIDATE
PUC DOCKET NO. 47863 WITH PUC DOCKET NO. 46662

TO THE HONORABLE ADMINISTRATIVE LAW JUDGES VANDROVEC, SHENOY AND BELL:

In the recent order signed on March 12, 2018 in the above-referenced dockets,¹ the administrative law judges ("ALJs") requested that the parties indicate whether they opposed consolidation of the two dockets.

The parties have conferred and no party opposes abatement of the procedural schedule in the second rate appeal (PUC Docket No. 47863) while the public interest phase of the first rate appeal (PUC Docket No. 46662) is ongoing. The Petitioning Cities and the North Texas Municipal Water District believe such an approach would best serve the interests of efficiency and prevent unwarranted expense by each of the parties. In light of the unopposed motion regarding abatement

¹ SOAH Order No. 11 (SOAH Docket No. 473-17-4964/PUC Docket No. 46662); SOAH Order No. 2 (SOAH Docket No. 473-18-1905/PUC Docket No. 47863).

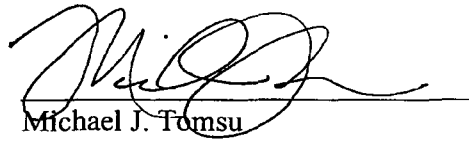
of the procedural schedule in the second rate appeal, no party opposes a request to the ALJs not to consolidate the two appeals.²

Accordingly, the parties respectfully request that the ALJs (i) abate the procedural schedule in the second rate appeal (PUC Docket No. 47863) immediately, and (ii) not consolidate PUC Docket No. 47863 with PUC Docket No 46662. Abatement of PUC Docket No. 47863 would include the pending Motion to Dismiss filed by the North Texas Municipal Water District on February 16, 2018. If abatement is granted, a ruling on the Motion to Dismiss would not be necessary at this time.

The parties are conferring on an agreed revised procedural schedule in PUC Docket No. 46662. If the parties agree on a proposed revised schedule, the parties will jointly file it by March 23, 2018. If the parties are unable to reach agreement on a proposed revised schedule, the parties will file their individual positions regarding the revised schedule by March 23, 2018.

The Petitioning Cities conferred with all parties before filing this motion and no party opposed its filing.

Respectfully submitted,



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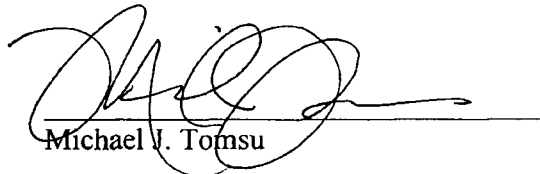
² If, for any reason, the administrative law judges need additional input from the parties before ruling on this agreed unopposed motion, the parties will be prepared to discuss this matter at the March 27, 2018 prehearing conference. Otherwise, in light of the proposed abatement, there may be no need to conduct the prehearing conference on March 27 in PUC Docket No. 47863.

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Attorneys for the Petitioning Cities

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all parties of record in this proceeding on March 22, 2018, in accordance with 16 Tex. Admin. Code § 22.74.



Michael J. Tomsu

