

Control Number: 47863



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Executive Director




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2018 JAN 22 PM 3:17
PUBLIC UTILITY COMMISSION
FILING CLERK

Public Utility Commission of Texas

TO: State Office of Administrative Hearings

FROM: Stephen Journeay 
Director, Commission Advising & Docket Management

RE: Order of Referral
P.U.C. Docket No. 47863; SOAH Docket No. 473-18-1905.WS - *Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing the Decision by North Texas Municipal Water District Affecting 2018 Wholesale Water Rates*

DATE: January 22, 2018

Enclosed herewith are the following documents related to the above referenced application:

1. Application and Commission file in the above referenced docket*
2. Request for assignment of Administrative Law Judge
3. Order of Referral

cc: without items 1 and 2: All Parties of Record

*Referred file contains all filings through January 19, 2018

/krw

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

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

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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CLERK

ORDER OF REFERRAL

The Public Utility Commission of Texas refers this docket to the State Office of Administrative Hearings (SOAH) and requests the assignment of an administrative law judge (ALJ) to conduct a hearing and issue a proposal for decision if necessary to resolve any issues that are contested by the parties.

Under Commission rules, a retail public utility that receives water or sewer service from another retail public utility or political subdivision of the state, including an affected county, may appeal to the Commission a decision of the provider of water or sewer service affecting the amount paid for water or sewer service under Texas Water Code (TWC) § 13.043(f).¹ An appeal under TWC § 13.043(f) may be initiated by filing a petition with the Commission within 90 days after the date of notice of the decision is received from the provider of water or sewer service.²

In order to develop a list of issues to be addressed in this docket, as well as any necessary statement of Commission policy, precedent, or position on any threshold legal or policy issues relevant to this proceeding, The Cities of Garland, Mesquite, Plano, and Richardson shall, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in the docket by **February 2, 2018**. This pleading may also identify any issues that should not be addressed in the docket, and identify any threshold legal or policy issues that should be briefed for purposes of a preliminary order. Specific explanations should support any such

¹ 16 Tex. Admin. Code § 24.41(f).

² *Id.*

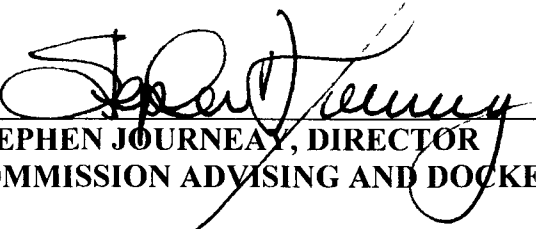
issues identified in the pleading. Parties shall not file responses to any pleading submitted in response to this order, unless specifically requested.

All subsequent pleadings in this docket must contain both the SOAH and PUC docket numbers to allow for efficient processing. Parties shall make filings in accordance with 16 Texas Administrative Code (TAC) § 22.71(c) regarding the number of copies to be filed or 16 TAC § 22.71(d) regarding the number of confidential items to be provided.

The Commission will issue and provide to SOAH a preliminary order that includes a list of issues and areas that must be addressed in this proceeding, as required by Texas Government Code § 2003.049(e) and any necessary statement of Commission policy, precedent, or position on threshold issues, or combination thereof, relevant to this proceeding, as required by Texas Government Code § 2001.058(c). The Commission will consider and possibly adopt a preliminary order in this docket in the open meeting currently scheduled to convene on **February 15, 2018**.

SIGNED AT AUSTIN, TEXAS the 22nd day of January, 2018.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHEN JOURNEY, DIRECTOR
COMMISSION ADVISING AND DOCKET MANAGEMENT