



Control Number: 47912



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**GRAVES DOUGHERTY HEARON & MOODY**  
A PROFESSIONAL CORPORATION

2018 MAY 10 PM 3:34

PUBLIC UTILITY COMMISSION  
FILING CLERK

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May 10, 2018

*Via Commission Filing and Hand Delivery to SOAH*

The Honorable Casey A. Bell  
Administrative Law Judge  
State Office of Administrative Hearings  
300 West 15th Street, Suite 504  
Austin, Texas 78701

Re: SOAH Docket No. 473-18-2475.WS; PUC Docket No. 47912; *Ratepayers' Appeal of the Decision by South Central Calhoun County Water Control and Improvement District No. 1 to Change Rates*

Dear Judge Bell:

Thank you for the opportunity to discuss procedural matters at the prehearing conference. As promised, this letter addresses the intervention deadline. Based on the Public Utility Commission ("Commission") Procedural Rules that deadline has passed. SOAH Order No. 1 provides that the Commission's procedural rules apply to this proceeding. *See* SOAH Order No. 1 at 3. However, because of a procedural rule requiring the utility to provide notice of hearing, South Central Calhoun County Water Control and Improvement District No. 1 ("District") and Commission Staff agree to extend the deadline to intervene to June 13, 2018 or at least 30 days from the date of the notice described below.

Motions to Intervene must be filed within 45 days from the date an "application" is filed with the Commission. 16 Tex. Admin. Code (TAC) § 22.104(b). An "application" includes any petition filed with the Commission initiating a proceeding. 16 TAC § 22.2(6). The ratepayers filed the petition in this proceeding on December 28, 2017. As such, the deadline for intervention was February 11, 2018.

As discussed at the prehearing conference, there is a notice required by the District to the ratepayers. The Commission's procedural rules require the retail public utility to provide written notice of hearing to all affected customers in a form prescribed by the commission. 16 TAC § 24.41(c)(6). The District and Commission Staff agree that this notice should provide affected customers with at least 30 days to intervene in this proceeding. The Commission has provided the District with the form of the notice and the District will provide such notice upon being instructed by Your Honor.

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The Honorable Casey A. Bell

May 10, 2018

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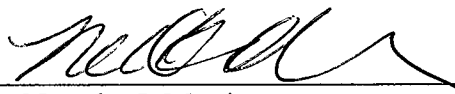
We propose that Your Honor use the language provided in the Proposed Order enclosed to address the intervention deadline.

The District conferred with Ms. Oshea Spencer with Commission Staff on May 9, 2018 regarding the intervention deadline and the notice of hearing. Commission Staff agrees with this interpretation of the procedural rules and the timing and form of the notice.

Sincerely,

GRAVES, DOUGHERTY, HEARON & MOODY, PC

By: \_\_\_\_\_



Natasha J. Martin

NJM/nmm

Enclosure

cc: Windell Durant, Ratepayers' Representative (via email)  
Oshea Spencer, Legal Division, Public Utility Commission of Texas (via email)

**SOAH DOCKET NO. 473-18-2475.WS  
PUC DOCKET NO. 47912**

<b>RATEPAYERS' APPEAL OF THE</b>	<b>§</b>	
<b>DECISION BY SOUTH CENTRAL</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>CALHOUN COUNTY WATER CONTROL</b>	<b>§</b>	
<b>AND IMPROVEMENT DISTRICT NO. 1</b>	<b>§</b>	<b>OF</b>
<b>TO CHANGE RATES</b>	<b>§</b>	
	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>

**SOAH ORDER NO. 3  
EXTENDING DEADLINE FOR INTERVENTIONS**

Upon the presentation and review of the South Central Calhoun County Water Control and Improvement District No. 1's ("District's") letter dated May 10, 2018, in which the District and the Public Utility Commission Staff (Commission Staff) agree to extend the deadline for intervention, the Administrative Law Judge orders that the deadline for such intervention is the later of June 13, 2018, or at least 30 days from the date of the notice described below.

The District shall mail the following notice to its ratepayers no later than three (3) days from the date of this order.

A hearing on the merits will be convened at 10:00 a.m., on October 30, 2018, at the State Office of Administrative Hearings, 300 West 15th Street, 4th Floor, Austin, Texas.

Any person who wants to intervene in this case (i.e., participate in this case as a party) shall move to intervene in a written motion to intervene filed at the Commission no later than thirty (30) days from the date of this notice. Any filed motion shall refer to SOAH Docket No. 473-18-2475.WS and PUC Docket No. 47912, include the person's contact information, and otherwise comply with the Commission's procedural rules. Previous submission of a protest does not meet the requirement that a person who wants to participate as a party must move to intervene as described above.

INFORMATION. For information concerning the hearing process, please contact the PUC Filing Clerk, 1701 N. Congress Ave., PO Box 13326, Austin, TX 78711-3326. For additional information, contact the PUC Water Utility Regulation Division, PO Box 13326, Austin, TX 78711-3326. General information regarding the

PUC may be found at its web site at [www.puc.texas.gov](http://www.puc.texas.gov). Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing on the merits.

**SIGNED** \_\_\_\_\_, 2018.

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**CASEY A. BELL  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS**