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SOAH DOCKET NO. 473-18-2876.WS
PUC DOCKET NO. 47920

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PETITION OF THE BEEVILLE § BEFORE THE STATE OFFICE
WATER SUPPLY DISTRICT § FILING CLERK
APPEALING THE DECISION BY THE § OF
CITY OF CORPUS CHRISTI TO §
CHANGE WHOLESALE RAW § ADMINISTRATIVE HEARINGS
WATER RATES §

SOAH ORDER NO. 1
DESCRIPTION OF CASE AND PROCEDURAL BACKGROUND,
NOTICE OF PREHEARING CONFERENCE,
AND GENERAL PROCEDURAL REQUIREMENTS

I. DESCRIPTION OF CASE AND PROCEDURAL BACKGROUND

On January 3, 2018, the Beeville Water Supply District (BWSD), joined by the City of Beeville (Beeville) (collectively, Petitioners), filed with the Public Utility Commission of Texas (Commission) a petition to appeal the change in raw water rates adopted by the City of Corpus Christi (Corpus Christi) effective January 1, 2018, and requesting interim rates. The appeal is filed pursuant to Texas Water Code §§ 12.013, 11.036, and 13.043 and 16 Texas Administrative Code § 24.41. The petition challenges Corpus Christi's decision affecting the amount to be paid for raw surface water and alleges that the increase in rates is in violation of the contract between BWSD and Corpus Christi and is not fair or reasonable.

Commission staff (Staff) determined that Petitioners timely filed their appeal. Staff also found that the petition meets the requirements of 16 Texas Administrative Code §§ 24.130 and .131(a). Based on these findings, Staff recommended the petition be declared administratively complete and that the appeal be referred to the State Office of Administrative Hearings (SOAH) for an evidentiary hearing. On February 9, 2018, in Commission Order No. 3, the Commission ALJ deemed the petition sufficient. On February 15, 2018, Corpus Christi filed a Motion to Dismiss for Lack of Jurisdiction with its response to the petition; and Petitioners and Staff filed responses thereto.

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On March 26, 2018, the Commission referred this matter to SOAH, requesting assignment of an Administrative Law Judge (ALJ) to conduct a hearing and to issue a proposal for decision, if such is necessary. On April 27, 2018, the Commission adopted a Preliminary Order setting forth the issues to be addressed and issues not to be addressed in this proceeding. The Commission has jurisdiction over this matter pursuant to Texas Water Code § 13.043. SOAH has jurisdiction over matters in this case relating to the conduct of the hearing and issuance of a proposal for decision, if needed, pursuant to Texas Government Code § 2003.049.

II. NOTICE OF PREHEARING CONFERENCE

The undersigned ALJ will convene a **prehearing conference at 1:00 p.m. on May 21, 2018**, at the SOAH hearing facilities located at the William P. Clements Office Building, 300 West 15th, Fourth Floor, Austin, Texas.

At the prehearing conference, the parties should be prepared to discuss:

1. Pending motions;
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.

III. GENERAL PROCEDURAL REQUIREMENTS

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 on the Commission's website at the following link: <http://www.puc.texas.gov/agency/rulesnlaws/procrules/Procedural.aspx>. These procedural rules will govern this proceeding, and the parties are expected to comply with these rules.

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, William P. Clements Building, 300 West 15th St., Austin, Texas.

B. Service Procedures

A copy of any document filed with the Commission must also be served on (given to) all parties. A copy of the service list, listing all parties, is attached to this order for the parties' convenience. Parties must contact the ALJ's legal secretary, Erin Hurley, at (512) 475-3419 or Erin.Hurley@soah.texas.gov as soon as possible to correct any errors in the attached service list.

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.texas.gov, for information and the form to request email service. Click on the "E-Services" link at the top of the home page.

C. Questions

Routine procedural and logistical questions may be directed to the ALJ's legal secretary, Erin Hurley, at (512) 475-3419 or Erin.Hurley@soah.texas.gov. SOAH support personnel may not provide advice or interpret law or orders for the parties.

SIGNED May 4, 2018.



MEHRA FARHADI
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OFFICE OF ADMINISTRATIVE HEARINGS

AUSTIN OFFICE
300 West 15th Street Suite 504
Austin, Texas 78701
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SERVICE LIST

AGENCY: Public Utility Commission of Texas (PUC)
STYLE/CASE: BEEVILLE WATER SUPPLY DISTRICT (47920)
SOAH DOCKET NUMBER: 473-18-2876.WS
REFERRING AGENCY CASE: 47920

**STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

ADMINISTRATIVE LAW JUDGE
ALJ MEITRA FARHADI

REPRESENTATIVE / ADDRESS

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