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APPLICATION OF THE CITY OF §  
 HEATH TO AMEND A CERTIFICATE §  
 OF CONVENIENCE AND NECESSITY §  
 UNDER WATER CODE SECTION 13.255 §  
 AND DECERTIFY A PORTION OF §  
 FORNEY LAKE WATER SUPPLY §  
 CORPORATION'S SERVICE AREA IN §  
 ROCKWALL AND KAUFMAN §  
 COUNTIES §

PUBLIC UTILITY COMMISSION

2018 JAN 25 PM 12:56  
 PUBLIC UTILITY COMMISSION  
 OF TEXAS FILING CLERK

**ORDER NO. 1**  
**REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS AND NOTICE,**  
**AND ADDRESSING OTHER PROCEDURAL MATTERS**

**I. Application**

This Order addresses the January 23, 2018, application of the City of Heath to amend water certificate of convenience and necessity (CCN) No. 12060 to provide water service to the Forney Lake Water Supply Corporation's (FLWS) CCN area and to decertify a portion of FLWS CCN No. 10086 in Rockwall and Kaufman Counties. The total area being requested includes approximately 2,600 acres and 839 customers.

**II. Requiring Comments on Administrative Completeness of  
 the Application and Proposed Notice**

On or before February 23, 2018, Commission Staff shall file comments on the administrative completeness of the application and proposed notice.<sup>1</sup> In addition, by February 23, 2018, the City of Heath and Commission Staff shall file comments or recommend how this application should be processed and propose a procedural schedule. Notice of the application will be published in the *Texas Register*.

**III. Discovery**

Discovery may proceed informally; however, objections to requests for information (RFIs) must be filed and served within 10 days of receiving the RFI. Objections shall include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve

<sup>1</sup> 16 Texas Administrative Code (TAC) § 24.8(a).

a discovery dispute, a motion to compel a response to an RFI must be filed and served within five working days of receipt of an objection. The motion to compel shall specify the grounds for the motion.

#### IV. Filings

Unless otherwise specified, an original and 10 copies of documents relating to this proceeding must be filed with the Commission filing clerk.<sup>2</sup> A copy of each document filed with the Commission must also be served on all parties.<sup>3</sup> All filings can be accessed on the PUC Interchange, <http://interchange.puc.texas.gov>.

All parties shall provide their current addresses, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party shall provide the Commission and all parties with updated address, telephone, and fax information if such information changes. The telephone and fax numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

#### V. Ex Parte Communications

*Ex parte* communications with the administrative law judges and presiding officer are prohibited.<sup>4</sup> Parties shall communicate with the ALJs only through written documents filed with the Commission's filing Clerk and served on all parties. Questions concerning this order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 25<sup>th</sup> day of January 2018.

PUBLIC UTILITY COMMISSION OF TEXAS

  
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JEFFREY J. HUHN  
ADMINISTRATIVE LAW JUDGE

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<sup>2</sup> 16 TAC § 22.71.

<sup>3</sup> 16 TAC § 22.74.

<sup>4</sup> 16 TAC § 22.3(b)(2).