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**SOAH DOCKET NO. 473-18-2879.WS
PUC DOCKET NO. 47998**

2018 MAY 15 11:29

**RATEPAYERS' APPEAL OF THE
DECISION BY GALVESTON COUNTY
MUNICIPAL UTILITY DISTRICT
NO. 12 TO CHANGE RATES**

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 3
REFERRING CASE FOR MEDIATION EVALUATION**

I. FILING DESCRIPTION

On January 1, 2018, 207 ratepayers (Ratepayers) represented by Omega Bay Improvement Committee filed a petition appealing the decision of the Galveston County Municipal Utility District No. 12 (MUD) to increase water and wastewater rates. The MUD announced the rate increase in a letter dated December 22, 2017, with an effective date starting with the December 2017 invoice. The Ratepayers represent at least 10 percent of those ratepayers whose rates have been changed and are therefore eligible to appeal the change to the Public Utility Commission of Texas (Commission), which has jurisdiction to hear the appeal and set the rates, under Texas Water Code § 13.043.

The Commission issued an Order of Referral on March 26, 2018, referring the case to the State Office of Administrative Hearings for assignment of an Administrative Law Judge (ALJ) to conduct a hearing. The Commission adopted a preliminary order on April 27, 2018. The ALJ adopted a scheduling order (Order No. 2) on May 1, 2018.

II. REFERRING CASE TO MEDIATION EVALUATION

At this time, this case is referred to SOAH's alternative dispute resolution team leader Howard Seitzman for mediation evaluation. If the mediator/evaluator finds it appropriate, the parties should participate in mediation. With the issuance of this order, the official file is transferred to Judge Seitzman. However, the procedural deadlines on Order No. 2 remain in

effect while this case is referred to mediation, unless and until further order from the undersigned ALJ.

The mediator/evaluator will contact the parties directly. If the mediator/evaluator determines that mediation should take place, the mediator will schedule mediation in consultation with the parties. The parties are ordered to appear at that mediation with a party representative (in addition to the party's attorney, if any) who has full settlement authority for this matter. The case shall be returned to the undersigned ALJ by September 10, 2018, unless extended by order of the undersigned ALJ.

SIGNED May 16, 2018.

A handwritten signature in black ink, appearing to read 'Joanne Summerhays', is written over a horizontal line.

JOANNE SUMMERHAYS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS