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PUC DOCKET NO. 48342
SOAH DOCKET NO. 473-19-2620.WS

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FILED CLERK

APPLICATION OF GUM ISLAND
UTILITY FOR AUTHORITY TO
CHANGE RATES

§
§
§

PUBLIC UTILITY COMMISSION
OF TEXAS

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 the Texas Water Code and Commission rules, if the Commission receives a complaint from any affected municipality or protests from the lesser of 1,000 or 10% of the ratepayers of a class B or a class C utility, the Commission must set the matter for hearing.¹ The Commission may also refer the matter for hearing on its own motion.² It appears that over 10% of the affected ratepayers have filed protests in this proceeding.

In order to develop a list of the 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, Gum Island Utility must, 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 22, 2019**. This pleading may also identify any issues that should not be addressed in the docket, and identify any threshold legal and policy issues that should be briefed for purposes of a preliminary order. Specific explanations should support any such issues identified in the pleading. Parties must 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 must make filings in accordance with 16 TAC

¹ Texas Water Code § 13.1871(i); and 16 Texas Administrative Code (TAC) § 24.35(c)(2).

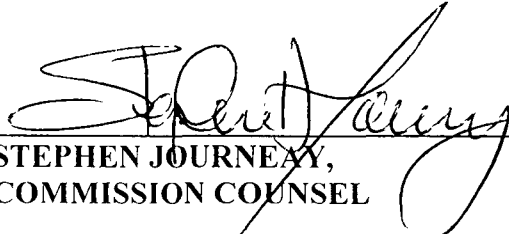
² TWC § 13.187(k); and 16 TAC § 24.35(c)(1).

§ 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. In addition, if any party has filed confidential material before referral of this matter to SOAH, that party must provide a copy of each such confidential filing to the SOAH ALJ assigned to this matter, if ordered.

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 **March 13, 2019**.

SIGNED AT AUSTIN, TEXAS the 12th day of February, 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHEN JOURNEY,
COMMISSION COUNSEL