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DOCKET NO. 48350

**APPLICATION OF THE CITY OF
DAYTON FOR CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
LIBERTY COUNTY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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

I. Application

This Order addresses the May 8, 2018, application of the City of Dayton for a water and a sewer certificate of convenience and necessity in Liberty County. The total area being requested includes approximately 83,064 acres and 1,080 current customers.

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

On or before June 8, 2018, Commission Staff shall file comments on the administrative completeness of the application and proposed notice. By June 8, 2018, the City of Dayton 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 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 ten copies of documents relating to this

proceeding must be filed with the Commission filing clerk.¹ A copy of each document filed with the Commission must also be served on all parties.² All filings can be accessed on the PUC Interchange, <http://interchange.puc.texas.gov>.

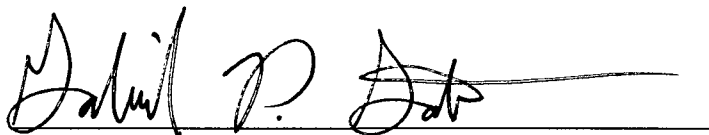
All parties shall provide their current addresses, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party shall provide the Commission and all parties with updated address, telephone, and fax information, if 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.³ 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 15TH day of May 2018.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'Gabriel P. Soto', is written over a horizontal line.

GABRIEL P. SOTO
ADMINISTRATIVE LAW JUDGE

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¹ 16 Texas Administrative Code (TAC) § 22.71.

² 16 TAC § 22.74.

³ 16 TAC § 22.3(b)(2).