



Control Number: 48640



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SOAH DOCKET NO. 473-19-4089.WS
DOCKET NO. 48640

APPLICATION OF W.E. VLASEK
FOR AUTHORITY TO CHANGE RATES

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§
§

BEFORE THE STATE OFFICE

ADMINISTRATIVE HEARINGS

RECEIVED

2019 DEC 17 PM 12:10

OF PUBLIC UTILITY COMMISSION
CLERK

W.E. VLASEK'S RESPONDING STATUS REPORT

COMES NOW, Applicant W.E. VLASEK by and through counsel and hereby files the Applicant's Status Report in response to the Status Report filed by the Commission Staff filed in this case on December 16, 2019. In support hereof, the Applicant would respectfully show as follows:

In SOAH Order No. 10 issued on November 18, 2019 the Honorable Administrative Law Judge cancelled the hearing on the merits in this case scheduled on November 20 and 21, 2019, and directed the Commission Staff to file a Status Report on its availability for a hearing on December 4 and 5, 2019. Staff timely filed its Status Report asking that the hearing on the merits scheduled for December 4 and 5, 2019 be cancelled while the Applicant and the Commission Staff attempted to negotiate a possible settlement of the issues in this case. The Commission Staff informed the Honorable Administrative Law Judge that the Staff would file another Status Report on December 15, 2019; this date being a Sunday, the report was filed on December 16, 2019 being a Monday. This Status Report was filed after the Staff Attorney informed the Applicant's attorney that the Staff was not willing to settle this case and was rejecting the Applicant's application to change the Applicant's rates. The Staff Attorney asked for dates for resetting the hearing, and the undersigned initially thought that setting the hearing in the week of January 20, 2020 might work for parties. However, the Applicant's main witness has a personal emergency matter that prevents having the hearing set during this week. Further, the undersigned intends to take the deposition of some of the Staff's key witnesses, and such deposition cannot occur until at least the week of January 13, 2020 or January 20, 2020 depending upon the availability of the witnesses, and the Applicant's witness. Therefore, the Applicant requests that the hearing on the merits not take place until the Applicant's attorney is able to take the depositions of the Staff's witnesses, which will require setting the hearing some time after the week of January 20, 2020.

Accordingly, the Applicant requests that the Honorable Administrative Law Judge permit the Applicant to have enough time to take the depositions of some of the Staff's witnesses prior to setting

this case for a hearing on the merits. In an effort to accommodate the Staff and the customers, the Applicant will agree to a continuance of the effective date for the rate change for the length of time it takes to reschedule the hearing on the merits takes place under this request by the Applicant to have the hearing set after the depositions take place.

Respectfully submitted this 7th day of December, 2019.

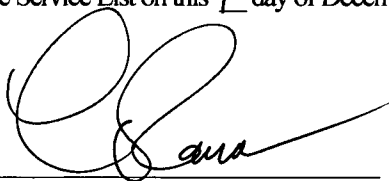


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ATTORNEY FOR W.E. VLASEK, Applicant

CERTIFICATE OF SERVICE

I. hereby certify that a true and correct copy of these W.E. Vlasek Second Request for Information were served on all required parties on the below state Service List on this 7th day of December, 2019.



Les Romo

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SERVICE LIST

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