

Control Number: 49189



Item Number: 144

Addendum StartPage: 0

SOAH DOCKET NO. 473-19-6297.WS,  
PUC DOCKET NO. 49189

APPLICATION OF THE CITY OF  
AUSTIN DBA AUSTIN WATER FOR  
AUTHORITY TO CHANGE WATER  
AND WASTEWATER RATES

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2019 OCT 23 PM 3:43  
BEFORE THE STATE OFFICE  
PUBLIC UTILITY COMMISSION  
FILING CLERK  
OF  
ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 9  
MEMORIALIZING SECOND PREHEARING CONFERENCE;  
ADOPTING SECOND REVISED PROCEDURAL SCHEDULE

On October 21, 2019, the undersigned Administrative Law Judges (ALJs) convened a second prehearing conference. Representatives of the Public Utility Commission of Texas Staff (Staff), the Districts,<sup>1</sup> and Austin Water<sup>2</sup> appeared.

The Districts' motion to compel Austin Water to respond to their 9th<sup>3</sup> and 10th<sup>4</sup> set of requests for information was resolved by agreement.

The Districts further agreed that the relief sought in their motion for sanctions<sup>5</sup> was subsumed in their motion to abate.<sup>6</sup> The ALJs construed the Districts' assent as a withdrawal of

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<sup>1</sup> North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control & Improvement District No. 10, and Wells Branch Municipal Utility District (collectively, Districts).

<sup>2</sup> City of Austin d/b/a Austin Water (Austin Water).

<sup>3</sup> North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control & Improvement District No. 10, and Wells Branch Municipal Utility Districts' Motion to Compel City of Austin to Respond to Districts' 9th Request for Information (October 17, 2019).

<sup>4</sup> North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control & Improvement District No. 10, and Wells Branch Municipal Utility Districts' Motion to Compel City of Austin to Respond to Districts' 10th Request for Information (October 14, 2019).

<sup>5</sup> North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control & Improvement District No. 10, and Wells Branch Municipal Utility Districts' Amended Motion for Sanctions and Abatement of Proceedings and Request for Preliminary Hearing (October 11, 2019).

<sup>6</sup> North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control & Improvement District No. 10, and Wells Branch Municipal Utility Districts' Motion for Temporary Abatement (October 17, 2019).

their motion for sanctions and request to instead address their motion to abate. The motion to abate was resolved by the agreement described below.

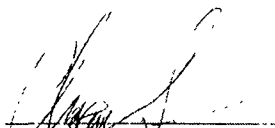
Pursuant to agreement of the parties announced at the second prehearing conference, the following procedural schedule is adopted:

DATE	EVENT
October 25, 2019	Discovery Deadline for Staff on Austin Water and for Districts on the October 4, 2019 Errata (maximum 10 questions)
October 30, 2019	Responses to Districts discovery requests on Errata
November 1, 2019	Objections to Austin Water Direct Testimony
November 7, 2019 at noon	Districts Testimony
November 8, 2019	Responses to Objections to Austin Water Direct Testimony
November 14, 2019	Discovery Deadline on Districts Testimony (including depositions)
November 15, 2019	Staff Testimony
November 19, 2019	Objections to Districts Direct Testimony
November 22, 2019	Discovery Deadline on Staff Direct (including depositions); Objections to Staff Direct Testimony
November 26, 2019	Responses to Objections to Districts Direct Testimony
November 27, 2019 at noon	Rebuttal / Rate Case Expense Update
November 27, 2019	Responses to Objections to Staff Direct Testimony
December 3, 2019*	Settlement Discussion
December 4, 2019 (live at the hearing)	Objections to Austin Water Rebuttal Testimony; Responses to Objections to Austin Water Rebuttal Testimony
December 4 – 6, 2019	Hearing on the Merits
December 16, 2019	Initial Briefs
December 30, 2019	Reply Briefs

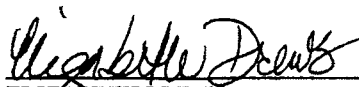
\*Parties will arrange for time and venue.

Additionally, the parties agreed that Staff and Districts discovery responses will be due within 5 calendar days of receipt.

**SIGNED October 23, 2019.**



CHRISTIAAN SIANO  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS



ELIZABETH DREWS  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS