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

**APPLICATION OF THE CITY OF           §       BEFORE THE STATE OFFICE**  
**AUSTIN DBA AUSTIN WATER FOR       §**  
**AUTHORITY TO CHANGE WATER       §                               OF**  
**AND WASTEWATER RATES           §**  
**§       ADMINISTRATIVE HEARINGS**

**SOAH ORDER NO. 11**  
**MEMORIALIZING THIRD PREHEARING CONFERENCE;**  
**REVISING PROCEDURAL SCHEDULE AND RECORD CLOSE DATE;**  
**CONTINUING HEARING ON THE MERITS**

At its November 14, 2019 open meeting, the Public Utility Commission of Texas (Commission) voted to grant the appeal by the Districts<sup>1</sup> and Commission staff (Staff) of State Office of Administrative Hearings (SOAH) Order No. 7. SOAH Order No. 7 had denied certain discovery relating to prudence issues involving Water Treatment Plant No. 4 (WTP 4).

On November 19, 2019, the Administrative Law Judges (ALJs) convened the third prehearing conference in this case. Austin Water<sup>2</sup> clarified that it is not seeking interim rates at this time. Austin Water, the Districts, and Staff agreed on revisions to the procedural schedule as a result of the Commission's ruling on the appeal. The agreed revisions are ADOPTED, as set forth below.

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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).

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DATE	EVENT
November 22, 2019	Discovery Deadline on Staff (including depositions)
November 22, 2019	Objections to Staff Direct Testimony
November 26, 2019	Response to Objections to Districts Direct Testimony
December 2, 2019	Response to Objections to Staff Direct Testimony
December 20, 2019	Austin Water Rebuttal Testimony / Rate Case Expense Update
January 17, 2020	Objections to Austin Water Rebuttal Testimony
January 24, 2020	Response to Objections to Austin Water Rebuttal Testimony
March 16, 2020	Austin Water Direct Testimony – WTP 4
March 23, 2020	Objections to Austin Water Direct Testimony – WTP 4
March 30, 2020	Response to Objections to Austin Water Direct Testimony – WTP 4
April 17, 2020	Discovery Deadline on Austin Water – WTP 4 (including depositions)
May 18, 2020	Districts Direct Testimony – WTP 4
May 25, 2020	Objections to Districts Direct Testimony – WTP 4
May 25, 2020	Discovery Deadline on Districts – WTP 4 (including depositions)
May 28, 2020	Staff Direct Testimony – WTP 4
June 1, 2020	Response to Objections to Districts Direct Testimony – WTP 4
June 4, 2020	Objections to Staff Direct Testimony – WTP 4
June 4, 2020	Discovery Deadline on Staff – WTP 4 (including depositions)
June 9, 2020	Austin Water Rebuttal Testimony – WTP 4 / Rate Case Expense Update
June 11, 2020	Response to Objections to Staff Direct Testimony – WTP 4
June 16, 2020	Objections to Austin Water Rebuttal Testimony – WTP 4
June 22, 2020	Response to Objections to Austin Water Rebuttal Testimony – WTP 4
June 23-25, 2020	Hearing on the Merits
July 13, 2020	Initial Briefs
July 27, 2020	Reply Briefs; record closes


The parties also agreed to the following:


- The Commission's ruling on appeal notwithstanding, at this time, Austin Water is relieved of its obligation to respond to the discovery requests that were the subject of SOAH Order No. 7. The parties may seek such discovery at a later time in accordance with the procedural schedule.
- The deadline for Austin Water's rebuttal testimony to the Districts' direct testimony regarding WTP 4 that has already been filed is June 9, 2020.
- The discovery and testimony referred to above as "WTP 4" is limited to issues involving WTP 4 and prudence/ratemaking standards arising from the Commission's related ruling on the appeal of SOAH Order No. 7.
- For first set of written discovery on Austin Water's direct testimony on WTP 4, responses are due within 20 days of receipt.
- For written discovery on Austin Water's direct testimony on WTP 4 that is: (1) issued after the responses to the first set of written discovery are received, and (2) related to information provided in response to the first such set of written discovery, responses are due within 10 days of receipt.
- For written discovery on Districts' and Staff's direct testimony on WTP 4, responses are due within 5 days of receipt.

The hearing on the merits previously set for December 4, 2019, is **CONTINUED** until **10:00 a.m. on June 23, 2020**, at SOAH, William P. Clements State Office Building, 300 West 15th Street, Fourth Floor, Austin, Texas. The hearing will conclude by no later than June 25, 2020.

The ALJs will address pending motions to strike and to compel in a future order.

**SIGNED November 20, 2019.**

  
CHRISTIAAN SIANO  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

  
ELIZABETH DREWS  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS