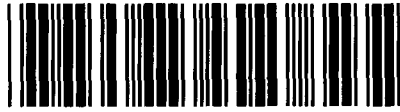




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**SOAH DOCKET NO. 473-19-6297.WS
PUC DOCKET NO. 49189**

APPLICATION OF THE CITY OF AUSTIN DBA AUSTIN WATER FOR AUTHORITY TO CHANGE WATER AND WASTEWATER RATES	§ § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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**SOAH ORDER NO. 3
DENYING REQUEST TO MODIFY SCHEDULE**

On August 7, 2019, Administrative Law Judge (ALJ) Christiaan Siano convened a prehearing conference at the State Office of Administrative Hearings (SOAH) in Austin, Texas. The City of Austin, Commission Staff, and Intervenors¹ appeared and announced they had reached an agreed procedural schedule, adopted in SOAH Order No. 2. On August 13, 2019, the Intervenors filed a request to extend the due date for its prefiled testimony by one week from the agreed date of October 18, 2019, to October 25, 2019, due to issues with its expert witness's schedule. The City of Austin filed a response opposing this request on grounds that an extension would adversely impact its ability to prepare rebuttal testimony, due November 27, 2019.

The undersigned ALJs agree that extending the deadline for Intervenor testimony by a week would prejudice the City's ability to prepare its rebuttal testimony. The ALJs note that the October 18, 2019 deadline was agreed to by all parties, and extending the deadline would provide very little time for the City of Austin to send out and receive responses to discovery that might be necessitated by the testimony before it is required to file rebuttal.² The Thanksgiving holiday (November 28, 2019) leaves little flexibility in the schedule for modifications to the City of Austin's rebuttal deadline. Accordingly, Intervenors' request is **DENIED**.

SIGNED August 26, 2019.



CHRISTIAAN SIANO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS



JOANNE SUMMERHAYS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

¹ 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

² 16 Tex. Admin. Code § 22.144(c).