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**SOAH DOCKET NO. 473-20-1554.WS
PUC DOCKET NO. 49225**

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PETITION BY OUTSIDE CITY	§	BEFORE THE STATE OFFICE
RATEPAYERS APPEALING THE	§	
WATER RATES ESTABLISHED BY	§	OF
THE CITY OF CELINA	§	
	§	ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 1
FILING DESCRIPTION; NOTICE OF PREHEARING CONFERENCE;
PROCEDURES**

I. FILING DESCRIPTION

On February 14, 2019, certain ratepayers (Petitioners) of the City of Celina filed with the Public Utility Commission of Texas (Commission) a petition appealing the water and wastewater rates. As described in the petition, on or about November 13, 2018, the City Council adopted an ordinance setting an out-of-city residential rate. The increased rates took effect January 1, 2019. On March 15, 2019, Petitioners filed an amended petition clarifying their appeal of both water and sewer rates, and requesting interim rates. On April 17, 2019, the Commission found the application administratively complete.

On December 10, 2019, the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting assignment of a SOAH Administrative Law Judge to conduct a hearing and to issue a proposal for decision, if such is necessary. The Commission will consider and possibly adopt a preliminary order listing issues to be addressed in this docket at the open meeting currently scheduled to convene on January 16, 2020.

The Commission has jurisdiction over this matter pursuant to Texas Water Code §§ 13.041(a) and (c-1) and 13.043(b). SOAH has jurisdiction over matters in this case relating to the conduct of the hearing and issuance of a proposal for decision, if needed, pursuant to Texas Government Code § 2003.049.

II. NOTICE OF PREHEARING CONFERENCE

The undersigned ALJ will convene a **prehearing conference at 10:00 a.m., January 21, 2020**, at the State Office of Administrative Hearings, William P. Clements State Office Building, 300 West 15th Street, Fourth Floor, Austin, Texas. Those attending the prehearing conference must check in with building security personnel in the lobby of the William P. Clements Building and be issued visitor badges before proceeding to the hearing room. The parties should allow sufficient time for the check-in procedure.

At the prehearing conference, the following matters will be discussed:

1. Pending motions;
2. A procedural schedule; and
3. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

The parties may confer before the prehearing conference regarding the procedural schedule that will apply in this case.

III. PROCEDURES

A. Filing Procedures

The rules setting out how to file documents are available on the Commission's website at www.puc.texas.gov, in Subchapter E of the Commission's procedural rules.¹ Further instructions are available at <http://www.puc.texas.gov/industry/filings/FilingProceed.aspx>.

¹ All PUC filings are available on the Commission's website under Filings: click on "Filings Search," and enter the control number 49225, and click "Search." A list of documents filed in this docket will appear and you may access those documents by clicking on the document number.

All pleadings must contain both the SOAH and PUC docket numbers. All pleadings must be filed with the Commission's Central Records (not with SOAH). The Commission's filing clerk will forward a copy of the pleadings to SOAH. Pleadings and other documents shall be deemed filed when the proper number of legible copies is presented to the PUC filing clerk for filing.

B. Service Procedures

A copy of any document filed with the Commission must also be served on (given to) all parties. All parties shall provide their current telephone and facsimile number, if available, and email address, if available, to all other parties.

To receive service from SOAH by email, click on E-Services on SOAH's website, www.soah.texas.gov, for information and the form to request email service. Otherwise, parties will receive all orders and other case related correspondence by first class mail or by fax.

C. Motions

Motions for continuance shall be governed by 16 Texas Administrative Code § 22.79. If a continuance or extension of time is sought, the motion shall propose a new date or dates and shall indicate whether the other parties agree to the new date or dates. Because the ALJ or a hearing room may not be available on a given day, a proposed range of dates would be preferable. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, a contested motion for continuance or extension is not granted and the existing schedule remains in place.

Unless otherwise specified in the applicable procedural rules, responses to any motion or other pleading shall be filed within **five working days** from receipt of the motion or pleading. The response shall state the date of receipt of the motion or pleading to which a response is made. If a


party does not respond to a motion, the ALJ will assume that the party agrees with the motion or does not oppose the requested relief.

D. Other Procedural Matters

Any matters not addressed by this order shall be governed by the procedural rules of the Commission, which are available for viewing and downloading from the Commission's website at www.puc.texas.gov.

Discovery may begin immediately pursuant to Subchapter H of the Commission's procedural rules.

SIGNED December 13, 2019.


CHRISTIAAN SIANO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS