

Control Number: 49351



Item Number: 22

Addendum StartPage: 0

**PUC DOCKET NO. 49351
SOAH DOCKET NO. 473-19-5674.WS**

**RATEPAYERS APPEAL OF THE
DECISION BY BEAR CREEK SPECIAL
UTILITY DISTRICT TO CHANGE
RATES**

§
§
§
§

2019 JUL 21 11:32
PUBLIC UTILITY COMMISSION
OF TEXAS

ORDER OF REFERRAL

The Public Utility Commission of Texas refers this docket to the State Office of Administrative Hearings (SOAH) and requests the assignment of an administrative law judge (ALJ) to conduct a hearing and issue a proposal for decision if necessary to resolve any issues that are contested by the parties.

Under Texas Water Code § 13.043, the Commission has jurisdiction to hear an appeal and set the rates of certain entities if it receives a petition for review that has been signed by the lesser of 10,000 or 10% of the ratepayers whose rates have been changed and who are eligible to appeal the change.¹ Over 10% of the eligible ratepayers have signed the petition to appeal the rates in this proceeding.

In order to develop a list of issues to be addressed in this docket, as well as any necessary statement of Commission policy, precedent, or position on any threshold legal or policy issues relevant to this proceeding, certain ratepayers and Bear Creek Special Utility District must, and the Commission Staff and any other interested party may, file with the Commission a list of issues to be addressed in the docket by **July 3, 2019**. This pleading may also identify any issues that should not be addressed in the docket, and identify any threshold legal and policy issues that should be briefed for purposes of a preliminary order. Specific explanations should support any such issues identified in the pleading. Parties must not file responses to any pleading submitted in response to this Order, unless specifically requested.

All subsequent pleadings in this docket must contain both the SOAH and PUC docket numbers to allow for efficient processing. Parties must make filings in accordance with 16 Texas

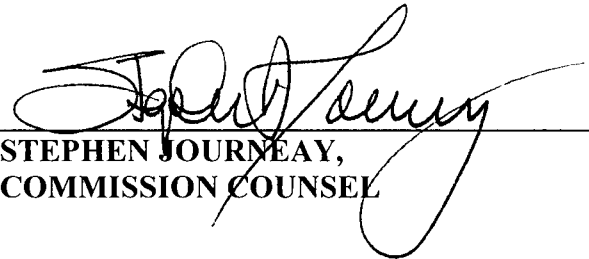
¹ Tex. Water Code § 13.043(c).

Administrative Code (TAC) § 22.71(c) regarding the number of copies to be filed or 16 TAC § 22.71(d) regarding the number of confidential items to be provided. In addition, if any party has filed confidential material before referral of this matter to SOAH, that party must provide a copy of each such confidential filing to the SOAH ALJ assigned to this matter, if ordered.

The Commission will issue and provide to SOAH a preliminary order that includes a list of issues and areas that must be addressed in this proceeding, as required by Texas Government Code § 2003.049(e) and any necessary statement of Commission policy, precedent, or position on threshold issues, or combination thereof, relevant to this proceeding, as required by Texas Government Code § 2001.058(c). The Commission will consider and possibly adopt a preliminary order in this docket in the open meeting currently scheduled to convene on **July 18, 2019**.

SIGNED AT AUSTIN, TEXAS the 21st day of June, 2019.

PUBLIC UTILITY COMMISSION OF TEXAS



STEPHEN JOURNEY,
COMMISSION COUNSEL

q:\cadm\orders\referral\49000\49351 water rate payers appeal 13.043(b)-2017.docx