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

**RATEPAYERS’ APPEAL OF THE § BEFORE THE STATE OFFICE  
DECISION BY BEAR CREEK SPECIAL §  
UTILITY DISTRICT TO CHANGE § OF  
RATES § ADMINSTRATIVE HEARINGS  
§**

**STATUS REPORT AND PROPOSED PROCEDURAL SCHEDULE**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and on behalf of Deborah G. Fato and Michaelangelo Dillon, the representatives of the ratepayers (the Ratepayers) of Bear Creek Special Utility District (the District), files this Status Report and Proposed Procedural Schedule. In support thereof, Staff, shows the following:

**I. BACKGROUND**

On August 14, 2019, a preliminary hearing was held in this proceeding, during which the Parties expressed interest in mediation. On August 15, 2019, SOAH Order No. 3 was issued, referring this case to mediation and suspending the procedural scheduled adopted in SOAH Order No. 2. Staff, the Ratepayers, and the District (collectively, the Parties) filed a Joint Status Report and Request for Extension on October 28, 2019, requesting that the abatement of the proceeding be extended an additional 90 days. On November 4, 2019, SOAH Order No. 4 was issued, extending the abatement and directing the Parties to file a status report by January 30, 2020. The Parties filed a Joint Status Report and Request for Extension on January 30, 2020, requesting the abatement of the proceeding be extended for an additional 90 days.

On February 3, 2020, SOAH Order No. 5 was issued, extending the abatement and directing the Parties to file a status report by April 29, 2020. Staff and the Ratepayers filed a Joint Status Report on April 29, 2020, requesting the abatement of the proceeding be extended for an additional 30 days. SOAH Order No. 6, issued on May 8, 2020, extended the abatement and directed the Parties to file “a motion to dismiss this proceeding; a status report regarding the status

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of the resolution; or an agreed proposed procedural schedule” no later than June 2, 2020. Therefore, this pleading is timely filed.

## **II. STATUS UPDATE AND COMMENTS ON PROCEDURAL SCHEDULE**

SOAH Order No. 6 abated the proceeding to allow the Parties to confer to pursue settlement and required the parties to file a motion to dismiss this proceeding; a status report regarding status of the resolution; or an agreed proposed procedural schedule with at least three proposed hearing dates. The Parties request that the abatement in this proceeding come to an end. In addition, the Parties are discussing a procedural schedule, and will file an agreed procedural schedule with three hearing dates in two weeks.

In addition, Staff proposes the following: (1) service by email will be permitted by agreement of the Parties; and (2) drafts of testimony, and emails transmitting them, will not be subject to discovery.

## **III. CONCLUSION**

The Parties respectfully request that the abatement come to an end and that the parties be given two weeks to file an agreed procedural schedule. The Ratepayers and the District have authorized Staff to file this pleading on behalf of the Parties.

Dated: June 2, 2020

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on June 2, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

s/ Kourtnee Jinks  
Kourtnee Jinks