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SOAH DOCKET NO. 473-19-5831.WS
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PUBLIC UTILITY COMMISSION
FILED

PETITION BY OUT OF DISTRICT §
RATEPAYERS APPEALING THE §
WATER RATES ESTABLISHED BY §
EL PASO COUNTY WATER CONTROL §
AND IMPROVEMENT DISTRICT NO. 4 §
§

BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 3
REQUIRING PARTY STATUS REPORT ON SUPPLEMENTAL DISCOVERY
RESPONSES AND MOTION TO COMPEL; AND RESETTING PREHEARING
CONFERENCE**

On July 8, 2019, El Paso County Water Control and Improvement District No. 4 (District) filed a motion to abate discovery. On July 10, 2019, staff (Staff) of the Public Utility Commission of Texas (Commission) opposed the District’s motion to abate discovery and simultaneously filed a motion to compel discovery responses to Commission Staff’s Second Request for Information. On July 12, 2019, State Office of Administrative Hearings (SOAH) Administrative Law Judge (ALJ) issued Order No. 1 denying the abatement request. On August 1, 2019, the District filed supplemental responses to Commission Staff’s Second Request for Information Nos. 2-1 thru 2-17.


No later than **August 12, 2019**, Commission Staff and the District shall file a joint status report to determine if the supplemental responses have resolved the motion to compel, and Commission Staff should note if the motion to compel is being withdrawn or will be required to be heard.

Further, due to an anticipated scheduling conflict the undersigned ALJ will convene a prehearing conference in this case at **9:30 a.m., September 5, 2019**, at SOAH facilities located in the William P. Clements State Office Building, **300 West 15th Street, Fourth Floor, in Austin, Texas**. Any motions filed by 3:00 p.m. on **August 30, 2019**, should be e-mailed to the ALJ’s assistant on that day.¹ No later than **August 30, 2019**, parties shall file a status report to

¹ erin.hurley@soah.texas.gov

determine if parties are available at 11:00 a.m., following the prehearing conference, to participate in mediation. The prehearing conference scheduled for **August 28, 2019**, is canceled.

SIGNED August 6, 2019.



GABRIEL P. SOTO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS