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SOAH DOCKET NO. 473-19-5831.WS
PUC DOCKET NO. 49367

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

SOAH ORDER NO. 5
RESETTING PREHEARING CONFERENCE;
ADOPTING AGREED PROCEDURAL SCHEDULE; NOTICE OF HEARING

On August 30, 2019, the ratepayers filed an unopposed motion to reset the prehearing conference, and provided proposed dates, and on the same day, a proposed procedural schedule. Accordingly, the prehearing conference currently set for September 5, 2019 is CANCELLED, and RESET for **1:30 p.m., September 26, 2019**. As stated in SOAH Order No. 2, if the parties agree to a procedural schedule, they may request to cancel the prehearing conference. It is not clear whether a prehearing conference is necessary, and therefore, as soon as practicable, that parties shall notify the Administrative Law Judge (ALJ) whether a prehearing conference is required.

The parties agree procedural schedule is acceptable, with one modification. The parties requested a hearing on the merits the week of April 14-17, 2020, however, those dates are not currently available. Accordingly, the ALJ has moved the hearing on the merits, and the prehearing conference to the following week. If that presents a conflict, the parties may propose alternate dates. Accordingly, the following procedural schedule shall govern this proceeding:

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Event	Date
District direct testimony	November 5, 2019
Petitioners direct testimony	December 3, 2019
Staff direct testimony	January 19, 2020
Deadline to propound discovery on direct cases	January 24, 2020
Deadline to conduct depositions on direct testimony	February 24, 2020
Deadline for District to file rebuttal testimony	March 6, 2020
Deadline for filing of dispositive motions, motions for summary disposition, and/or motions for partial summary disposition	March 24, 2020
Deadline for filing of responses to dispositive motions, motions for summary disposition, and/or motion's for partial summary disposition	March 31, 2020
Prehearing Conference, if requested by April 8, 2020.	April 21, 2020
Hearing on the merits	April 22-23, 2020

Any of the foregoing deadlines may be modified by written agreement of all parties filed with the ALJ, except the dates for the prehearing conference and the hearing on the merits, which may only be modified by order of the ALJ upon proper motion.

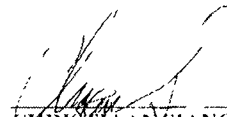
The parties also agreed to the following terms, which are hereby adopted:

1. Drafts of testimony and emails that include drafts of testimony as attachments are not discoverable.
2. Email service is a valid method of service.
3. Any party serving a document electronically must include the Commission docket number and a description of the document in the subject line of the email transmitting the document.
4. Requests for information that are received after 3:00 p.m. shall be deemed to have been received on the following business day.
5. All objections and motions to strike any parties' direct and rebuttal testimony are due in writing ten calendar days after receipt of said testimony.
6. Replies to all written objections to any parties' direct and rebuttal testimony are due in writing five business days after receipt of the written objections.

Notice of Hearing

TAKE NOTICE that the hearing on the merits will convene at **10:00 a.m.** on **April 22, 2019**, at **SOAH, William P. Clements State Office Building, Fourth Floor, 300 West 15th Street, Austin, Texas**. The hearing on the merits is set for two days. If the parties believe more time shall be required, they shall notify the ALJ as soon as possible.

SIGNED September 3, 2019.


CHRISTIAAN SIANO
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS