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

RECEIVED

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

SOAH ORDER NO. 13
GRANTING RATEPAYER'S UNOPPOSED MOTION TO WITHDRAW

On November 25, 2019, out of district ratepayers (Ratepayers) of El Paso County Water Control and Improvement District No. 4 (District) filed an unopposed Motion to Withdraw. The District and Ratepayers reached a settlement agreement that resolves the issues in this appeal and Staff of the Public Utility Commission of Texas (Commission) is not opposed to the agreement.

A party that initiated a proceeding may withdraw its application without prejudice to refiling at any time before that party has presented its direct case.¹ Ratepayers have not yet presented their direct case in this proceeding. An order by an Administrative Law Judge dismissing a proceeding based solely on the withdrawal of an application is the final order of the Commission and such an order does not require the preparation or inclusion of a proposal for decision.²

Accordingly, Ratepayers' Motion to Withdraw is **GRANTED**, and this case is **DISMISSED WITHOUT PREJUDICE** from the State Office of Administrative Hearings and the Commission pursuant to 16 Tex. Admin. Code § 22.181(f)(2) and (6), (g)(1), and (5).

SIGNED December 4, 2019.



ROSS HENDERSON
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

¹ 16 TAC § 22.181(g)(1).

² 16 TAC §§ 22.2(6), 22.181(f)(2) and (6). Petition constitutes an "application." 16

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