

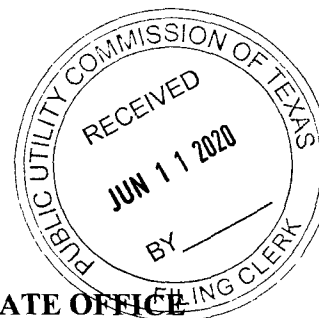
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SOAH DOCKET NO. 473-20-3820.WS  
PUC DOCKET NO. 50367



COMPLAINT OF CHAD SWAHN  
AGAINST SHADY OAKS WATER  
SUPPLY COMPANY, LLC

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§  
§  
§  
§

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 1  
CASE DESCRIPTION; REQUIRING SUBMISSION OF AGREED PROCEDURAL  
SCHEDULE AND CONSIDERATION OF MEDIATION; AND DISCOVERY AND  
FILING REQUIREMENTS

I. CASE DESCRIPTION

On December 16, 2019, Chad Swahn (Complainant) filed a complaint with the Public Utility Commission of Texas (Commission) against Shady Oaks Water Supply Company, LLC (Shady Oaks) alleging overcharges for water service. The complaint was filed pursuant to 16 Texas Administrative Code § 22.242.

On January 25, 2020, Shady Oaks filed its response to the complaint. On March 3, 2020, Commission Staff recommended that this case be referred to the State Office of Administrative Hearings (SOAH).

On May 29, 2020, the Commission referred this case to SOAH, requesting the assignment of a SOAH Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if such is necessary. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Texas Government Code § 2003.049. In its referral order, the Commission required Complainant and Shady Oaks to file a list of issues by June 11, 2020, and allowed Commission Staff and other parties to file lists of issues by that date if they so desired. The referral order stated that the Commission will consider and possibly adopt a preliminary order in this matter at its July 2, 2020 open meeting.

## II. REQUIREMENT TO SUBMIT AGREED PROCEDURAL SCHEDULE AND CONSIDERATION OF MEDIATION

The parties shall confer and, **no later than June 25, 2020**, submit an agreed procedural schedule for consideration by the ALJ. If the parties are unable to agree on a schedule, they shall file a pleading to that effect and request a prehearing conference to discuss a procedural schedule. The parties (including Commission Staff) should also confer to determine if this case potentially could be resolved through mediation. If the parties are amenable to mediation, the ALJ can refer this case to mediation within SOAH to other ALJs who are certified mediators. In the response due by June 25, 2020, the parties should indicate whether they request that this case be referred to mediation.

## III. DISCOVERY AND FILING REQUIREMENTS

Discovery may begin immediately pursuant to Subchapter H of the Commission's Procedural Rules. All pleadings shall be filed with the Commission's filing clerk, not with the SOAH filing clerk. The Commission's filing clerk will forward a copy of the pleadings to SOAH.

The parties may contact the ALJ's Administrative Assistant, Lee Curry, at [lee.curry@soah.texas.gov](mailto:lee.curry@soah.texas.gov) with procedural questions, including dates available for a hearing on the merits in this case in the event that this case is not referred to mediation.

**SIGNED June 11, 2020.**



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LINDA H. BRITE  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS