



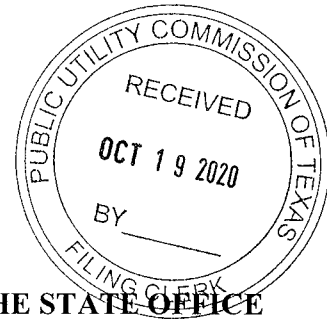
Control Number: 50367



Item Number: 25

Addendum StartPage: 0

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



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

§
§
§
§
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 5
REQUIRING SHADY OAKS TO RESPOND TO STAFF RFIS AND FILE
DIRECT TESTIMONY, AND ABATING PROCEDURAL SCHEDULE

On October 7, 2020, the Staff (Staff) of the Public Utility Commission of Texas (Commission) filed a Second Motion to Compel and Comments on Shady Oaks's Direct Testimony. The filing indicates that Shady Oaks Water Supply Company, LLC (Shady Oaks) still has neither responded to Staff's May 11, 2020 First Requests for Information (RFI) nor filed its Direct Testimony, in spite of SOAH Order Nos. 3 and 4 ordering Shady Oaks to do so.

Shady Oaks is **ORDERED** to respond to Staff's First RFIs and file its direct testimony **no later than October 27, 2020**. Staff's direct testimony deadline will be **November 24, 2020**, provided Shady Oaks's direct testimony is filed in compliance with this Order. All other procedural dates not specifically addressed in this Order are **ABATED**.

If Shady Oaks fails to comply with this Order, Staff shall file, no later than **November 5, 2020**, a motion for sanctions, summary disposition, or otherwise indicate how the case should proceed.

The parties should be aware of the authorized sanctions for failing to obey an order of the Administrative Law Judge (ALJ), which include:

1. disallowing further discovery of any kind or a particular kind by the disobedient party;
2. charging all or any part of the expenses of discovery against the offending party or its representatives;
3. holding that designated facts be considered admitted for purposes of the proceeding;
4. refusing to allow the offending party to support or oppose a designated claim or defense or prohibiting that part from introducing designated matters in evidence;
5. disallowing in whole or in part requests for relief by the offending party and excluding evidence in support of those requests;
6. striking pleadings or testimony, or both, in whole or in part.¹

SIGNED October 19, 2020.



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

¹ Tex. Gov't Code § 2003.0421; 16 Tex. Admin. Code § 22.161.