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SOAH DOCKET NO. 473-20-4071.WS

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RATEPAYERS APPEAL OF THE	§	BEFORE THE STATE OFFICE
DECISION BY WINDERMERE OAKS	§	
WATER SUPPLY CORPORATION TO	§	OF
CHANGE WATER AND SEWER	§	
RATES	§	ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 11  
SUSTAINING OBJECTIONS TO RATEPAYERS' REVISED TESTIMONY;  
GRANTING AGREED REQUEST TO AMEND PROCEDURAL SCHEDULE**

**I. OBJECTIONS TO RATEPAYERS' REVISED TESTIMONY**

In response to State Office of Administrative Hearings (SOAH) Order No. 9, Ratepayers of Windermere Oaks Water Supply Corporation (WOWSC) submitted revised direct testimony of Daniel Flunker, Patti Flunker, and Bill Stein. WOWSC filed objections on grounds that the revised testimony either redacting more than it should have or not enough. Ratepayers did not respond to these objections.

Based on a review of the revised testimony, the Administrative Law Judges (ALJs) **SUSTAIN** WOWSC's objections. Ratepayers **SHALL** file revised versions of this testimony as required by SOAH Order No. 9 and identified by WOWSC's objections within ten days of this order.

**II. AMENDING PROCEDURAL SCHEDULE**

Staff of the Public Utility Commission of Texas has filed an agreed request to amend the procedural schedule by rescheduling the hearing on the merits currently set for July 12-16, 2021, to July 14-16, 2021. The ALJs find that this request has merit, and it is **GRANTED**. The hearing on the merits will convene at **9:00 a.m. on July 14, 2021, via Zoom**.

The hearing is expected to last three days. You may access information for participating in a zoom meeting at [www.zoom.us](http://www.zoom.us) under the "support" tab.

To access the hearing, go to <https://soah-texas.zoomgov.com/> or the Zoom application on your mobile device, then select “Join a Meeting” and enter the following information when prompted:

**Meeting ID: 161 805 4792**

**Passcode: sm8Ue8**

If you do not have access to a device that would allow videoconferencing capabilities, you may join by telephone by calling either number below and entering the following Meeting ID and passcode. Note that the passcode to join by telephone is different than the passcode to join via a computer or smart device.

**(669) 254-5252 or (646) 828-7666**

**Meeting ID: 161 805 4792**

**Passcode: 766934**

It is further **ORDERED** that the following actions shall be taken **no later than July 14, 2021**:

- Each party **SHALL** file a witness list identifying and providing contact information for all witnesses the party expects to call to testify during the hearing. The party **SHALL** also identify its witnesses, if any, for whom the other party waived cross-examination.
- Each party **SHALL** file a list of all exhibits it intends to offer at the hearing (including, for example, on cross-examination).
- The parties **SHALL** deliver to the ALJ at SOAH Room 504, 5<sup>th</sup> Floor, William P. Clements Building, 300 West 15<sup>th</sup> Street, Austin, Texas, 78701, ***the ALJs’ copies, the record copy, and two appeal copies*** of all exhibits the party intends to offer. If a court reporter will transcribe the hearing, the parties **SHALL**, after consulting the court reporter about how to do so, provide ***the record copy***

instead to the court reporter, along with a copy of the party's witness list and exhibit list.<sup>1</sup>

All exhibits **SHALL** be marked with the offering party's name and the exhibit number. Exhibits should be numbered sequentially, and multipage documents shall be paginated or Bates-stamped. Exhibits not meeting a requirement in this order may not be admitted into the record absent good cause.

**Prior to the hearing**, the parties **SHALL** provide to witnesses all documents necessary for their effective participation in the hearing. Parties should also speak to the witnesses they intend to call to testify and provide them the necessary videoconferencing information.<sup>2</sup>

**SIGNED June 14, 2021.**



DANIEL WISEMAN  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS



CHRISTIAAN SIANO  
ADMINISTRATIVE LAW JUDGE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS

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<sup>1</sup> The parties may agree among themselves on the method of delivery to each other and may agree to forgo delivery to each other of marked copies of exhibits they have already received, relying on the exhibit lists to identify the offering party and exhibit number.

<sup>2</sup> No protective order has been issued in this case. If one is issued, hearing procedures relating to protected material will be included in a future order.