



Filing Receipt

Received - 2022-11-14 02:53:29 PM

Control Number - 50788

ItemNumber - 228

BEFORE THE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

RATEPAYERS APPEAL OF THE DECISION BY WINDERMERE
OAKS WATER SUPPLY CORPORATION TO CHANGE WATER
AND SEWER RATES

SOAH ORDER NO. 25
RULING ON MOTION TO RECONSIDER EVIDENTIARY RULINGS
AND MOTION TO STRIKE

A. Motion to Reconsider

On October 26, 2022, Ratepayers and Staff of the Public Utility Commission of Texas filed an amended motion to reconsider evidentiary rulings pursuant to SOAH Orders Nos. 23 and 24. On November 10, 2022, Windermere Oaks Water Supply Corporation (Windermere) responded.

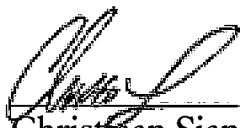
As Windermere points out, the motion is largely lacking in legal support, persuasive argument, or proper citation to the record. Nevertheless, Windermere states that it has no objection to Ratepayers' Exhibit 19 if it is the Double F petition and Offer of Proof No. 1. Accordingly, the motion to reconsider is granted with

respect to Exhibit 19 if it is the Double F petition and Offer of Proof No. 1 from Ratepayers.

B. Motion to Strike

On November 10, 2022, Ratepayers’ counsel¹ filed objections to the supplemental direct testimony of Grant Rabon, arguing that portions of his testimony are unsubstantiated opinions based on insufficient facts and data. The objections are overruled. Any shortcomings in Mr. Rabon’s testimony can be developed through cross-examination. The motion to strike is denied.

SIGNED NOVEMBER 14, 2022.



Christiaan Siano,
Administrative Law Judge



Daniel Wiseman,
Administrative Law Judge

¹ The filing is signed by ratepayer representative, Kathryn E. Allen, but curiously begins “COMES NOW, Staff of the Public Utility Commission (Staff),” and ends “Portland respectfully requests . . .” The Administrative Law Judges assume that neither Staff nor Portland are represented by Ms. Allen in this docket.