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**SOAH DOCKET NO. 473-20-4071.WS PUC
DOCKET NO. 50788**

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

**TO: THE HONORABLE CHRISTIAAN SIANO AND DANIEL WISEMAN,
ADMINISTRATIVE LAW JUDGES:**

The Representatives for the Ratepayers of Windermere Oaks Water Supply Corporation (“Ratepayer Representatives”) file this Motion for Extension of Time as to the filing and service of the Supplemental Direct Testimony of Kathryn E. Allen and the Supplemental Direct Testimony of Robert Gaines (collectively, the “Supplemental Testimony”), and would show as follows.

1. Pursuant to SOAH Order No. 23, the deadline for filing and service of the Supplemental Testimony was December 1, 2022. Pursuant to Rule § 155.307(c), in the absence of good cause the deadline for filing this Motion was November 25, 2022. As set forth below, Ratepayer Representatives have stated good cause for presenting this motion after that time. Accordingly, this Motion may be considered.

2. Ratepayer Representatives did not anticipate on November 25, 2022, or even earlier in the day on December 1, 2022, that they would need any extension of the deadline for filing and service of the Supplemental Testimony. The slight delay that occurred was due to an interruption in internet service that was completely unexpected and was wholly beyond the control of Ratepayer Representatives. But for these emergent circumstances, the Supplemental Testimony would have been timely filed. Despite these circumstances, the Supplemental Testimony was

served on all parties by no later than 3:10 p.m. Immediately upon restoration of internet service, Ratepayer Representatives completed the uploading of these materials to the PUC interchange, which was done before 5:10 p.m.¹

3. Ratepayer Representatives suggest that any prejudice resulting from the slight delay in filing could be mitigated entirely by a one-day extension of the deadline for objections to the Supplemental Testimony.

WHEREFORE, Ratepayers respectfully request that this Motion be considered and granted such that the Supplemental Testimony be deemed timely filed.

Respectfully Submitted,

/s/ Kathryn E. Allen

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Attorneys for Ratepayers

¹ See Attachment A.

Certificate of Conference

I certify that I made reasonable but unsuccessful attempts via email and telephone to confer with Jamie Mauldin, counsel for Windermere Oaks Water Supply Corporation, on December 2, 2022 about this motion.

/s/ Kathryn E. Allen
Kathryn E. Allen
State Bar ID No. 01043100
kallen@keallenlaw.com

Attorneys for Ratepayers

Certificate of Service

I hereby certify that, unless otherwise ordered by the Presiding Officer, notice of this filing was provided to all parties of record via electronic mail on December 2, 2022.

/s/ Kathryn E. Allen
Kathryn E. Allen
State Bar ID No. 01043100
kallen@keallenlaw.com

Attorneys for Ratepayers

From: kathryn allen
Sent: Thursday, December 1, 2022 (3:10 PM)
To: Jamie Mauldin <jmauldin@lglawfirm.com>
Cc: Lander, Merritt <Merritt.Lander@puc.texas.gov>
Subject: Supplemental direct - Docket 50788

Jamie,

Attached please find my supplemental direct testimony and attachment in this Docket. I must have gotten my wires crossed with Patti and did not realize that she expected me to send this directly. I'll see to it that this is filed.

Thanks.



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----- Forwarded message -----

From: **Ratepayers Representatives** <ratepayersrepiosiefuller@gmail.com>

Date: Thu, Dec 1, 2022, (3:08 PM)

Subject: Fwd: Ratepayer Representatives Supplemental testimony of Robert Gaines.pdf

To: Jamie Mauldin <jmauldin@lglawfirm.com>, Lander, Merritt <Merritt.Lander@puc.texas.gov>, Kathryn Allen <kallen@keallenlaw.com>

Please find attached rate pair supplemental testimony of Robert Gaines. Apologize for the delay of having computer issues on my end.