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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. 27
GRANTING MOTIONS TO STRIKE

On December 15, 2022, Windermere Oaks Water Supply Corporation (WOWSC) filed a motion to strike the supplemental direct testimony of Kathryn E. Allen and Robert Gaines as untimely and raising evidentiary objections. On December 29, 2022, Ratepayers responded, attaching a Second Supplemental Testimony of Kathryn E. Allen, a district court order, and a transcript, but did not address the timeliness issue. On January 4, 2023, WOWSC filed a reply to ratepayers' response, which, among other things, moves to strike the Second Supplemental Direct Testimony of Kathryn E. Allen.

Because the issue of timeliness is dispositive, the ALJs do not address the evidentiary objections. The deadline for ratepayers to file supplemental direct

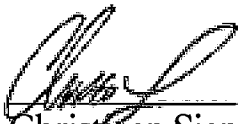
testimony was December 1, 2022.¹ SOAH Order No. 26 found the supplemental direct testimony of Kathryn E. Allen and Robert Gaines untimely. Accordingly, the motion to strike is GRANTED.

In addition, the Second Supplemental Testimony of Kathryn E. Allen attached to ratepayers' December 29, 2022 response to WOWSC's motion to strike is untimely. The motion to strike is GRANTED.

IT IS ORDERED that the following are STRICKEN:

1. the supplemental direct testimonies of Kathryn E. Allen and Robert Gaines;
2. the Second Supplemental Direct Testimony of Kathryn E. Allen.

SIGNED JANUARY 6, 2023.



Christiaan Siano,
Administrative Law Judge



Daniel Wiseman,
Administrative Law Judge

¹ SOAH Order No. 23 (Sept. 26, 2022).