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

AGREED STATUS REPORT

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Agreed Status Report. In support, Staff offers the following:

I. BACKGROUND

On April 27, 2020, Josephine Fuller, individually and on behalf of the ratepayers of Windermere Oaks Water Supply Corporation (Petitioners or Ratepayers), filed a petition under Texas Water Code (TWC) § 13.043(b) appealing the decision by Windermere Oaks Water Supply Corporation (Windermere) to change its water and sewer rates. On April 30, 2020, Petitioners filed an amended petition. On May 27, 2020, Windermere filed its response to the petition.

On October 8, 2020, the State Office of Administrative Hearings (SOAH) administrative law judge (ALJ) filed Order No. 5, which required the parties to submit a status report within 30 days of Order No. 5. Staff timely submitted an agreed status report on December 9, 2020, which included a statement that the parties would submit a subsequent status report on January 8, 2021. Therefore, this pleading is timely filed.

II. STATUS REPORT

On November 20, 2020, Staff, Windermere, and the Ratepayers participated in a mediation session. At the conclusion of that session, an agreement was reached regarding the exchange of information needed to facilitate continued mediation efforts. Windermere provided the requested information in a timely manner to both Staff and Petitioners. As of the time of this filing, Petitioners are in communication with the mediator regarding the possibility of discontinuing mediation. If these conversations result in a mediator's report returning the case to the presiding SOAH ALJ, the parties are prepared to move forward with this docket, including the adoption of

a revised procedural schedule. If mediation continues, the parties will file a status report on February 8, 2021.

III. CONCLUSION

For the reasons discussed above, Staff respectfully requests that, in the event this case is returned to the presiding SOAH ALJ, the ALJ rule on all pending discovery disputes and issue an order establishing a deadline of February 8, 2021 for the parties to submit a revised proposed procedural schedule.

Dated: January 8, 2021

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record on January 8, 2021 in accordance with the Order Suspending Rules, filed in Project No. 50664.

/s/ Merritt Lander
Merritt Lander