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DOCKET NO. 50927

**PETITION OF THE CITY OF
MESQUITE AND TALTY SPECIAL
UTILITY DISTRICT FOR APPROVAL
OF A SERVICE AREA CONTRACT
UNDER TEXAS WATER CODE
§ 13.248 AND TO AMEND
CERTIFICATES OF CONVENIENCE
AND NECESSITY IN KAUFMAN
COUNTY**

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PUBLIC UTILITY COMMISSION

OF TEXAS

**ORDER NO. 1
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS AND
PROPOSED NOTICE; AND ADDRESSING OTHER PROCEDURAL MATTERS**

I. Application

This Order addresses the June 15, 2020 application of the City of Mesquite and Talty Special Utility District for approval of a service area contract, under Texas Water Code § 13.248, and to amend certificate of convenience and necessity (CCN) number 10850 in Kaufman County.

II. Requiring Comments on the Administrative Completeness of the Application and Proposed Notice

On or before July 15, 2020, Commission Staff must file comments on the administrative completeness of the application and proposed notice. On or before July 15, 2020, the applicants and Commission Staff must file a recommendation regarding how to proceed with the application and propose a procedural schedule.

III. Discovery

Discovery may proceed informally; however, objections to requests for information (RFIs) must be electronically filed and served within 10 days of receiving the RFI. Objections must include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be electronically filed and served within five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

IV. Service

Service of pleadings is typically governed by 16 TAC § 22.74. However, the Commission has issued an Order Suspending Rules,¹ which has suspended certain service requirements found in 16 TAC § 22.74. Accordingly, a filing party must provide notice by e-mail of any pleading or document filed. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

All parties must provide their current address, e-mail address, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, e-mail address, telephone, and fax information if such information changes. The e-mail addresses, telephone and fax numbers will be placed on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

V. Filings

Filing of pleadings is typically governed by 16 TAC § 22.71. However, the Commission has issued an Order Suspending Rules,² which has suspended certain filing requirements found in 16 TAC § 22.71. As long as the Order Suspending Rules remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website (<https://interchange.puc.texas.gov/filer>) and provide notice, by e-mail, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.

Unless otherwise specified, responses or replies to any motion or other pleading must be filed within five working days after the date on which the motion or other pleading was received by the responding party. Failure to file a timely response will be considered acquiescence to the relief requested.

Questions concerning this Order or any other order must be submitted in writing, filed with

¹ *Issues Related to the State of Disaster for the Coronavirus Disease*, Docket No. 50664, Order Suspending Rules (Mar. 16, 2020).

² *Id.*

the Commission, and served on all parties of record.

VI. Ex Parte Communications

Ex parte communications with the administrative law judge (ALJ) are prohibited under 16 TAC § 22.3(b)(2). Parties must communicate with the ALJ only through written documents filed with the Commission's filing clerk and served on all parties. Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 1st day of July 2020.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'STEVEN LEARY', written over a horizontal line.

**STEVEN LEARY
ADMINISTRATIVE LAW JUDGE**