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DOCKET NO. 50969

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APPLICATION OF JAMES NELSON
DBA WATERCO TO OBTAIN A
WATER CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
MONTAGUE 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 application of James Nelson dba Waterco filed on June 23, 2020, for a water certificate of convenience and necessity in Montague County. The application requests a service area consisting of an undetermined number of acres and 13 customers.

II. Applicant Information

On or before July 8, 2020, the applicant must file the following information and supporting documentation:

1. The legal name and all assumed names, if any, under which the applicant conducts business. If the applicant uses an assumed name, provide a currently valid certificate of assumed name.
2. The form of business in Texas (*e.g.*, corporation, partnership, sole proprietorship), Charter or Authorization number, date business was formed, and date change was made (if applicable).
3. Legal name of parent company, if any, and a description of its primary business interests and the name of any companies affiliated with the applicant with which it does any business. Provide the state and date in which the parent company is registered, if applicable.

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

On or before July 29, 2020, Commission Staff must file comments on the administrative completeness of the application and proposed notice. By July 29, 2020, the applicant 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 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 filed and served within five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

IV. Filings

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission's filing clerk in accordance with 16 Texas Administration Code (TAC) § 22.71. **In light of the Commission's Order entered in Docket No. 50664, this requirement will be considered satisfied if pleadings are filed with the Commission through the Interchange on the Commission's website until the Governor's disaster declaration is terminated.**¹

A copy of each document filed with the Commission must also be served on all parties as required by 16 TAC § 22.74. All filings can be accessed on the PUC Interchange webpage at, <http://interchange.puc.texas.gov>.

All parties are required to provide their current addresses, **e-mail addresses**, telephone and fax numbers, if available, to all other parties and to 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**

¹ See *Issues Related the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Order (Mar. 16, 2020) (requiring pleadings and documents to be filed with the Commission solely through the Interchange until the Governor's disaster declaration is terminated).

addresses, telephone and fax numbers will be included 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. *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 'S. Leary', is written over a horizontal line.

**STEVEN LEARY
ADMINISTRATIVE LAW JUDGE**