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DOCKET NO. 51224

COMPLAINT OF JOHN BLALOCK
AGAINST MERCY WATER SUPPLY
CORPORATION

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PUBLIC UTILITY COMMISSION
OF TEXAS

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**ORDER NO. 12
DENYING MOTION TO IMPEACH**

This Order addresses John Blalock's motions to impeach and exclude witnesses filed on January 21, 2021. On January 26, 2021, Mercy Water Supply Corporation filed a response to the motions. On the same day, Mr. Blalock filed a response to Mercy Water's response and withdrew his motion to exclude witnesses.

Mr. Blalock moved to impeach Mercy Water's witnesses under rule 613(a) and (b) of the Texas Rules of Evidence. Impeachment of witnesses is inappropriate at this time.¹ Under the Texas Rules of Evidence Mr. Blalock cites, the concept of impeaching a witness arises in the context of an evidentiary hearing. In this matter, no evidentiary hearing is under way, nor has one even been requested. Accordingly, the ALJ denies Mr. Blalock's motion to impeach. If Mr. Blalock wishes to impeach Mercy Water's witnesses, he may request an evidentiary hearing and attempt to impeach the witnesses during the hearing.

Signed at Austin, Texas the 28th day of January 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



**ISAAC TA
ADMINISTRATIVE LAW JUDGE**

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¹ See Comment to 2015 Restyling of Texas Rule of Evidence 613 (describing the process of impeaching a witness, which occurs during an evidentiary proceeding).