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APPLICATION OF ALBURY MANOR
UTILITY COMPANY, INC. FOR A
CLASS D RATE ADJUSTMENT

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PUBLIC UTILITY COMMISSION
OF TEXAS

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

This Order addresses the February 12, 2021 application of Albury Manor Utility Company, Inc. for a class D rate adjustment for its certificate of convenience and necessity number 11507. Due to administrative error, the administrative law judge (ALJ) was made aware of this application on February 24, 2021. The application states that Albury Manor has 50 current active water connections.

**I. Requiring Comments on Administrative
Completeness of the Application and Notice**

The application is required to be reviewed for administrative completeness within 30 calendar days of receipt of the application. By March 15, 2021,¹ Commission Staff must file comments on the administrative completeness of the application and notice. Further, if Commission Staff recommends that the application be deemed administratively complete, Commission Staff must also file a recommendation on final disposition, including, if necessary, a proposed tariff sheet reflecting the requested rate change.

II. 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.² 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

¹ The 30th day is Sunday, March 14, 2021, and the Commission's offices will be closed. Therefore, the deadline advances to the next business day, Monday March 15, 2021, under 16 Texas Administrative Code § 22.4(a).

² See *Issues Related the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (Jul. 16, 2020).

electronically filed and served within five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

III. Filing Requirements

Service of pleadings is typically governed by 16 Texas Administrative Code (TAC) § 22.74. However, the Commission has issued a Second Order Suspending Rules, which has suspended the service requirements found in 16 TAC § 22.74.³ As long as the Second 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 and provide notice, by email, 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

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


IV. Ex Parte Communications

In accordance with 16 TAC § 22.3(b)(2), *ex parte* communications with the administrative law judge and presiding officer are prohibited. 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.

³ *Id*

Signed at Austin, Texas the 24 day of February 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



KATIE MOORE
ADMINISTRATIVE LAW JUDGE