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**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**APPLICATION OF HYDROTEX, LLC FOR A CERTIFICATE
OF CONVENIENCE AND NECESSITY IN LIBERTY COUNTY**

SOAH ORDER No. 1

**FILING DESCRIPTION; JURISDICTION; FILING
DEADLINES; NOTICE OF PREHEARING CONFERENCE;
PROTECTIVE ORDER; OTHER PROCEDURES**

I. FILING DESCRIPTION

On August 18, 2021, HydroTex, LLC (HydroTex) filed an application to obtain a new water certificate of convenience and necessity in Liberty County with the Public Utility Commission of Texas (Commission). The application requests a service area that includes 89 acres and 120 proposed connections.

II. JURISDICTION

On December 13, 2022, the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if necessary. SOAH has jurisdiction over matters relating to the conduct of the hearing in this proceeding pursuant to Texas Government Code § 2003.049.

The Commission adopted a Preliminary Order at the Open Meeting held on December 15, 2022, that included a list of issues that must be addressed in this proceeding .

III. REQUIRING PROPOSED PROCEDURAL SCHEDULE FILING

The parties **SHALL** confer and file, no later than **3:00 p.m. on February 9, 2023**, an agreed proposed procedural schedule. The procedural schedule must include discovery deadlines, proposed dates for the hearing on the merits, and deadlines for the parties' post-hearing briefs and proposed findings of fact (FoFs) and conclusions of law (CoLs). The procedural schedule should provide the ALJ with 60 days after the record closes (i.e., the deadline for the parties' final post-hearing briefs or proposed FoFs or CoLs, whichever is later) to prepare the PFD, and also a proposed deadline for the Commission's final order. The parties shall provide the Commission with at least three weeks to consider the PFD prior to the final order deadline.

IV. NOTICE OF PREHEARING CONFERENCE

The prehearing conference in this proceeding will be convened via Zoom, on **February 13, 2023, at 9:00 a.m. (CT)**.

You may access the hearing by going to <https://soah-texas.zoomgov.com/> or the Zoom application on your device, selecting "Join a Meeting," and entering the following information when prompted:

Join by computer or smart device: Go to https://soah-texas.zoomgov.com and enter the following: Meeting ID: 161 506 0390 Video Passcode: PUC7815	Join by telephone (audio only): Call +1 669 254 5252, and then enter the following: Meeting ID: 161 506 0390 Telephone Passcode: 8347385
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At the prehearing conference, the following matters will be discussed:

1. Pending motions filed by 3:00 p.m. on February 10, 2023, including motions to intervene;
2. A procedural schedule; and
3. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

V. DISCOVERY, FILING, AND SERVICE PROCEDURES

Discovery may begin immediately pursuant to Subchapter H of the Commission's Procedural Rules. All documents shall be filed with the Commission's filing clerk, not with the SOAH filing clerk.

Both the SOAH and Commission docket numbers must be included in the caption of all documents or other correspondence filed in this case. Parties wishing to hand-deliver a file-stamped copy of a document to the ALJ (such as protected material not available on the Commission interchange) should deliver it to Room 504, 5th Floor, William P. Clements Building, 300 West 15th Street, Austin, Texas.

The parties should be aware that, in response to COVID-19, the Commission has issued an order suspending certain rules and requiring email service and online filings. The Commission's order is available at: http://interchange.puc.texas.gov/Documents/50664_205_1075813.PDF. The parties should review the Commission's and SOAH's websites for the latest information on how COVID-19 is impacting applicable procedural requirements.

When a party files a document with the Commission, that party is also required to serve (i.e., provide a copy of that document to) every other party. **At this time, due to COVID-19, service must be accomplished by e-mail.** Any party to this proceeding who has not previously provided an e-mail address **SHALL, no later than seven days after the date of this order,** file a notice informing the parties of the e-mail address to be used for service. SOAH's orders

must also be provided to, or served on, the parties. Parties will be served with SOAH's orders electronically at the e-mail address they provide.

Except as modified by the Commission or SOAH in response to COVID-19, the Commission's procedural rules will govern the conduct of this case, and the parties are expected to comply with those rules. The Commission's procedural rules are available on its website at: <https://www.puc.texas.gov/agency/rulesnlaws/procrules/Procedural.aspx>.

Routine procedural and logistical questions may be directed to the ALJ's legal secretary, Tujuana Tate, at tujuana.tate@soah.texas.gov. SOAH support personnel may not provide advice or interpret orders or regulations for the parties.

Signed January 24, 2023

ALJ Signature(s):



Rachelle Nicolette Robles
Presiding Administrative Law Judge