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Received - 2022-02-18 04:33:44 PM

Control Number - 52493

ItemNumber - 36

**SOAH DOCKET NO. 473-22-1658.WS
PUC DOCKET NO. 52493**

COMPLAINT OF BRAD WHITE	§	BEFORE THE STATE OFFICE
AGAINST ARLEDGE RIDGE WATER	§	OF
SUPPLY CORPORATION.	§	ADMINISTRATIVE HEARINGS

**SOAH ORDER NO. 1
FILING DESCRIPTION, NOTICE OF TELEPHONIC PREHEARING CONFERENCE,
E-MAIL SERVICE, AND GENERAL PROCEDURAL REQUIREMENTS**

I. FILING DESCRIPTION

On September 1, 2021, Brad White filed a complaint against Alredge Ridge Water Supply Corporation (Alredge Ridge), alleging that Alredge Ridge refused to provide water service to his residence located within the service area of Alredge Ridge's certificate of convenience and necessity number 10175. Mr. White further alleges that Alredge Ridge has violated 16 Tex. Admin. Code § 24.163 regarding cost allocation between utilities and service applicants

The Public Utility Commission of Texas (Commission) issued an order on February 9, 2022, referring the case to the State Office of Administrative Hearings (SOAH) for assignment of an Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if necessary. On February 11, 2022, the Commission issued a preliminary order identifying the issues that must be addressed in this proceeding.

II. NOTICE OF TELEPHONIC PREHEARING CONFERENCE

Due to concerns regarding the coronavirus, SOAH has suspended most non-emergency in person hearings. Accordingly, the prehearing conference in this proceeding will be convened telephonically.

A prehearing conference will be convened **telephonically at 10:00 a.m. on March 4, 2022**. The parties shall use the following call-in information to access the prehearing conference:

- **Call-in Information:**
 - Austin: 1 (512) 807-0005
 - Or Toll-Free: 1 (855) 999-5357

- **Conference ID: 800-0716**

At the prehearing conference, the following matters will be discussed:

1. Pending motions filed by 3:00 p.m. on March 3, 2022;
2. The burden of proof;
3. Whether this case may be efficiently resolved in whole or in part through procedures such as stipulations or limitation of the scope of the hearing;
4. Whether the parties are interested in mediating this dispute;¹
5. A procedural schedule; and
6. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

The parties may confer before the prehearing conference regarding the procedural schedule that will apply in this case. Any proposed procedural schedule must include, at a minimum, deadlines for discovery and prefiled testimony, and three alternative dates for the hearing on the merits.

III. E-MAIL SERVICE REQUIRED

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.**² Any party to this proceeding who has not previously provided an e-mail address **SHALL, no later than 7 days after the date of this order**, file a notice informing the parties of the e-mail address to be used for service.

¹ Information about mediation at SOAH is available at <http://www.soah.texas.gov/Hearings-And-Mediation/mediation.html>.

² See *Issues Related to the State of Disaster for the Coronavirus Disease 2019*, Docket No. 50664, Order Suspending Rules (Mar. 16, 2020), available at: http://interchange.puc.texas.gov/Documents/50664_3_1055816.PDF.

IV. GENERAL PROCEDURAL REQUIREMENTS

The parties should be aware that, due to COVID-19, the Commission has suspended certain rules and is requiring e-mail service and online filings.³ The Commission's order is available at: http://interchange.puc.texas.gov/Documents/50664_3_1055816.PDF.

Commission filings are available for viewing and downloading from the Commission's Interchange at <http://interchange.puc.texas.gov>, by entering the control number 52493 and pressing "search." A list of documents filed in this docket will appear, which (with a few exceptions such as confidential documents, if any) can be accessed by clicking on the document number. The Commission's procedural rules are available on the Commission's website at <http://www.puc.texas.gov/agency/rulesnlaws/procrules/Procedural.aspx>. The procedural rules will govern the conduct of this case, and the parties are expected to comply with those rules.

Routine procedural and logistical questions may be directed to the ALJ's Legal Secretary, Nadia Martinez, at nadia.martinez@soah.texas.gov. SOAH support personnel may not provide advice or interpret orders or regulations for the parties.

A. Filing

Due to COVID-19, the Commission is only accepting filings made online through the Commission's Interchange e-file system at <https://interchange.puc.texas.gov/filer>. When making online filings for this case, use the "control number" 52493. The parties should review the Commission's website for the latest information on how COVID-19 is impacting Commission filing requirements. **All pleadings must contain both the SOAH and Commission docket numbers.**

³ *Id.*

B. Motions

A motion seeking a continuance or extension of time **SHALL** propose a new date or dates and indicate whether the other parties agree to the new date or dates. Because the ALJ or a hearing room may not be available on a given day, proposing a range of dates is advisable. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, the motion is not granted and the existing schedule remains in place.

Unless otherwise specified in the Commission's procedural rules or an order issued in this case, any responses to a motion or other pleading shall be filed within **five working days** from receipt of the motion or pleading. If a party does not respond, the ALJ will assume that the party agrees with or does not oppose the requested relief.

C. Discovery

Discovery may begin immediately pursuant to Subchapter H of the Commission's procedural rules.

SIGNED February 18, 2022.



DANIEL WISEMAN
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS