



## Filing Receipt

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**DOCKET NO. 52679**

<b>COMPLAINT OF RICKY W. GASKILL AGAINST UPTOWN HEIGHTS APARTMENTS</b>	<b>§ § §</b>	<b>PUBLIC UTILITY COMMISSION  OF TEXAS</b>
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**COMMISSION STAFF'S RESPONSE TO ORDER NO. 4**

On October 5, 2021, Ricky W. Gaskill (Complainant) filed a complaint against Uptown Heights Apartments (Uptown Heights) regarding water billing.<sup>1</sup> The Complainant filed the formal complaint pursuant to 16 Texas Administrative Code (TAC) § 22.242.

On January 6, 2022 the administrative law judge filed Order No. 4, requiring Staff (Staff) of the Public Utility Commission of Texas (Commission) to confer with parties and develop a discovery schedule and file the same by January 22, 2022. As the Commission was closed on January 22, 2022, pursuant to 16 § TAC 22.4(a), the deadline is extended to the next day on which the Commission is open for business. Therefore, this pleading is timely filed.

**I. STAFF'S PROPOSED DISCOVERY SCHEDULE**

Staff has reached out to both Complainant and representatives for Uptown Heights regarding a proposed discovery schedule. As of the time of this filing, Complainant is unopposed to the following proposed schedule. Representatives for Uptown Heights have yet to respond to the proposed schedule. Staff respectfully recommends the following discovery schedule for this case:

Date	Action
March 25, 2022	Final deadline to respond to discovery requests filed by March 5, 2022.
April 8, 2022	Staff's deadline to file a supplemental statement of position
April 22, 2022	Deadline for the parties to respond to Staff's supplemental statement of position or to request a hearing

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<sup>1</sup> Complaint of Ricky W. Gaskill Against Uptown Heights Apartments at 1 (Oct. 5, 2021) (Complaint).

## **II. ADDITIONAL TERMS**

Staff respectfully requests adoption of the following terms related to discovery:

1. Service will occur by email and filing on the Commission's Interchange.
2. The deadline to respond to all timely filed discovery requests is 20 days after receipt of the request in accordance with 16 Texas Administrative Code (TAC) § 22.144(c)(1).
3. The deadlines to file any objections to discovery, motions to compel, and responses to motions to compel will be in accordance with 16 TAC § 22.144(d)-(f).
4. The parties are expected to confer and attempt in good faith to resolve any discovery procedural dispute prior to seeking a ruling from the ALJ.

## **III. CONCLUSION**

Staff respectfully requests an order consistent with the foregoing.

Dated: January 24, 2022

Respectfully submitted,

### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

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**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on January 24, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Andy Aus  
Andy Aus