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DOCKET NO. 54121

APPLICATION OF SP UTILITY	§	PUBLIC UTILITY COMMISSION
COMPANY, INC. FOR TEMPORARY	§	
RATES FOR A NONFUNCTIONING	§	OF TEXAS
UTILITY	§	

ORDER NO. 1
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS, PROCESSING
OF THE APPLICATION, AND PROPOSED PROCEDURAL SCHEDULE

This Order addresses the September 15, 2022 application of SP Utility Company, Inc. for temporary rates for services provided for a non-functioning utility under 16 Texas Administrative Code (TAC) §§ 24.43(b) and 24.363.

SP Utility is the temporary manager of the Villa, Vista, and Reed Estate systems. SP Utility requests approval of temporary rates, and for the temporary rates to remain in effect for a period allowed by statute or until further notice is issued by the temporary manager or the Commission.

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

By October 7, 2022, Commission Staff must file comments on the administrative completeness of the application and a recommendation regarding notice.

II. Requesting Procedural Schedule

By October 7, 2022, the applicant, on behalf of the utilities, and Commission Staff must file comments regarding how this application should be processed and propose a procedural schedule.

III. Discovery

Discovery may proceed informally; however, objections to Requests for Information (RFI) must be filed and served within 10 days of receiving the RFI. 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 filed and served within 5 working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

V. Filing Requirements

Service of pleadings is typically governed by 16 TAC § 22.74. However, the Commission has issued a Second Order Suspending Rules,¹ which has suspended the service requirements found in 16 TAC § 22.74. 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 at <https://interchange.puc.texas.gov>.

All parties must provide their current addresses, **e-mail addresses**, telephone and fax numbers, if available, to all other parties and the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail addresses**, telephone, and fax information if such information changes. The **e-mail addresses**, 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.

VI. Ex Parte Communications

Ex parte communications with the administrative law judges and presiding officer (collectively, ALJs) are prohibited.² Parties must communicate with the ALJs 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.

¹ *Issues Related to the State of Disaster for the Coronavirus Disease*, Docket No. 50664, Second Order Suspending Rules (July 16, 2020).

² 16 TAC § 22.3(b)(2).

Signed at Austin, Texas the 16th day of September 2022.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read 'J. Huhn', is written above a horizontal line.

JEFFREY J. HUHN
ADMINISTRATIVE LAW JUDGE

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