



Filing Receipt

Received - 2022-12-13 04:18:40 PM

Control Number - 54464

ItemNumber - 2

DOCKET NO. 54464

APPLICATION OF ORANGE COUNTY	§	PUBLIC UTILITY COMMISSION
WATER CONTROL &	§	
IMPROVEMENT DISTRICT NO. 1	§	OF TEXAS
(LEXINGTON) TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE	§	
AND NECESSITY IN ORANGE	§	
COUNTY	§	

ORDER NO. 1
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS AND
PROPOSED NOTICE, AND ADDRESSING OTHER PROCEDURAL MATTERS

I. Application

This Order addresses the December 12, 2022 application of Orange County Water Control & Improvement District No. 1 (Lexington) to amend its water certificate of convenience and necessity (CCN) number 10115 in Orange County to reflect the acquisition of facilities and certificated service area from Lexington Water System, Inc.'s CCN number 11560 in 1995.

II. Requiring Comments on the Administrative Completeness
of the Application and Proposed Notice

By January 12, 2023, Commission Staff must file comments on the administrative completeness of the application and proposed notice. By January 12, 2023, the applicant and Commission Staff must file a recommendation regarding how to proceed with the application and propose a procedural schedule.

III. Consolidation

The administrative law judge (ALJ) believes this docket, Docket No. 54462,¹ and Docket No. 54463² involve common questions of law or fact. As such, the ALJ believes that consolidation of the dockets would serve the interest of efficiency and would not unduly prejudice the applicant's ability to present its case and other parties' ability to respond to the applicant's case. Therefore,

¹ *Application of Orange County Water Control & Improvement District No. 1 (Gibson) to Amend Its Certificate of Convenience and Necessity in Orange County*, Docket No. 54462 (pending).

² *Application of Orange County Water Control & Improvement District No. 1 (Pine Forest) to Amend Its Certificate of Convenience and Necessity in Orange County*, Docket No. 54463 (pending).

the ALJ is providing notice in accordance with 16 Texas Administrative Code (TAC) § 22.34(a) of his intent to consolidate this docket, Docket No. 54462, and Docket No. 54463.

Objections to consolidation, if any, must be filed by January 12, 2023.

IV. Discovery

Discovery may proceed informally; however, objections to requests for information (RFIs) 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 five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

V. Filings

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission's filing clerk in accordance with 16 TAC § 22.71. **In light of the Commission's Second Order entered in Docket No. 50664, this requirement will be considered satisfied if pleadings are filed with the Commission through the Interchange on the Commission's website as long as the Commission's Second Order is in effect.**³

Service of pleadings is typically governed by 16 TAC § 22.74. However, as long as the Commission's Second Order 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 are required to provide their current addresses, **e-mail addresses**, telephone and fax numbers, if available, to all other parties and to the Commission by filing and serving all parties

³ See *Issues Related to the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (July 16, 2020).


with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. The **e-mail addresses**, telephone and fax numbers will be included on the service list for the convenience of the parties. 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 ALJ are prohibited under 16 TAC § 22.3(b)(2). 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.

Signed at Austin, Texas the 13th day of December 2022.

PUBLIC UTILITY COMMISSION OF TEXAS



**ISAAC TA
ADMINISTRATIVE LAW JUDGE**