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Filing Date - 2023-08-01 04:10:04 PM

Control Number - 54565

Item Number - 2402

BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS

APPLICATION OF CSWR-TEXAS UTILITY OPERATING
COMPANY, LLC FOR AUTHORITY TO CHANGE RATES

SOAH ORDER NO. 5
STRIKING INTERVENORS;
CLARIFYING THE CHARACTER OF CERTAIN FILINGS

I. STRIKING INTERVENORS

July 14, 2023, was the deadline for intervenors to prefile testimony or position statements.¹ Each intervenor that did not prefile direct testimony was required to file a statement of position.² Failure to file a statement of position or comply with an

¹ SOAH Order No. 3 (June 27, 2023).

² 16 Tex. Admin. Code § 22.124(a)

order may be sanctioned by disallowing the offending party to participate in the proceeding.³

SOAH Order No. 3 advised the parties that any intervenor that did not timely prefile direct testimony or a statement of position would be dismissed from this proceeding.

On July 21, 2023, CSWR-Texas Utility Operating Company, LLC moved to strike intervenors who had not prefiled testimony or position statements by the July 14 deadline.

Upon reviewing the record in this proceeding, the Administrative Law Judges (ALJs) have determined that the designated representatives for the systems listed in the table below did not prefile either direct testimony or a statement of position by the deadline:

System	Designated Representative
TX-Lake Limestone Cove	David Lagerlef
TX-Timberlane	Lauri Moore
Lakeview Ranchettes	Lennie Murphy
South Silver Creek	Michael Kammlah
Laguna Tres	Michael Sweatt
Abraxas	Willie Evans
Aero Valley	Stan Price
Amberwood	Kertecia Hampton
Aransas Bay	Andrew Duncan
Arrowhead	Kheirabadi Bijan

³ *Id.*; 16 Tex. Admin. Code § 22.161(b)(3), (c), (d)(1).

Big Woods Springs	Richard Hodges
Chaparral Water	Zenadia Arias
Coletto	Regina Johnston
Copano Cove	Don Clark
Copano Ridge	Joan Joslin
Copano Heights	Jay Carroll
Council Creek	Yanchi Hu
Freemont Water	Fred Gregory
Goode City	Edgar Torres
Hickory Hill	Janet Greenwood
Laguna Vista	David Calton
Oak Hills Ranch	Mary Levensailor
Country Squire	Stuart Greer
La Playa	Lane Transou
Longford Place	Joseph Cook
Mangum Estates	Rose Adkinson
North Victoria	John Wallace
Lakeside Estates	Nolana Jalowy
Meadowview Estates	Jerod Harbes
Pelican Isle	Larry Erick
Red Oak	Sunny Akhigbe
Settlers Crossing	Elizabeth Zubik
Settlers Meadows	Keith Ainsworth
Shady Oaks	James Bowles
South Council Creek	David Cardiff
Tri County 2	Danny Kohlert
Tri County 3	John Kittlesen
Tri County 4	Gail Mayer
TX-Walnut Bend	Terry C. Trevathan, Jr.
Waterco	Judy Bolduc
Willow	Jamie Rose
Woodlands (Rocket)	Samantha Bagley
Woodland Harbor	Barnie Stevens

A list of all intervenors aligned with the designated representatives above is included in this order as Attachment A. Moreover, Attachment A lists the

intervenors who could not be aligned with a specific system and who did not prefile testimony or position statements.

As to the intervenors listed in Attachment A, the motion is **GRANTED**. Therefore, in accordance with SOAH Order No. 3 and 16 Texas Administrative Code sections 22.124(a) and 22.161(b), (c), and (d), IT IS ORDERED that **the intervenors listed in Attachment A are STRICKEN AS PARTIES**.

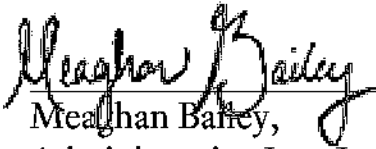
II. DEEMING FILINGS AS TESTIMONY

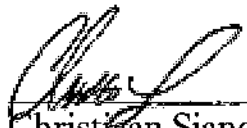
The applicant further requested a ruling on whether the filings listed below should be regarded as statements of position or testimony:

1. Jennifer Washburn; Interchange No. 2379
2. Robert Hill and Robert Eilenberger; Interchange No. 2377
3. Jim Rieber; Interchange Nos. 2346-2347
4. Alison Rieber; Interchange Nos. 2349-2351
5. Curtis Quarles; Interchange No. 2355
6. Andrew Clogg; Interchange No. 2373
7. Heather Thompson; Interchange No. 2376
8. Melisa Allred; Interchange No. 2378
9. Thuy Howeth; Interchange No. 2382
10. Barry Wolf; Interchange No. 2383
11. Kim Hilmer; Interchange No. 2352
12. Heather Baughman; Interchange No. 2353
13. LaDonna Turner; Interchange No. 2388

Having reviewed the filings, the ALJs find that the filings show sufficient indices of intent to be treated as sworn and therefore should be regarded as testimony. With this clarification, the Applicant is permitted to file objections, if any, to the above-referenced filings **within five days of this order.**

Signed August 1, 2023


Meghan Bailey,
Administrative Law Judge


Christian Siano,
Administrative Law Judge

ATTACHMENT A

Dismissed Intervenorors

System	Designated Representative
Lake Limestone Cove	David Lagerlef; Christine Lagerlef; Joyce Slaughter; Thomas Eagan; Bob Bosch; Robert & Tracy Moore; Douglas Potts; Dwayne Ready; Mindy Warren; Jeffrey L. Hargrave; Russel Satterlee; Larry Ridgeway; Samuel Smith; Ardonna Cook; Lara Matchett; Gene Martin; Jay Holland; Deborah Latvatalo; Randy Plachy; Robert Turk; Jerry Jackson; Robert Marburger; Mary Lou Lambert; Robert Sutton; Bethny Bonnet; Mitchell Morehead; Dawn Chadwell; Kevin Bender; Debra & Chris Schmidt; Ronald Steffenauer
Timberlane	Mark & Lauri Moore; Steve & Leisha Bryant; Ernest Wesner; Becky Amy Ritchie; Karen Smits; William Currier; Lewis Knowles Jr.; Chris Kennaugh; James Broussard; Glenn and Colleen Martin; William Harsbarger; Tom Damico; Jay McIlamara; Vera Seago; Chuck Roberts; Larry Stansbury
Lakeview Ranchettes	Lennie Murphy; Randal G. Murphy; Dennis Prather
South Silver Creek	Michael Kammlah; David Cardiff; Roy Salinas
Laguna Tres	Michael Sweatt; Richard Doerr; Michael Roney; Brad Steelman; Paul Stetzel; Marisa & Jim Hutchison; Brett Wagner; Kevin Vowell; Jason Stelzer; Thomas E. Koepke; Jane & David Johnson; James Sattler; Gary Key; Robert Barham; Dorcia Meador; Carol Basso; Flo Carr; Bobby Don Shelton; Eric Moore; Michael Kennemer; Barbara Allen; Margaret Cook, Marilyn Haskins; Nicole Hausler; Kriston & Tisha Crow

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System	Designated Representative
Abraxas	Willie Evans; Danny Spear
Aero Valley	Stan Price
Amberwood	Kertecia Hampton; Amberwood POA; Raymond Hooks; Robert Hopper; Veronica Sanchez; Victor Salinas; Kenneth Kramer; Luz & Jesus A. Rosales; Deborah Smith; Diana Garcia; Nadia Paone; Allison Gerzina; James Middleton; Ruben Ornelas; Kelly McClelland
Aransas Bay	Andrew Duncan; Stuart Kennedy; Brad Ulmer; John Randall Miladenka; Gary Bacon; Susan Hicks; Lisa Vollmer; Patsy Warzecha; Walter Sajdak
Arrowhead	Kheirabadi Bijan; Daniel B. Woolbridge; David Chavez; Oscar Ahumada
Big Woods Springs	Richard Hodges; Jim Dax; Bob Jones; Rexanna Salinas; Chris & Linda Hodgkins; Richard Hodges; Mark Durbin; Jimmy Stevens
Chaparral Water	Zenadia Arias
Coleto	Regina Johnston; Stacy Scott; Israel Rangel; Spencer & Lisa Hall; Larry Miller
Copano Cove	Don Clark; Jessica Reyes; Mark Engelke; Thomas & Dana Dixon; Bart Butler; Randel Wallace; David Brown; William Clay Hefty; Jeff Proske; Kurtney & Joanne Knight; Steve Griffith; Brenda Bermudez & Sandra Tovar; James Kelly
Copano Ridge	Joan Joslin; Melvin Chaloupka; J. Gregorcyk- Intervene; Jared & Leah Itz; Barbara Hartle; William H. Reimer, III; William Fellers; Glenn & Jeannine Pytlik
Copano Heights	Jay Carroll
Council Creek	Yanch Hu

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System	Designated Representative
Freemont Water	Fred & Monte Gregory; Donald Allen; Ron & Susan Vogel; Karen Kiner
Goode City	Edgar Torres; Angelica Medina; Juna & Maria Guevara
Hickory Hill	Janet Greenwood; Christine Arnold
Laguna Vista	David Calton; Michael Tribble; Jackie & Wilma Kay Parker; Carol Chew; Roy Pepper; Don & Ann Morrison; David Stull; Joe & Susan Hansen
Oak Hills Ranch	Mary Levensailor; Richard Kresch; Bella Kauer; Joann Fey
Country Squire	Stuart Greer; Larry Casey; Ricky Sterling; John Wilson
La Playa	Lane Transou
Longford Place	Joseph Cook; David Odegar
Mangum Estates	Rose Adkinson
North Victoria	John Wallace
Lakeside Estates	Nolana Jalowy
Meadowview Estates	Jerod Harbes
Pelican Isle	Larry Erick; Thomas & Sandy Douglas; Kevin Brown; Michael Ray; Travis King; Curtis Krause; Mike & Judy Tinsley; Karina Cardenas
Red Oak	Sunny Akhigbe
Settlers Crossing	Elizabeth Zubik; Shannon Kelley Siska; Gary Ney; Allison Wallin
Settlers Meadows	Keith Ainsworth
Shady Oaks	James Bowles; Timothy Reyes; Sue Stewart
South Council Creek	David Cardiff
Tri County 2	Danny & Brenda Kohlert; Kenneth Frazier

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System	Designated Representative
Tri County 3	John Kittlesen; Walter & Diana Bartram; Jerry Joe Bunting; Jerry Bunting; James & Sandra Parker; Jackie & Carolyn Felts; Travis Coulter; John Hadley; Kim Kelzer; Thomas & Barbara Burns; Shelbny Cauley
Tri County 4	Gail Mayer; Robert Duncan; Leslie Wilkerson; Roger McCormick; Kathy Stephens; Billy & Tammy Wursthorn; Stephen Davis; Clarice Lowe; Nathaniel Hannan
TX-Walnut Bend	Terry C. Trevathan, Jr.
Waterco	Judy Bolduc; David Luna & Henrietta Towery
Willow	Jamie Rose; Kite Kristopher; Miguel Villanueva; Karl Ikerd; Heidi Brown; Luke Whidden; Tammie Fellows; Andrew Sivak;
Woodlands (Rocket)	Samantha Bagley
Woodland Harbor	Barnie Stevens; Donald Rosenthal; Linda White

The following intervenors could not be matched to a specific system and were therefore not aligned by system:

- Tim Baker
- Oliver Taylor
- Elaine Jones
- Karen Smitz
- David McLamara
- Brad Thompson
- Carrie Wilcoxon
- Sandra Beckett
- Tammy Hodges
- Hector Narvaez

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- Christina Duajardo
- Curtis Moyer
- Nick Taylor