



## **Filing Receipt**

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**BEFORE THE  
STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

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

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**SOAH ORDER NO. 7  
AMENDING POST-BRIEFING SCHEDULES**

On September 8, 2023, CSWR-Texas Utility Operating Company, LLC (CSWR-Texas), the staff of the Public Utility Commission (Comission), and the Office of Public Utility Counsel (collectively, the Movants) filed a joint motion requesting the establishment of interim rates to become effective November 30, 2023, and to amend the existing post-hearing briefing schedule. The Movants' discussed amending the briefing schedule as proposed at the hearing on the merits and the motion is **GRANTED**. Accordingly, **the parties' initial briefs are now due on September 22, 2023, and reply briefs are due September 29.**

The Administrative Law Judges (ALJs) will issue a ruling on the Movants' request for interim rates in a subsequent order after the deadline for potential

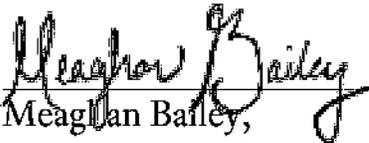
responses has passed. The Movants' request for interim rates is summarized as follows: the Movants request that interim rates consistent with the rates recommended by the ALJs in the Proposal for Decision (PFD) become effective November 30, 2023.<sup>1</sup> That date represents the statutory deadline for this case; therefore, if the Commission does not issue a final order setting CSWR-Texas's rates by November 30, the rates CSWR-Texas proposed in its application "shall be considered approved" pursuant to Texas Water Code section 13.1871(f). If that occurs, CSWR-Texas may begin to charge their proposed rates starting on that date and those rates *will not be subject to refunds or surcharges* if the Commission ultimately approves either a lower or higher rate, respectively.<sup>2</sup> However, as the Movants state in their joint motion, if interim rates are implemented on November 30 (the interim rates would be set as the rates recommended by the ALJs), CSWR-Texas will agree to waive the statutory deadline and those interim rates *will be subject to refunds or surcharges* upon the Commission's final order in this proceeding. Therefore, if the Commission ultimately sets a lower rate for CSWR-Texas than what the ALJs recommend, CSWR-Texas would issue refunds to its customers, and if the Commission ultimately sets a higher rate than what the ALJs recommend, CSWR-Texas would seek surcharges from its customers.

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<sup>1</sup> The Movants proposed an alternative proposal to retroactively apply the ALJs' recommended rates beginning November 30, 2023, if the Proposal for Decision is not issued by that date. The ALJs anticipate that the PFD will be issued prior to November 30 under the amended briefing schedule and therefore do not address the Movants' alternative proposal in this order.

<sup>2</sup> See *Application of Corix Utilities (Texas) Inc. for Authority to Change Rates*, Docket No. 53815, SOAH Order No. 7 (May 15, 2023).

**Signed September 11, 2023**

  
Meaghan Bailey,  
Administrative Law Judge