



Filing Receipt

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**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**APPLICATION OF TEXAS WATER UTILITIES, LP AND
SOUTHERN HORIZONS DEVELOPMENT, INC. FOR SALE,
TRANSFER, OR MERGER OF FACILITIES AND
CERTIFICATE RIGHTS IN LIBERTY AND MONTGOMERY
COUNTIES**

**SOAH ORDER NO. 1
SETTING PREHEARING CONFERENCE**

1. **Case Description.**¹ On February 2, 2023, Texas Water Utilities, L.P. and Southern Horizons Development, Inc. filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Liberty and Montgomery counties. Texas Water Utilities seeks approval to acquire facilities, decertify certificated acreage, add uncertificated acreage, and transfer water service area from Southern Horizons in Liberty and Montgomery counties under water certificate of convenience and necessity (CCN) number 12863. The requested area includes 452 water connections. Texas Water Utilities seeks to transfer 527 acres from Southern Horizons' CCN into its CCN, decertify 99 acres, and add 102 uncertificated acres to its CCN. Texas Water Utilities provides water service under CCN number

¹ See Commission Preliminary Order (March 7, 2024) (Commission Interchange filing no. 69).

12983. This proceeding was referred to the State Office of Administrative Hearings (SOAH) on March 5, 2024. On March 7, 2024, the Commission issued a Preliminary Order, which contained a list of the issues to be addressed in this proceeding.

2. **Prehearing Conference.** A prehearing hearing will be held at **9:00 AM (CT) on March 21, 2024**, remotely via Zoom videoconference. 1 Tex. Admin. Code § 155.405(c). The audio portion of the hearing will be recorded, and it will be the official record of the proceeding. Attend the hearing in one of these ways:

To join by computer or smart device, go to
<https://soah-texas.zoomgov.com> and enter:

Meeting ID: 161 271 4123

Video Passcode: PUC27W

To join by telephone (audio only), call
+1 669 254 5252, and enter:

Meeting ID: 161 271 4123


Telephone Passcode: 532501

3. **Prehearing Conference Agenda.** At the prehearing conference, the following matters will be discussed:
 - Pending motions;
 - A procedural schedule;
 - Whether this matter is appropriate for mediation; and
 - Any other matters that may assist in the disposition of this case in a fair and efficient manner.
4. **Procedures.** Any matters not addressed by this order shall be governed by the procedural rules of the Commission and SOAH.
 - a. **Filings.** The Commission is currently only accepting filings made online through the Commission's Interchange e-file system at <https://interchange.puc.texas.gov/filer>. To make an online filing, the

Commission's e-filing system requires you to enter the Commission's control number (i.e., docket number), which is 54617 for this case. All filings must contain both the SOAH and Commission docket numbers.

- b. **Service.** When a party files a document with the Commission, that party is also required to serve (i.e., provide a copy of that document to) every other party. At this time, service must be accomplished by email. Any party to this proceeding who has not previously provided an e-mail address SHALL, no later than seven days after the date of this order, file a notice informing the parties of the e-mail address to be used for service. SOAH's orders must also be provided to, or served on, the parties. Parties will be served with SOAH's orders electronically at the e-mail address they provide. Only one address per party will be included on the official service list maintained by SOAH pursuant to 16 Texas Administrative Code section 22.74(b). Corrections to the service list should be directed to the ALJ's assistant, Tujuana Tate, by email at Tujuana.Tate@soah.texas.gov.
- c. **Motions and Responses to Motions and Pleadings.** All Motions should include a certificate of conference explaining each parties' position on the motion. Unless otherwise specified, responses to any motion or other pleading shall be filed within five working days from receipt of the pleading to which the response is made. Such responsive pleadings shall state the date of receipt of the pleading to which a response is made. Failure to file a timely response may be considered acquiescence to the relief requested.
- d. **Discovery.** Discovery may commence and shall be governed by the Commission's procedural rules at 16 Texas Administrative Code chapter 22, subchapter H. All discovery requests and responses shall be filed with the Commission.

Signed March 8, 2024



Ross Henderson

Presiding Administrative Law Judge