



Filing Receipt

Filing Date - 2024-04-01 02:48:12 PM

Control Number - 54617

Item Number - 73

**SOAH DOCKET NO. 473-24-13127
PUC DOCKET NO. 54617**

APPLICATION OF TEXAS WATER UTILITIES, L.P. AND SOUTHERN HORIZONS DEVELOPMENT, INC. FOR SALE, TRANSFER, OR MERGER OF FACILITIES AND CERTIFICATE RIGHTS IN LIBERTY AND MONTGOMERY COUNTIES	§ § § § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
---	---------------------------------	---

**TEXAS WATER UTILITIES, L.P.'S, SOUTHERN HORIZONS DEVELOPMENT, INC.'S, AND COMMISSION STAFF'S
AGREED PROPOSED PROCEDURAL SCHEDULE**

Texas Water Utilities, L.P. (TWU), on behalf of itself, Southern Horizons Development, Inc. (Southern Horizons), and the Staff (Staff) of the Public Utility Commission of Texas (Commission) files the agreed proposed procedural schedule.

I. PROPOSED PROCEDURAL SCHEDULE

Under 16 Texas Administrative Code § 22.124(a), Statements of Position are due no later than three working days before the hearing unless the presiding officer determines a different deadline should be imposed. Because the issues related to the request for initial rates under Texas Water Code § 13.3011 are issues of first impression, TWU, Southern Horizons, and Commission Staff are proposing a date-certain for Intervenor Statements of Position that coincides with the date for Intervenor Direct Testimony. This will ensure that all parties to this proceeding have adequate notice of each party's position on these issues of first impression.

Event	Date
Applicants' Direct Testimony	April 18, 2024
Objections to Applicants' Direct Testimony	April 25, 2024
Response to Objections to Applicants' Direct Testimony	May 2, 2024
Intervenor Direct Testimony or Statement of Position	May 9, 2024
Deadline for Discovery on Applicants' Direct Testimony	May 9, 2024
Objections to Intervenor Direct Testimony	May 16, 2024
Response to Objections to Intervenor Direct Testimony	May 23, 2024

Event	Date
Staff Direct Testimony	May 30, 2024
Objections to Staff Direct Testimony	June 6, 2024
Settlement Conference	June 6, 2024
Response to Objections to Staff Direct Testimony	June 13, 2024
Deadline for discovery on Intervenor and Staff Direct Testimony	June 20, 2024
Applicants' Rebuttal Testimony	June 20, 2024
Cross-Rebuttal Testimony	June 20, 2024
Objections to Applicants' Rebuttal Testimony and Objections to Cross-Rebuttal Testimony	July 2, 2024
Response to Objections to Applicants' Rebuttal Testimony and Response to Objections to Cross-Rebuttal Testimony	July 8, 2024
Hearing on the Merits	July 11–12, 2024; July 16–17, 2024; or July 23–24, 2024

In addition, TWU, Southern Horizons, and Commission Staff agree to the following:

1. Testimony drafts and the emails transmitting them are not discoverable.
2. Email service is a valid method of service.
3. Any party that does not file Direct Testimony or a Statement of Position by the deadline established in the procedural schedule will be stricken as a party.
4. Any party that does not file Direct Testimony may not file Cross-Rebuttal Testimony.
5. Intervenors may only file cross-rebuttal addressing Staff's Direct Testimony and the Direct Testimony of other Intervenors and Staff may only file cross-rebuttal addressing Intervenors' Direct Testimony.
6. Discovery requests received after 3:00 p.m. are deemed to have been received the following business day.
7. For discovery requests on Intervenor Direct Testimony, Staff Direct Testimony, Applicants' Rebuttal Testimony, and Cross-Rebuttal Testimony:
 - a. Objections are due within five calendar days of the date the request is received.
 - b. Motions to compel are due within three working days of the date the objection is filed.
 - c. Responses are due within 10 calendar days of the date the request is received.

II. CONCLUSION

TWU, Southern Horizons, and Commission Staff respectfully request the entry of an order adopting the procedural schedule proposed above.

Respectfully submitted,

SPENCER FANE, LLP
816 Congress Avenue
Suite 1200
Austin, Texas 78701
Telephone: (512) 840-4550
Facsimile: (512) 840-4551


William A. Faulk, III
State Bar No. 24075674
cfaulk@spencerfane.com
Taylor P. Denison
State Bar No. 24116344
tdenison@spencerfane.com


Eleanor D' Ambrosio
State Bar No. 24097559
edambrosio@spencerfane.com

**ATTORNEYS FOR TEXAS WATER
UTILITIES, L.P.**

CERTIFICATE OF SERVICE

I hereby certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on April 1, 2024, in accordance with the Order Suspending Rules, issued in Project No. 50664.


Eleanor D' Ambrosio