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Filing Date - 2023-12-01 02:53:37 PM

Control Number - 54683

Item Number - 76

SOAH DOCKET NO. 473-24-00831 WS
PUC DOCKET NO. 54683

APPLICATION OF ENVIRO- MANAGEMENT FOR AUTHORITY TO CHANGE RATES	§ § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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PROPOSED PROCEDURAL SCHEDULE

On February 24, 2023, Enviro-Management filed an application for authority to change water rates under Texas Water Code (TWC) §§ 13.1871 and 13.1872(c)(2). Enviro-Management is a Class D water utility with 110 active connections and holds Certificate of Convenience and Necessity (CCN) No. 12625.

On November 29, 2023, the State Office of Administrative Hearings (SOAH) administrative law judge (ALJ), held a prehearing conference, during which parties were ordered to submit a joint proposed procedural schedule by December 1, 2023. Therefore, this pleading is timely filed.

I. PROPOSED PROCEDURAL SCHEDULE

Per the SOAH ALJ's instructions, parties were expected to confer and submit a joint proposed procedural schedule. Parties consist of Staff, the applicant, and six intervenors. Five of the six intervenors were admitted as intervenors during the November 28, 2023 prehearing conference and Mark Newton was admitted as an intervenor in Order No. 6.¹ During the November 28, 2023 prehearing conference, all parties, except for Mark Newton who did not attend the prehearing conference, discussed and tentatively agreed to proposed dates for a procedural schedule, which are reflected below.² Since Staff only had Mr. Newton's contact information, Staff gave the intervenors its email address and asked intervenors to send Staff their contact information, so Staff could share a written version of this procedural schedule with all intervenors. To date, Staff has only received contact information emails from John Franklin, Rhonda Kay Bynum, and Deborah Davis, and Staff has only received a response to its proposed procedural schedule email from Ms. Davis, who had no objections. Staff also shared this proposed procedural schedule with

¹ Order No. 6 Granting Intervention (Jun. 13, 2023).

² Staff notes that the original date shared for intervenor testimony or statement of position was January 24, 2023. This has since been revised to give intervenors more time to review discovery responses before submitting their testimony or statements of position. All other dates have remained the same.

Enviro-Management but has not heard back. Nevertheless, in the interest of abiding by the SOAH ALJ's deadline, Staff submits the following proposed procedural schedule:

Event	Date
Discovery ends on Enviro-Management's Direct Testimony	January 8, 2024
Objections to Enviro-Management's Direct Testimony	January 9, 2024
Intervenor Testimony or Statement of Position	January 29, 2024
Objections to Intervenor Testimony or Statement of Position	January 31, 2024
Staff Direct Testimony	February 16, 2024
Objections to Staff's Direct Testimony	February 23, 2024
Mediation	February 27, 28, or 29, 2024
Discovery Ends on Intervenor's /Staff's Direct Testimony	March 1, 2024
Enviro-Management Rebuttal Testimony	March 6, 2024
Discovery Ends on Enviro-Management's Rebuttal Testimony	March 13, 2024
Prehearing Conference and Submission of Exhibits and Witness Lists	March 26, 2024
Hearing on the Merits	March 27, 2024
Initial Briefs	April 12, 2024
Reply Briefs	April 19, 2024

II. OTHER PROCEDURAL MATTERS

In addition, Staff proposes the following other procedures:

1. Drafts of testimony and discovery responses and emails containing drafts of testimony and discovery responses are not discoverable.
2. Email service is a valid method of service.

III. CONCLUSION

Staff requests that the proposed procedural schedule be adopted. Staff respectfully requests the issuance of an order consistent with these recommendations.

Dated: December 1, 2023

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on December 1, 2023 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Ian Groetsch
Ian Groetsch