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DOCKET NO. 54913

APPLICATION OF EMERALD BAY	§	PUBLIC UTILITY COMMISSION
MUNICIPAL UTILITY DISTRICT AND	§	
AQUA TEXAS, INC. FOR APPROVAL	§	OF TEXAS
OF A SERVICE AREA CONTRACT	§	
UNDER TEXAS WATER CODE § 13.248	§	
AND TO AMEND CERTIFICATES OF	§	
CONVENIENCE AND NECESSITY IN	§	
SMITH COUNTY	§	

ORDER NO. 1
REQUIRING COMMENTS ON ADMINISTRATIVE COMPLETENESS, AND
PROPOSED NOTICE AND ADDRESSING OTHER PROCEDURAL MATTERS

This Order addresses the April 20, 2023 application of Emerald Bay Municipal Utility District and Aqua Texas, Inc. for approval of a service-area contract under Texas Water Code § 13.248 and to amend certificate of convenience and necessity (CCN) numbers 13047 and 13201 in Smith County.

I. Requiring Comments on the Administrative Completeness,
Comments on Notice, and Procedural Schedule

By May 22, 2023, Commission Staff must file comments on the administrative completeness of the application, comments on notice, and propose a procedural schedule.

II. Discovery

Discovery may proceed informally; however, objections to requests for information (RFIs) must be filed and served within 10 days of receiving the RFI. Objections must include a statement that negotiations were conducted diligently and in good faith. If the parties are unable to resolve a discovery dispute, a motion to compel a response to an RFI must be filed and served within five working days of receipt of an objection. The motion to compel must specify the grounds for the motion.

III. Filings

Unless otherwise specified, an original and ten copies of documents relating to this proceeding must be filed with the Commission's filing clerk in accordance with 16 Texas Administration Code (TAC) § 22.71. **In light of the Commission's Second Order entered in Docket No. 50664, this requirement will be considered satisfied if pleadings are filed with the**

Commission through the Interchange on the Commission's website as long as the Commission's Second Order is in effect.¹

Service of pleadings is typically governed by 16 TAC § 22.74. However, as long as the Commission's Second Order remains in effect, all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange at: <https://interchange.puc.texas.gov>.


All parties are required to provide their current addresses, **e-mail addresses**, telephone and fax numbers, if available, to all other parties and to the Commission by filing and serving all parties with such information. Each party must provide the Commission and all parties with updated address, **e-mail address**, telephone, and fax information if such information changes. The **e-mail addresses**, telephone and fax numbers will be included on the service list for the convenience of the parties. Parties are responsible for updating their own service lists to reflect changed information and the addition of any other parties.

IV. Ex Parte Communications

Ex parte communications with the administrative law judge (ALJ) are prohibited under 16 TAC § 22.3(b)(2). Parties must communicate with the ALJ only through written documents filed with the Commission's filing clerk and served on all parties. Questions concerning this Order or any other order must be submitted in writing, filed with the Commission, and served on all parties of record.

Signed at Austin, Texas the 21st day of April 2023.

PUBLIC UTILITY COMMISSION OF TEXAS


for
SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE

¹ See *Issues Related to the State of Disaster for Coronavirus Disease 2019*, Docket No. 50664, Second Order Suspending Rules (July 16, 2020).