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**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**COMPLAINT OF JOSEPH FRIZZEL AGAINST
NEW PROGRESS WATER SUPPLY CORPORATION**

SOAH ORDER NO. 2

ADVISORY REGARDING DISCOVERY

As noted in SOAH Order No. 1, the period for discovery has begun.¹ Discovery in this proceeding is governed by 16 Texas Administrative Code §§ 22.141-.145. Motions requesting approval from the Administrative Law Judge (ALJ) for discovery requests are not necessary. The parties may serve each other with written requests for information (RFIs) and/or requests for admission of fact (RFAs) at will, and the served party is subject to the applicable response obligations. The

¹ SOAH Order No. 1 at 6.

complainant's motions for discovery filed on October 20 and December 24, 2024, are RFIs and do not require ALJ approval.

Copies of RFIs/RFAs and objections and responses to RFIs/RFAs will not be provided to the ALJ. If a party files a motion to compel responses to discovery, the motion shall include every RFI/RFA and objection to which the motion applies. Any affidavits supporting an objection, motion to compel, or response shall be attached to the relevant document. The ALJ will resolve discovery disputes based on the written documents, any sworn affidavits attached thereto, and materials, if any, provided for in camera inspection, unless the ALJ conclude that a prehearing conference on the discovery dispute should be held.

Signed January 14, 2025

ALJ Signature(s):


Meaghan Bailey,

Presiding Administrative Law Judge