



## **Filing Receipt**

**Filing Date - 2024-11-08 07:31:22 AM**

**Control Number - 56610**

**Item Number - 34**

**BEFORE THE  
STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

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**RATEPAYERS' APPEAL OF THE DECISION BY LEROY-  
TOURS-GERALD WATER SUPPLY CORPORATION TO  
CHANGE RATES**

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**SOAH ORDER NO. 1**

**FILING DESCRIPTION; NOTICE OF PREHEARING CONFERENCE; AND  
PROCEDURAL REQUIREMENTS**

**I. FILING DESCRIPTION**

On May 14, 2024, Ratepayers of Leroy-Tours-Gerald Water Supply Corporation (LTG) filed a petition with the Public Utility Commission of Texas (Commission) under Texas Water Code § 13.043(b)(1) appealing LTG's decision to change its water rates. This proceeding was referred to the State Office of Administrative Hearings (SOAH) on October 22, 2024. The Commission issued its Preliminary Order on October 24, 2024, identifying the issues to be addressed in the proceeding.

## II. NOTICE OF PREHEARING CONFERENCE

A prehearing conference will be held via Zoom videoconference at **2:00 PM (CT) on November 25, 2024**. The audio portion of the prehearing conference 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: 161 936 8025

Video Passcode: PUC368

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

Meeting ID: 161 936 8025

Telephone Passcode: 131392

At the prehearing conference, the following matters will be discussed:

1. Any pending motions filed by 3:00 p.m. on November 22, 2024;
2. The burden of proof;
3. Whether this case may be efficiently resolved in whole or in part through procedures such as stipulations or limitation of the scope of the hearing;
4. Whether the parties are interested in mediating this dispute;<sup>1</sup>

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<sup>1</sup> Information about mediation at SOAH is available at <https://www.soah.texas.gov/mediation-alternative-dispute-resolution>.

5. A procedural schedule; and
6. Any other matters that may assist in the disposition of this case in a fair and efficient manner.

The parties may confer before the prehearing conference regarding the procedural schedule that will apply in this case. Any proposed procedural schedule must include, at a minimum, deadlines for stipulations of uncontested matters, discovery, and prefiled testimony; three alternative dates in different weeks for the hearing on the merits; and deadlines for post-hearing briefs.

### **III. GENERAL PROCEDURAL REQUIREMENTS**

Except as modified by orders issued in this case or by the Commission or SOAH, the Commission's procedural rules govern this case and the parties are expected to comply with those rules.<sup>2</sup> The parties should review the Commission and SOAH websites as needed for updates regarding any such modifications.<sup>3</sup> Routine procedural and logistical questions may be directed to the ALJ's Legal Secretary, Nora Arizola, at [nora.arizola@soah.texas.gov](mailto:nora.arizola@soah.texas.gov). SOAH support personnel may not provide advice or interpret orders or regulations for the parties.

### **IV. FILING AND SERVICE**

Filing and service of pleadings are governed by 16 Texas Administrative Code (TAC) sections 22.71 and 22.74. All parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website (<https://interchange.puc.texas.gov/filer>) and provide

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<sup>2</sup> Available at <https://www.puc.texas.gov/agency/rulesnlaws/procrules/procedural.aspx>.

<sup>3</sup> Available at <https://www.puc.texas.gov/> and <https://www.soah.texas.gov/>.

notice, by e-mail, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered. It will be incumbent upon all other parties to obtain a copy of the pleading or document by accessing the Interchange.<sup>4</sup> **Filings should not be made at SOAH. All filings must contain both the SOAH and PUC docket numbers.**

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 e-mail.**<sup>5</sup> Any party to this proceeding who has not previously provided an e-mail address **SHALL, no later than 7 days after the date of this order**, file a notice informing the parties of the e-mail address to be used for service.

Parties will be served with SOAH's orders electronically at the email address they provide. Only one address per party will be included on the official service list maintained by SOAH pursuant to 16 TAC section 22.74(b). Corrections to the service list should be directed to the ALJ's legal secretary, Nora Arizola, at [nora.arizola@soah.texas.gov](mailto:nora.arizola@soah.texas.gov).

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<sup>4</sup> All PUC filings are available for viewing and downloading from the Commission's Interchange available at <http://interchange.puc.texas.gov/>, under Filings: click on "Filings Search," and enter the control number 56610, and click "Search." A list of documents filed in this docket will appear and you may access those documents by clicking on the document number.

<sup>5</sup> See *Issues Related to the State of Disaster for the Coronavirus Disease 2019*, Docket No. 50664, Order Suspending Rules (Mar. 16, 2020), available at: [http://interchange.puc.texas.gov/Documents/50664\\_3\\_1055816.PDF](http://interchange.puc.texas.gov/Documents/50664_3_1055816.PDF).

## **V. MOTIONS**

Motions for continuance shall be governed by 16 TAC section 22.79. If a continuance or extension of time is sought, the motion shall propose a new date or dates and indicate whether the other parties agree to the new date or dates. A proposed range or assortment of dates is preferable. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ the motion is not granted, and the existing schedule remains in place.

Unless otherwise specified in the applicable procedural rules, responses to any motion or other pleading shall be filed within five working days from receipt of the motion or pleading. The response shall state the date of receipt of the motion or pleading to which a response is made. Failure to file a timely response will be considered acquiescence to the relief requested.

## **VI. DISCOVERY**

Discovery may begin immediately pursuant to Subchapter H of the Commission's procedural rules. Copies of discovery requests, objections, and responses will not be provided to the ALJ. If a party files a motion to compel responses to discovery, the motion shall include every discovery request and objection to which the motion applies.

**Signed November 8, 2024**

ALJ Signature(s):

A handwritten signature in black ink, appearing to read "Daniel Wiseman", is written over a horizontal line.

Daniel Wiseman,

Presiding Administrative Law Judge