



## **Filing Receipt**

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**Control Number - 57418**

**Item Number - 55**

**SOAH Docket No. 473-25-19217**

**Suffix: PUC**

**PUC Docket No. 57418**

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**BEFORE THE  
STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

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**COMPLAINT OF JOSE ESTRADA AGAINST ATASCOSA  
RURAL WATER SUPPLY CORPORATION**

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**SOAH ORDER NO. 2  
ADDRESSING ORDER NO. 1 AND RESETTING PREHEARING  
CONFERENCE; FILING DESCRIPTION; JURISDICTION; AND GENERAL  
PROCEDURES**

**I. ADDRESSING ORDER NO. 1 AND RESETTING PREHEARING  
CONFERENCE**

The undersigned Administrative Law Judge (ALJ) issued Order No. 1 on May 19, 2025, and that order set the prehearing conference for June 3, 2025. Order No. 1 was emailed to both Jose Estrada and Mike Fernandez (as representative for Atascosa Rural Water Supply (ARWSC) on May 19, 2025, and provided them with

the required ten-day notice of the scheduled prehearing conference.<sup>1</sup> Order No. 1 was not uploaded to the Public Utility Commission of Texas's (Commission) Interchange database until June 2, 2025. Neither Mr. Estrada nor Mr. Fernandez appeared at the prehearing conference. While staff (Staff) for the Commission appeared, Staff did not receive service of Order No. 1 via email.<sup>2</sup>

To correct any notice deficiencies with Order No. 1, the ALJ is resetting the prehearing conference. However, the ALJ finds good cause to deviate from the requirement for ten-days' notice because Order No. 1 was properly served on Mr. Estrada and Mr. Fernandez which provided them with ten days' notice of the June 3, 2025 prehearing conference.<sup>3</sup>

Therefore, it is **ORDERED** that the prehearing conference is reset and will be held at 9:00 a.m. (CT) on June 10, 2025, remotely via Zoom videoconference.

1 Tex. Admin. Code § 155.405(c). The audio portion of the hearing 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: 161 306 0485

Video Passcode: PUC927

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<sup>1</sup> 16 Tex. Admin. Code § 22.54(a).

<sup>2</sup> Staff learned of the scheduled prehearing conference after accessing Order No. 1 on the Interchange after it was uploaded on June 2, 2025.

<sup>3</sup> 16 Tex. Admin. Code § 22.5(b).

To join by telephone (audio only), call

+1 669 254 5252, and enter:

Meeting ID: 161 306 0485

Telephone Passcode: 909047

The following matters will be addressed at the prehearing conference:

- 1) Any pending motions filed by noon on June 9, 2025;
- 2) Whether referral of this case to mediation is appropriate;
- 3) A procedural schedule, including a date for the hearing on the merits; and
- 4) Any other matters that may assist in the disposition of this case in a fair and efficient manner.

The parties are encouraged to confer before the prehearing conference regarding the procedural schedule that will apply in this case.

## **II. FILING DESCRIPTION**

Per the Public Utility Commission of Texas's (Commission) Preliminary Order, the following is a summary of the complaint at issue. On December 11, 2024, Jose Estrada filed a complaint with the Commission against Atascosa Rural Water Supply Corporation (WSC) pertaining to an alleged incorrect application of Atascosa Rural WSC's tariff and improper termination of service.

### **III. JURISDICTION**

The Commission has jurisdiction and authority over this matter pursuant to 16 Texas Administrative Code § 22.242. On May 13, 2025, the Commission referred this case to the State Office of Administrative Hearings (SOAH), requesting the assignment of a SOAH Administrative Law Judge (ALJ) to conduct a hearing and issue a proposal for decision, if necessary. Two days later the Commission issued its Preliminary Order setting forth the issues to be addressed in this proceeding.

SOAH has jurisdiction over all matters relating to the conduct of a hearing in this matter pursuant to Texas Government Code section 2003.049.

### **IV. GENERAL PROCEDURES**

All Commission filings are available for viewing and downloading from the Commission's Interchange available at <http://interchange.puc.texas.gov/>, by entering the control number 57418 and selecting the "search" tab. A list of documents filed in the applicable docket will appear, which can be accessed by clicking on the document number (with a few exceptions such as confidential documents, if any). The Commission's procedural rules are available on the Commission's website.<sup>4</sup> The procedural rules will govern the conduct of this proceeding, and the parties are expected to comply with those rules.

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<sup>4</sup> The procedural rules are located at: <http://www.puc.texas.gov/agency/rulesnlaws/procrules/Procedural.aspx>.

Routine procedural and logistical questions may be directed to the ALJ's administrative assistant **Julian Jaramillo** at **julian.jaramillo@soah.texas.gov**. SOAH support personnel may not provide advice or interpret law or orders for the parties.

Except as modified by orders issued in this proceeding by the Commission or SOAH, the Commission's procedural rules govern. The parties should review the Commission and SOAH websites as needed for updates regarding any such modifications.

#### **A. FILING AND SERVICE**

Filing of pleadings is governed by Rule 22.71 and service is governed by Rule 22.74. However, under the Commission's Second Order entered in Docket No. 50664, 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 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. **Filings should not be made at SOAH. All filings must contain both the applicable 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. Any party to this proceeding who has

not previously provided an e-mail address **SHALL** file a notice informing the parties of the e-mail address to be used for service no later than seven days after the date of this order.

## **B. MOTIONS**

Motions for continuance are governed by Rule 22.79. If a continuance or extension of time is sought, the motion shall propose a range of new dates and state whether the other parties agree. The ALJ will not contact parties to ascertain their position or to negotiate dates. In the absence of a ruling by the ALJ, a contested motion for continuance or extension 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. If a party does not respond to a motion, the ALJ will assume that the party agrees with the motion or does not oppose the requested relief.

## **C. DISCOVERY**

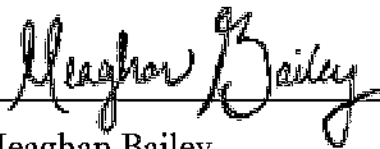
Discovery may begin immediately. Copies of requests for information (RFIs) and objections and responses to RFIs will not be provided to the ALJ. If a party files a motion to compel responses to discovery, the motion shall include every RFI and objection to which the motion applies. Any affidavits supporting 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 concludes that a prehearing conference on the discovery dispute should be held.

If a party seeks *in camera* review of documents in accordance with Rule 22.144(g), it will submit the documents to the ALJ at SOAH. Documents submitted for review should not be filed with the Commission filing clerk. If they are filed with the Commission filing clerk, even inadvertently, the documents may not be physically removed from the Commission. Further, any claim to privilege or exemption may be waived by the filing.

**Signed June 3, 2025**

ALJ Signature(s):

  
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Meghan Bailey,

Presiding Administrative Law Judge