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PUC DOCKET NO. 57439

PETITION OF CIVITAS	§	
CYPRESSWOOD OWNER I, LLC,	§	
PURSUANT TO TEXAS WATER CODE	§	PUBLIC UTILITY COMMISSION
§ 13.043 FOR REVIEW OF DECISION BY	§	OF
HARRIS COUNTY WATER CONTROL	§	TEXAS
AND IMPROVEMENT DISTRICT NO. 99	§	
TO CHANGE RATES	§	

**CIVITAS CYPRESSWOOD OWNER I, LLC'S REQUEST FOR REFERRAL TO SOAH
AND PROPOSED PROCEDURAL SCHEDULE**

Civitas Cypresswood Owner I, LLC ("Civitas") files this Request for Referral to SOAH and Proposed Procedural Schedule. Order No. 1 required the parties to confer and file comments on how this proceeding should be processed and propose a procedural schedule by January 16, 2025. Therefore, this request is timely filed. The Public Utility Commission of Texas ("Commission") Staff elected to not join in this filing, and Harris County Water Control and Improvement District No. 99 ("District") stated that it was opposed to the attached procedural schedule. In support, the Civitas shows as follows:

I. REQUEST FOR REFERRAL TO SOAH

On December 13, 2024, Civitas filed its Petition appealing the District's decision to change rates.¹ As part of its Petition, Civitas requested establishment of interim rates.² Given the procedural posture of this matter, Civitas requests that this matter be referred to SOAH.

II. PROPOSED PROCEDURAL SCHEDULE

The Proposed Procedural Schedule is included as Attachment A to this filing. Civitas requests that this matter be transferred to SOAH so the Proposed Procedural Schedule may be adopted.

¹ Original Petition of Civitas Cypresswood Owner I, LLC Pursuant to Texas Water Code § 13.043 for Review of Decision by Harris County Water Control and Improvement District No. 99 to Change Rates, and Petitioner's Request for Establishment of Interim Rates (Dec. 13, 2024).

² *Id.* at 8.

PRAYER

WHEREFORE, PREMISES CONSIDERED, the Civitas respectfully requests that the Commission (1) transfer this matter to SOAH for adoption of the Proposed Procedural Schedule, and (2) enter an order reflecting the same.

Dated: January 16, 2025.

Respectfully submitted,

/s/ Cole Hutchison

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**ATTORNEYS FOR CIVITAS CYPRESSWOOD OWNER
I, LLC**

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties in this proceeding on January 16, 2025 via email in accordance with the Commission's Second Order Suspending Rules issued in Project No. 50664 on July 16, 2020.

/s/ Cole Hutchison

Cole Hutchison

ATTACHMENT A

Civitas Cypresswood Owner 1, LLC (“Civitas”) proposes the following procedural schedule for consideration of the appeal of the water rates established by the Harris County Water Control and Improvement District No. 99 (“District”):

ACTION	TIME PERIOD
Deadline to file exhibits for hearing on Civitas’s Motion for Interim Rates	Tuesday, March 4, 2025
Hearing on Civitas’s Motion for Interim Rates	Thursday, March 6, 2025, 10:00 A.M.
Deadline for District to file direct testimony	Friday, March 28, 2025
Deadline to file written objections to District testimony	Friday, April 4, 2025
Deadline to file written response to objections to District’s direct testimony	Friday, April 10, 2025
Deadline for Civitas to file direct testimony	Thursday, May 22, 2025
Deadline to file written objections to Civitas’s direct testimony	Thursday, May 29, 2025
Deadline to file written response to objections to Civitas direct testimony	Thursday, June 5, 2025
Deadline for Staff to file direct testimony	Wednesday, June 25, 2025
Deadline to file written objections to Staff direct testimony	Wednesday, July 2, 2025
Deadline to identify individual(s) whom the party intends to depose	Wednesday, July 2, 2025
Deadline to propound discovery on direct cases	Wednesday, July 2, 2025

Deadline to conduct depositions	Wednesday, July 9, 2025
Deadline to file written response to objections to Staff direct testimony	Wednesday, July 9, 2025
Settlement Conference	Wednesday, August 6, 2025
Deadline for District to file rebuttal testimony	Friday, August 15, 2025
Deadline for Staff and Civitas to file cross-rebuttal testimony	Friday, August 15, 2025
Deadline to file written objections to rebuttal or cross-rebuttal testimony	Friday, August 22, 2025
Deadline to file written response to objections on rebuttal or cross-rebuttal testimony	Friday, August 29, 2025
Deadline to file Motion for Summary Decision	Friday, September 5, 2025
Deadline to file Pre-Hearing Submissions (Exhibit List, Cross Examination List, etc. filed on PUC Interchange. Exhibits and Exhibit Lists uploaded to Interchange by 5pm)	Wednesday, September 17, 2025
Prehearing conference	Tuesday, September 23, 2025
Hearing on the merits	Wednesday– Thursday, September 24–25, 2025
Initial Briefs	Wednesday, October 29, 2025
Reply Briefs (with proposed Findings of Fact, Conclusions of Law, and Ordering Paragraphs)	Wednesday, November 19, 2025

Other Miscellaneous Procedure(s)

- Upon filing of a motion for summary decision pursuant to 16 Texas Administrative Code (“TAC”) 22.182, the deadline for response under 16 TAC 22.182(c) shall not apply. Instead, within two working days after filing of the motion for summary decision, the parties shall request the Administrative Law Judge establish a response deadline.
- All discovery requests received after 3:00 PM will be treated as received the following business day.
- The parties may not request production of testimony drafts.
- Service may be made on all parties via the PUC Interchange. If a filing requires action from another party, direct service must be made on the party from whom action is required.
- The Commission’s standard deadlines for discovery responses and objections to discovery responses shall apply to this proceeding.³
- Regarding motions to compel and responses to motions to compel, the parties shall have ten working days after receipt of an objection to file a motion to compel. A response to a motion to compel shall be filed within 10 working days after receipt of the motion. Any request for in camera inspection shall be filed within five working days of the receipt of the motion to compel. The objecting party shall provide the documents to the presiding officer, under seal, no later than three working days after it requests an in camera inspection. To the extent not addressed herein, the Commission’s rules concerning requests for information shall apply.

³ See 16 Tex. Admin Code § 22.144(c)–(d).