



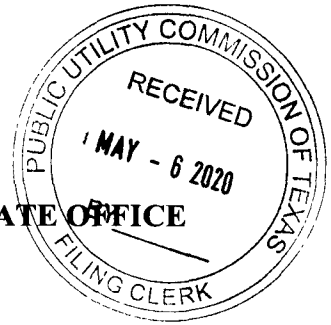
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SOAH DOCKET NO. 473-18-3823  
PUC DOCKET NO. 48205



COMPLAINTS OF PHILIP BRUNETTE § BEFORE THE STATE OFFICE  
AGAINST PALM SHADOWS RESORT, §  
LLC, PALM SHADOWS MH & RV §  
PARK, AND AFFORDABLE HOUSING § OF  
COMMUNITIES, LLC REGARDING §  
ELECTRIC AND WATER SERVICE §  
BILLINGS § ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 18  
SETTING TELEPHONIC HEARING

Order No. 17 continued the hearing scheduled for April 22, 2020, after the State Office of Administrative Hearings (SOAH) suspended all non-emergency, in-person hearings in response to the ongoing COVID-19 pandemic. The parties have proposed dates in July for rescheduling the hearing. SOAH's emergency order has been extended and it is not known when, or to what extent, in-person hearings will resume. Accordingly, the hearing in this case will be convened telephonically.

It is therefore **ORDERED** that the Administrative Law Judge (ALJ) will convene a **telephonic hearing at 9:00 a.m. on July 16, 2020**. The ALJ will use a conference bridge for the hearing. At the time of the hearing, parties should call the dial-in number and, at the prompt, enter the conference ID number followed by the # sign.

Dial-in-toll number: (512) 807-0005  
Dial-in, toll-free number: (855) 999-5357  
Conference Number: 853-0669

It is further **ORDERED** that the following prehearing instructions shall be followed:


- **Witness Identification.** By July 2, 2020, the parties shall file a witness list with the names and phone numbers for the witnesses they intend to call to testify during the hearing.
- **Prefiled Exhibits.** By July 2, 2020, the parties shall electronically prefile all exhibits they intend to offer at the hearing on the merits *that have not been*

*previously filed*,<sup>1</sup> and electronically provide the exhibits to the other parties. The parties must also deliver three hard copies of their exhibits to SOAH. These hard copies will be the record and appeals copies that are delivered to the Public Utility Commission (Commission) at the conclusion of the case.

- **Court Reporter.** If the parties elect to arrange for a court reporter, they should notify the ALJ **by July 2, 2020**. Prior to the hearing, the parties must co-ordinate with the court reporter, if any, to provide all instructions and documents necessary for the court reporter's effective transcription of the hearing.
- **Cross-Examination.** **By July 6, 2020**, the parties shall file a list of witnesses they plan to cross examine at the hearing.
- **Position Statement.** **By July 13, 2020**, the parties shall file position statements, if any.<sup>2</sup> The parties are strongly encouraged to file position statements identifying any issues in the Commission's Preliminary Order that are no longer in dispute.
- **Witness Preparation.** Prior to the hearing, the parties must provide to witnesses all documents necessary for their effective participation in the hearing. Parties should also speak to their witnesses and advise them to expect a call from an unfamiliar number, and explain that they may be prompted by an automated system to join the conference call through which the hearing is being conducted.

**If you wish to have an in-person hearing, you must file a written request on or before July 2, 2020 to reschedule the hearing and you must show good cause as to why the use of remote technologies is not feasible or in the interest of justice.** Upon an adequate showing of good cause, the hearing can be rescheduled for a later date and time, after COVID-19 emergency orders have been lifted and when non-emergency, in-person hearings have resumed at SOAH.

**SIGNED May 6, 2020.**

  
**SARAH STARNES**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

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<sup>1</sup> Pursuant to prior scheduling orders, the parties have already filed their written direct testimony and rebuttal testimony. No party has objected to any testimony, and the deadlines for objections have passed. The parties do not need to re-upload the prefiled testimony.

<sup>2</sup> See 16 Tex. Admin. Code § 22.124 (requiring a statement of position on issues that were not addressed in the party's prefiled testimony but that the party intends to litigate).