

Guide to Documents in the Interchange

These are some of the common items you will see in the PUCT document interchange. These documents can help you understand the status of the case and the issues being considered. A PUCT attorney is assigned to each case but represents the interests of the general public, not a specific individual. The PUCT attorney cannot offer legal advice or file anything on behalf of another party.

Motion to Intervene – This is the written request someone must file to become an intervenor. In this motion, they must explain why they have a legal interest in the proceeding. Intervenors are people directly affected by a particular issue or action and are full and active participants in a proceeding at the PUC. Intervenors can make legal arguments, conduct discovery, file testimony, and cross-examine witnesses. If you file testimony, you may be cross-examined by the other parties or their attorneys in the case.

Confidential Filings – People may submit information that they do not want on the public website. These could relate to negotiated contracts, competitively sensitive information, or information that poses a risk to homeland security. They request that these documents be kept confidential. Intervenors in the case can request to see these confidential documents, but they must agree to keep the information confidential.

Protective Order Certifications – Intervenors that want access to confidential information must file these agreements. In a protective order certification, you are agreeing that all confidential information that you gain to will remain confidential, and you will not use it for purposes outside of that particular action.

Order of Referral – PUC may send a case to the State Office of Administrative Hearings (SOAH) to conduct the court hearing. SOAH is the administrative court that is the venue for a case that requires parties to present evidence, such as testimony. Cases are transferred through this Order of Referral. See the SOAH website for more information about the process there. <https://www.soah.texas.gov/>

Preliminary Order – When a case is transferred to SOAH, the PUC Commissioners identify the issues that must be addressed in the case. This list is not exhaustive. The parties can raise other issues during the case.

Procedural Schedule – This is the schedule for the case including important deadlines and dates of hearings. The administrative law judge can adjust this schedule as the case proceeds. Changes to the procedural schedule will be filed in the document interchange.

Request for Information (RFI) – These are the documents parties create to ask questions to the other parties in the case.

Direct Testimony – Parties to the case submit statements from witnesses and technical experts to support their arguments.

SOAH Orders – The administrative law judge at the SOAH informs the parties about their decisions on procedural issues.

Commissioner Memo – Each of the individual PUC Commissioners can file a memo stating their opinion or raising issues they wish to discuss with their fellow commissioners.

Interim Order – The PUCT Commissioners or the Administrative Law Judge can decide on some of the issues in the case while they continue to work on other issues. The interim order specifies the issues that are being decided and which issues are still pending.

Proposed Order – Filed by the PUCT Office of Policy and Docket Management. This lays out the Commission’s decision on the case. There may be a memorandum attached to the order with suggested changes or corrections. This is what the Commissioners vote on in a public meeting. The Commissioners can decide on the suggested corrections or make other changes to the final order in the public meeting.

Final Order – After being voted on by the PUCT Commissioners, this is the final decision from the Commission on the case.