COVID-19 EMERGENCY RESPONSE ORDER

On March 13, 2020, the Governor declared a State of Disaster in all Texas counties related to the novel coronavirus (COVID-19). Given that declaration and ongoing concerns for the health and safety of those appearing before the Commission, as well as Hearings Division employees, effective immediately, all hearings scheduled for March 17, 2020, through March 30, 2020, may be subject to postponement or transitioned to a telephonic or Skype hearing.

The Hearings Division Director, along with the Administrative Law Judge (“ALJ”) and Technical Examiner assigned to a docket, will evaluate each hearing to determine whether it may be conducted either in person by observing strict social distancing and prevention practices, by Skype, or by telephone. The ALJ or the ALJ’s legal assistant will direct participants in the processes for each type of hearing indicated above. Participants who appear for an in-person hearing are expected to maintain decorum by strictly following health and safety instructions from the ALJ while in the hearing room.

Parties and their representatives may be contacted for information about the number of participants and extent of the record expected for the hearing. The Hearings Division is sensitive to health and safety concerns of those participating in our processes. If it is determined by the Hearings Division that a hearing can go forward by one of the means indicated above, but a participant is unable to appear for any reason related to COVID-19, the party should file a request to postpone the hearing. Such requests will be liberally construed.

The Hearings Division is dedicated to the expedient and just resolution of matters before it. While we are limiting staff levels in the office, the agency has worked expeditiously to ensure employees are able to continue to work on matters throughout these challenging circumstances. We ask for your patience and understanding during this time. Docket Services will remain open to receive filings by regular mail and by e-filing. Docket services WILL NOT be open to the public for in person scheduling or deliveries. Page limit restrictions associated with e-filing are suspended temporarily. If you have a question related to a filing, please contact docket services at docketservices@rrc.texas.gov.

This order is subject to amendment as additional information becomes available.

ISSUED this 17th day of March, 2020.

Dana Avant Lewis
Director, Hearings Division