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**SOAH DOCKET NO. 473-14-5146.WS
DOCKET NO. 42864**

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**WATER RATE/TARIFF CHANGE
APPLICATION OF ENCHANTED
HARBOR UTILITY, CERTIFICATE OF
CONVENIENCE AND NECESSITY NO.
12683, IN CALHOUN COUNTY, TX**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

STATUS REPORT

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Status Report.

On July 29, 2014, a preliminary hearing was held for this matter. Administrative Law Judge (ALJ) Rebecca Smith took jurisdiction and admitted the following as parties to this proceeding: (1) Enchanted Harbor Utility; (2) the Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ); and ratepayers Keith L. Smith, Anne Clark, and Evelyn Saucier. On the same day, the parties commenced mediation that lasted throughout the month of August. In the final days of TCEQ's jurisdiction over water utility matters, the parties reached and signed a settlement agreement. On August 27, 2014, Enchanted Harbor Utility (Enchanted Harbor or Applicant) filed an uncontested Motion to Remand with SOAH with the settlement agreement attached. Staff files this Status Report to request additional time for review.

Pursuant to House Bill 1600 and Senate Bill 567, 83rd Legislature, this matter was transferred to the Public Utility Commission as of September 1, 2014. Because of the procedural complexities involved with the transfer and Staff's recent change of counsel, Staff requests that Your Honor abstain from ruling on the Motion to Remand in order to provide Staff adequate time to review the case and proposed settlement.

SOAH Order No. 15 allowed the parties additional time to file a settlement package or status update. Since the last status update, Staff provided adjusted settlement documents to Enchanted Harbor. Enchanted Harbor and Staff are working towards finalizing a settlement package for subsequent filing. Staff remains mindful of the ALJ's concerns regarding the protracted nature of this case. Staff shares this concern and is working to close this matter as soon as possible. For the reasons above, Staff respectfully requests the ALJ find that there is good cause to extend the abatement of this matter until March 2, 2018, at which point the parties will submit a settlement package or status update.

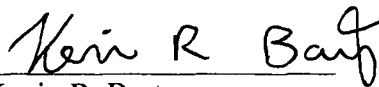
Dated: February 16, 2018

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Stephen Mack
Managing Attorney

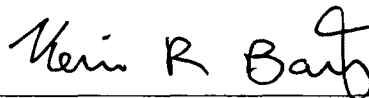


Kevin R. Bartz
State Bar No. 24101488
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7275
(512) 936-7268 (facsimile)
Kevin.Bartz@puc.texas.gov

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record February 16, 2018, in accordance with 16 TAC § 22.74.



Kevin R. Bartz