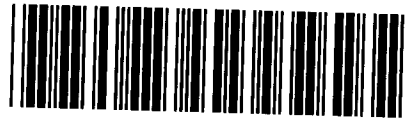


Control Number: 42866



Item Number: 170

Addendum StartPage: 0

SOAH DOCKET NO. 473-14-5144.WS

PUC DOCKET NO. 42866 2015 OCT 15 PM 1:51

RECEIVED

PUBLIC UTILITY COMMISSION
FILING CLERK
BEFORE THE

PETITION OF TRAVIS COUNTY §
MUNICIPAL UTILITY DISTRICT NO. §
12 APPEALING CHANGE OF §
WHOLESALE WATER RATES §
IMPLEMENTED BY WEST §
TRAVIS COUNTY PUBLIC UTILITY §
AGENCY, CITY OF BEE CAVE, TEXAS §
HAYS COUNTY, TEXAS AND WEST §
TRAVIS COUNTY MUNICIPAL §
UTILITY DISTRICT NO. 5 §

PUBLIC UTILITY COMMISSION

OF TEXAS

**TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12'S
MOTION FOR LEAVE TO EXCEED PAGE LIMIT FOR EXCEPTIONS**

TO THE HONORABLE COMMISSION:

COMES NOW TCMUD 12 and files this Motion for Leave to Exceed Page Limit for Exceptions that are filed contemporaneously with this Motion, and in support thereof would respectfully show the following:

TCMUD 12's Exceptions to the Proposal for Decision exceed the 50-page limit imposed by P.U.C. PROC. R. 22.72(f). Pursuant to P.U.C. PROC. R. 22.72(f), a presiding officer may establish a larger page limit, and in doing so shall consider factors such as which party has the burden of proof and the extent of opposition to a party's position that would need to be addressed in the document.

TCMUD 12 has the burden of proof in this docket. All parties, including WTCPUA, City of Bee Cave, Hays County, West Travis County MUD No. 5, and Commission Staff opposed TCMUD 12's Petition which arises under Tex. Water Code § 13.043(f). In addition, the 63 page Proposal for Decision (PFD) in this matter, issued by the Honorable William G. Newchurch on September 30, 2015, recommends denial and dismissal with prejudice of TCMUD 12's Petition. TCMUD 12's Petition was heard under the Commission's Public Interest Rule, and is a case of first impression.


TCMUD 12's Exceptions must address virtually every finding and conclusion in the PFD. The length of TCMUD 12's Exceptions is a direct result of the extensive evidentiary record, needing to respond to the analyses of every issue in the PFD, and the lack of Commission precedent for analyzing the Public Interest standard.

WHEREFORE, PREMISES CONSIDERED, TCMUD 12 respectfully requests that the Commission grant it leave to exceed the page limit pursuant to P.U.C. PROC. R. 22.72(f) and for such further relief to which it may be entitled.

Respectfully Submitted,

SMITH TROSTLE & HUERTA LLP
4401 Westgate Blvd., Ste. 330
Austin, Texas 78745
(512) 494-9500 (Telephone)
(512) 494-9505 (Facsimile)
ktrostle@smithtrostle.com

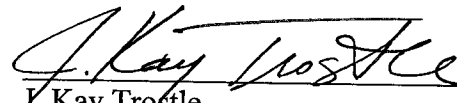
By:


J. Kay Trostle
State Bar No. 20238300
Miguel A. Huerta
State Bar No. 00787733

**ATTORNEYS FOR TRAVIS COUNTY
MUNICIPAL UTILITY DISTRICT NO. 12**

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of October, 2015, a true and correct copy of the above and foregoing document is being served via electronic mail, facsimile, U.S. mail and/or hand delivery to all parties of record.


J. Kay Trostle