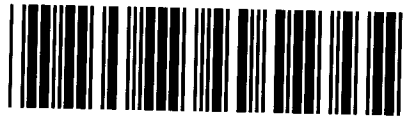


Control Number: 42944



Item Number: 41

Addendum StartPage: 0

DOCKET NO. 42944

APPLICATION OF THE CITY OF §
THRALL TO AMEND A §
CERTIFICATE OF CONVENIENCE §
IN WILLIAMSON COUNTY (36627- §
C) §
§
§
§

PUBLIC UTILITY COMMISSION

OF

TEXAS

RECEIVED
2015 FEB -6 PM 2:36
PUBLIC UTILITY COMMISSION
FILING CLERK

**COMMISSION STAFF'S STATUS UPDATE AND REQUEST FOR
ADDITIONAL TIME**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Status Update and Request for Additional Time and would show the following:

I. BACKGROUND AND DISCUSSION

On January 28, 2010, the City of Thrall (Thrall) filed with the Texas Commission on Environmental Quality (TCEQ) an application to amend a Certificate of Convenience and Necessity No. 13036 in Williamson County pursuant to TEX. WATER CODE ANN. §§ 13.242 thru 13.250 and 30 TEX. ADMIN. CODE §§ 291.101 thru 291.107.¹ The application was received by the Commission on September 5, 2014. Order No. 3 allowed Staff until February 6, 2015 to reach out to the parties and provide a status update. Therefore, this pleading is timely filed.

Thrall provided notice of the application and received hearing requests from two affected parties. The matter was referred to the State Office of Administrative Hearings (SOAH) and a preliminary hearing was held at SOAH on January 5, 2011 where, aside from the TCEQ, NOACK WSC, and Stiles Farm were named as parties. The parties engaged in settlement negotiations for a protracted period of time and initiated formal discovery when settlement seemed unlikely. However, the parties reached a settlement on October 11, 2012, and SOAH remanded the case TCEQ for further

¹ Currently P.U.C. SUBST. Rs. 24.101 thru 24.107

A1

processing on October 23, 2012. For reasons unknown to Staff, a final order from TCEQ cannot be found.

II. STATUS UPDATE AND REQUEST FOR ADDITIONAL TIME

The parties have been responsive to Staff's interest in finalizing this matter, and the City of Thrall is producing documents that will aid in the drafting of a proposed final order. Therefore, Staff requests additional time to continue to work with the parties, and provide a proposed order or status update by March 20, 2015.

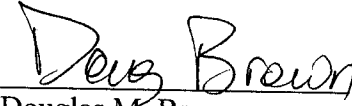
III. CONCLUSION


Staff request the ALJ issue an order consistent with the above recommendations.

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

 w/permission
Douglas M. Brown
Attorney-Legal Division
State Bar No. 24048366
(512) 936-7203
(512) 936-7268 (facsimile)
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326



DOCKET NO. 42944
CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on
February 6, 2015 in accordance with P.U.C. Procedural Rule 22.74.

Doug Brown w/ permission
Douglas M. Brown

Stephane