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DOCKET NO. 42944

APPLICATION OF THE CITY OF § PUBLIC UTILITY COMMISSION
THRALL TO AMENDS A §
CERTIFICATE OF CONVENIENCE §
IN WILLIAMSON COUNTY (36627- §
C) §
§
§
§
OF
TEXAS

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

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), 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 or Applicant) filed with the Texas Commission on Environmental Quality (TCEQ) an application (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.

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

Order No. 5 allowed staff until May 12, 2015 to file a status update. Therefore, this pleading is timely filed.

¹ 16 TAC §§ 24.101-24.107.

II. STATUS UPDATE AND REQUEST FOR ADDITIONAL TIME

The parties continue to communicate with Staff in an effort to finalize this matter. The City of Thrall submitted mapping information needed by Staff. Staff continues its review of that mapping information and is working towards a final settlement. Therefore, Staff requests additional time to continue to work with the parties and provide a proposed order or status update by July 12, 2015. Staff conferred with the other parties, and none objected to this pleading.


III. CONCLUSION

Staff respectfully requests the ALJ issue an order consistent with the above recommendations.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 12, 2015 in accordance with P.U.C. Procedural Rule 22.74.



Douglas M. Brown