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DOCKET NO. 42944

RECEIVED

APPLICATION OF THE CITY OF  
THRALL TO AMEND A  
CERTIFICATE OF CONVENIENCE  
IN WILLIAMSON COUNTY (36627-  
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PUBLIC UTILITY COMMISSION

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PUBLIC UTILITY COMMISSION  
FILING CLERK

### 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. In support thereof, Staff shows 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 §§ 13.242 thru 13.250 (TWC) and 16 Tex. Admin. Code §§ 24.101 thru 24.107(TAC). 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. 15 allowed Staff until July 15, 2016 to file a status update.

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## **II. STATUS UPDATE AND REQUEST FOR ADDITIONAL TIME**

Staff reviewed the proposed order sent by Thrall and provided edits, as well as providing other proposed documents to Thrall necessary to the settlement package. Thrall is currently reviewing those documents. The settlement package will be submitted to the ALJ when all parties consent. Staff proposes to file a proposed notice of approval or status update by August 2, 2016.

## **III. CONCLUSION**

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


Respectfully Submitted,

**PUBLIC UTILITY COMMISSION**

**LEGAL DIVISION**

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Division Director

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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record July 15, 2016  
in accordance with 16 TAC § 22.74.

  
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Douglas M. Brown