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PUC DOCKET NO. 43114

APPLICATION OF CITY OF
MIDLOTHIAN AND MOUNTAIN PEAK
SPECIAL UTILITY DISTRICT FOR
SALE, TRANSFER AND MERGER OF
CERTIFICATE RIGHTS IN ELLIS
COUNTY (36233-C)

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PUBLIC UTILITY COMMISSION
OF TEXAS

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MOUNTAIN PEAK SPECIAL UTILITY DISTRICT'S NOTICE OF APPEARANCE

TO THE HONORABLE JUDGE SUSAN E. GOODSON:

NOW COMES, Mountain Peak Special Utility District ("Mountain Peak") and files this Notice of Appearance.

Notice of Appearance

Mountain Peak is represented in this matter by the law firm of Miller Mentzer Walker, P.C. and all motions, orders, correspondence and other documents and communications regarding this matter should be directed as follows:

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While Mountain Peak reserves the right to review the Staff's findings and recommendations and comment upon same, Mountain Peak believes that both it and the City of Midlothian agreed to a modified Consent Form in this matter. *See* Docket Item No. 13, with Mountain Peak's conditional concurrence to the Consent Form stating it concurs with the April 15, 2011 staff memorandum, "provided that this concurrence does not ratify or affect any portion of the respective CCNs which

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are not directly depicted on the portion of the map shown.” It is believed that the City of Midlothian agreed to that conditional concurrence. *See* Docket Item No. 12, page 22. However, it is not known whether the Commission’s predecessor agency took any action on those Consent Forms or issued a formal decision, ruling or order in this matter. Mountain Peak respectfully reserves its right to remain involved with the decision-making process regarding this matter and respond to any Staff recommendations.

Respectfully submitted,

/s/ Read Cook

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September 2015, a true and correct copy of the foregoing document was served on the individuals listed below by hand delivery, email, facsimile or First Class Mail.

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Attorney for Commission Staff

/s/ Read Cook

Read Cook