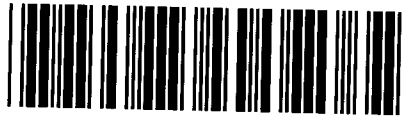


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DOCKET NO. 43114

RECEIVED

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

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PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

**ORDER NO. 3
ESTABLISHING DEADLINES**

On September 29, 2015, the City of Midlothian (Midlothian) and Mountain Peak Special Utility District (Mountain Peak) (collectively Applicants) responded to Order No. 2 in this proceeding, providing clarifying information regarding this application. Mountain Peak explained that pursuant to a 1996 agreement between the Applicants, which was approved by the Texas Natural Resources Conservation Commission (nka Texas Commission on Environmental Quality (TCEQ)), Midlothian and Mountain Peak agreed to dual certification in certain areas with Midlothian to serve industrial customers and Mountain Peak to serve non-industrial customers. A 2008 agreement between the Applicants modifying that 1996 agreement is before the Public Utility Commission of Texas (Commission) in this application and requests that approximately 43 acres of other-than-industrial area that is currently dually certificated be singly certificated to Midlothian and that an approximate 119 acre residential portion of the area that is currently dually certificated, be singly certificated to Mountain Peak. The Applicants filed this application as a sale, transfer or merger, but after discussions with TCEQ, agreed that it should proceed under Tex. Water Code § 13.248 (TWC).

On October 14, 2015, Public Utility Commission of Texas (Commission) Staff responded to Order No. 2. Commission Staff stated that based on Applicants' responses to Order No. 2, this application should be processed pursuant to TWC § 13.248. Commission Staff requested permission to file its recommendation in this application after a final recommendation has been issued in Docket No. 42928¹ and 44030 because Commission policy regarding applications under TWC § 13.248 will be clarified in those dockets. Commission Staff

¹ Note: Commission Staff's pleading referenced Docket No. 42898, however that docket has been completed and did not involve TWC § 13.248; Docket No. 42928 appears to have been the intended reference.

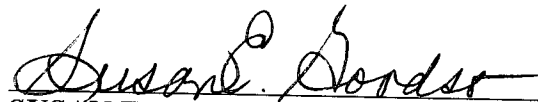
recommended that in the interim Applicants be required to file a proposed notice and list of recipients for Commission Staff's review.

Consistent with Commission Staff's requests and recommendation, the following deadlines are established:

Deadline for Applicants to file proposed notice and list of recipients	November 14, 2015
Deadline for Commission Staff to file a recommendation or an additional procedural schedule.	20 days after issuance of a Notice in Docket Nos. 42928 and 44030.

SIGNED AT AUSTIN, TEXAS on the 19th day of October 2015.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOOSON

ADMINISTRATIVE LAW JUDGE