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DOCKET NO. 43114

**APPLICATION OF CITY OF
MIDLOTHIAN AND MOUNTAIN
CREEK SUD FOR SALE, TRANSFER,
OR MERGER OF CERTIFICATE
RIGHTS IN ELLIS COUNTY (36233-C)**

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PUBLIC UTILITY COMMISSION

OF

TEXAS

2015 DEC 18 PM 1:44
PUBLIC UTILITY COMMISSION
FILING CLERK

COMMISSION STAFF'S RESPONSE TO ORDER NO. 4

PROPOSED ADDITIONAL PROCEDURAL SCHEDULE

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Response to Order No. 4. In support thereof, Staff shows the following:

I. BACKGROUND

On October 30, 2008, the City of Midlothian (Midlothian) and Mountain Peak Special Utility District (Mountain Peak) (collectively Applicants) filed an application for the sale, transfer, or merger (STM or (Application) of facilities and certificates of convenience and necessity (CCN) in Ellis County with the Texas Commission on Environmental Quality (TCEQ). Effective September 1, 2014, the Public Utility Commission of Texas (PUC or Commission) began the economic regulation of water and sewer utilities. This case formerly pending at the TCEQ was transferred to the Commission on September 1, 2014. Staff can find no record of a final order ever being issued by TCEQ.

Order No. 4 allowed Staff until December 18, 2015 to file an additional procedural schedule. Therefore, this pleading is timely filed. Due to the age of this case and its involvement in the transfer, Staff has had difficulty in locating some pertinent documents. Therefore, Staff recently requested necessary mapping information from the Applicant that it still had on file. The Applicants provided the requested information to Staff. Staff is now reviewing that information.

II. PROPOSED PROCEDURAL SCHEDULE

Staff proposes the following procedural schedule:

Deadline for Staff to file a recommendation, comments on notice, and an additional procedural schedule if necessary	January 31, 2015
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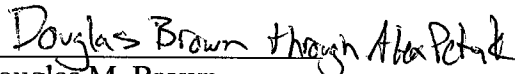
III. CONCLUSION

Staff respectfully requests the entry of an order consistent with the above recommendations.

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division


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DOCKET NO. 43114
CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on December 18, 2015 in accordance with 16 Tex. Admin. Code § 22.74.

Douglas Brown through Alex Petak
Douglas M. Brown