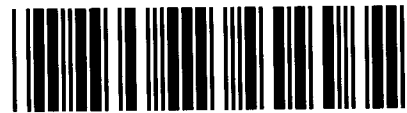


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APPLICATION OF BRAZORIA	§	PUBLIC UTILITY COMMISSION
COUNTY MUNICIPAL UTILITY	§	
DISTRICT NO. 22 FOR CERTIFICATES	§	
OF CONVENIENCE AND NECESSITY	§	
AND FOR DUAL CERTIFICATION	§	OF
WITH THE CITY OF PEARLAND AND	§	
BRAZORIA COUNTY MUNICIPAL	§	
UTILITY DISTRICT NO. 21 IN	§	
BRAZORIA AND FORT BEND	§	
COUNTIES (37946-C) AND (37947-C)	§	TEXAS

STAFF'S RESPONSE TO ORDER NO. 2, STATUS UPDATE AND REQUEST FOR EXTENSION OF DEADLINE FOR STAFF'S RECOMMENDATION ON PROCESSING THE APPLICATION

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files this Staff's Response to Order No. 2, Status Update and Request for Extension of Deadline for Staff's Recommendation on Processing the Application. In support of its Request, Staff states the following:

I. BACKGROUND AND STATUS UPDATE

On June 9, 2014, Brazoria County Municipal Utility District No. 2 (Applicant) filed two applications with the Texas Commission on Environmental Quality (TCEQ) requesting new water and sewer Certificates of Convenience and Necessity (CCN), respectively, in Brazoria and Fort Bend Counties, Texas pursuant to TEX. WATER CODE ANN. Subchapter G and Title 30, TEX. ADMIN. CODE (30 TAC) Subchapter G.¹ In its applications, the Applicant also requested dual certification with the City of Pearland and Brazoria County Municipal Utility District No. 21. On August 18, 2014, the TCEQ accepted the applications for filing but directed the Applicant to mail revised notice to customers. The TCEQ further directed the Applicant to submit a copy of its revised notice mailed to customers along with signed affidavits supporting the revised notice by September 30, 2014.

Effective September 1, 2014, the Commission began the economic regulation of water and sewer utilities and this case formerly pending at the TCEQ was transferred to the Commission. The Commission received the Applicant's two applications on September 19,

¹ Currently Title 16, Tex. Admin. Code (16 TAC) Subchapter G.

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2014. The Applicant's water application was assigned Docket No. 43119 and its sewer application was assigned Docket No. 43120.

On October 10, 2014, Order No. 2 Requiring Comments on Status was issued requiring Staff to file an update on the status of the proceeding, to file a recommendation on the need for a hearing or on final disposition of the application, or to propose a procedural schedule by November 3, 2014. Additionally, Order No. 2 consolidated Docket No. 43119 and Docket No. 43120 into Docket No. 43119. This Response is timely filed.

II. REQUEST FOR EXTENSION OF DEADLINE

As directed by the TCEQ's filing acceptance letter, the Applicant was required to submit its revised notice and signed affidavits supporting the mailed and revised notice by September 30, 2014. As of November 3, 2014, the required documents do not appear to have been filed in the Commission's filings interchange. However, after speaking with the Applicant, it is Staff's belief that good cause exists for Staff to request additional time to locate and review the relevant revised notice documents before submitting its recommendation on how to process this case. The Applicant indicated to Staff that it sent its revised notice and affidavits to the TCEQ in September. Staff believes that the documents either may not have been transferred to the Commission or were inadvertently omitted from the Commission's database during the transfer of water and sewer utility cases from the TCEQ to the Commission. Staff is currently working with the Applicant to locate the required documents and the Applicant has agreed to refile the revised notice and affidavits with the Commission. Therefore, Staff respectfully requests that the Administrative Law Judge extend the deadline for Staff to file a recommendation on the need for a hearing or on final disposition of the application, or to propose a procedural schedule, until Monday, November 17, 2014.

III. CONCLUSION

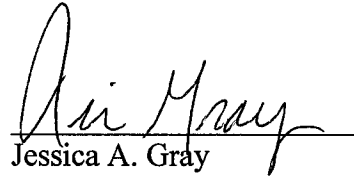
Staff respectfully requests that the Administrative Law Judge extend the deadline for Staff to file its recommendation on processing the application or to propose a procedural schedule until Monday, November 17, 2014.

Date: November 3, 2014

Respectfully Submitted,

Joseph P. Younger
Division Director
Legal Division

Shelah J. Cisneros
Managing Attorney
Legal Division

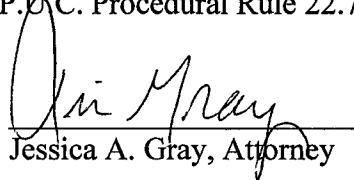


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DOCKET NO. 43119

CERTIFICATE OF SERVICE

I certify that a copy of this document was served his document was served on all parties of record on November 3, 2014 in accordance with P.U.C. Procedural Rule 22.74.



Jessica A. Gray, Attorney