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DOCKET NO. 43177

APPLICATION NI AMERICA TEXAS,
LLC TO AMEND A CERTIFICATE OF
CONVENIENCE AND NECESSITY IN
WISE COUNTY (37937-C)

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PUBLIC UTILITY COMMISSION
OF TEXAS

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**COMMISSION STAFF'S AMENDED RESPONSE TO
ORDER NO. 3 AND REQUEST FOR A PROCEDURAL SCHEDULE**

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files this Amended Response to Order No. 3. In support of its Amended Response, Staff states the following:

I. Background

On May 30, 2014, Ni America Texas, LLC (Ni America), an investor-owned utility, filed an application with the Texas Commission of Environmental Quality (TCEQ). Ni America requests an amendment to its certificate of convenience and necessity (CCN No. 11922). The service area is in Wise County, Texas.

On February 3, 2015, Staff filed its Response to Order No. 3. In its Response, Staff recommended that the Commission find that Ni America's application is administratively complete, as required by P.U.C. SUBST. R. 24.28. Staff also proposed a procedural schedule for the processing of Ni America's application.

Staff has conferred with counsel for Ni America regarding the proposed procedural schedule. Counsel for Ni America requested a modification of the procedural schedule in order to accommodate the publication schedule of the newspaper that will publish notice of Ni America's application. Staff and Ni America have agreed to modify certain dates in the proposed procedural schedule.

II. Amended Proposed Procedural Schedule

Staff requests that the Commission enter the following procedural schedule:

Event	Date
Deadline for Ni America to provide and publish notice of its	February 27, 2015

application.	
Deadline for Ni America to submit affidavit regarding provision of notice	March 6, or thirty (30) days from the date that notice was provided, whichever occurs later
Deadline for Ni America to submit publisher affidavit	March 6, 2015, or thirty (30) days from the date that notice was last published, whichever occurs later
Deadline for intervention; deadline for intervenors to request a hearing on the merits.	March 23, 2015, or thirty (30) days of mailing of notice, whichever occurs later
Deadline for Staff to request a hearing or to file a recommendation on final disposition.	April 6, 2015
Deadline for Ni America to request a hearing or respond to Staff's recommendation on final disposition; or if no disputed issues exist, deadline for parties to file proposed findings of fact, conclusions of law, and ordering paragraphs.	April 20, 2015

III. Conclusion

Staff recommends that Ni America's application be deemed administratively complete for a review on the merits. Staff requests that the Administrative Law Judge issue an order that contains Staff's amended proposed procedural schedule.

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Date: February 6, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Shelah J. Cisneros
Managing Attorney
Legal Division

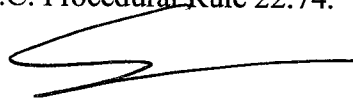


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CERTIFICATE OF SERVICE

I certify that a copy of this document was served his document was served on all parties of record on February 6, 2015 in accordance with P.U.C. Procedural Rule 22.74.



Sam Chang