



Control Number: 43248



Item Number: 15

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APPLICATION BY § BEFORE THE PUBLIC UTILITY
WALTON TEXAS, L.P. §
FOR REVOCATION OF § COMMISSION OF TEXAS
OR EXPEDITED RELEASE §
FROM CCN No. 20887 §

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**MOTION TO VOLUNTARILY WITHDRAW THE PETITION
IN THE MATTER OF WALTON's PETITION FOR
REVOCATION OF CCN NO. 20887,
& TO DISMISS DOCKET No. 43248**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW Walton Texas, L.P. ("Petitioner"), and files this Motion to Voluntarily Withdraw its Petition and, thereafter, to dismiss the pending Public Utility Commission of Texas Docket No. 43248 and, in support thereof, would show the following:

I.
FACTS

Pursuant to Order No. 4, in this Docket No. 43248, Walton Development Petition pursuant to Section 13.254(a-1), Texas Water Code, remains pending and has not yet been declared to be "administratively complete" for purposes of continued processing, including the possibility of conducting a hearing on the merits. Petitioner has filed a separate petition pursuant to Section 13.254(a-5), Texas Water Code (the "2nd Petition").

Petitioner's 2nd Petition has been docketed as PUC Docket No. 43489, and has been declared to be "administratively complete" by Order No. 2, dated December 15, 2014, in that Docket. Petitioner has concluded that in consideration of judicial economy and the beneficial use of the resources of all of the Parties to this Docket, Petitioner should pursue its remedies in

Docket No. 43489, and seek dismissal of this Docket No. 43248.

II.
MOTION TO VOLUNTARILY WITHDRAW & DISMISS

Pursuant to PUC Rules of Procedure, Section 22.181(b), Petitioner withdraws without prejudice to refile its Petition. Based upon the withdrawal of its Petition in this Docket No. 43248, Petitioner moves for dismissal of Docket No. 43248 pursuant to PUC Rules of Procedure, Section 22.181(a)(1)(H) ("other good cause," *i.e.*, voluntary withdrawal of the Petition).

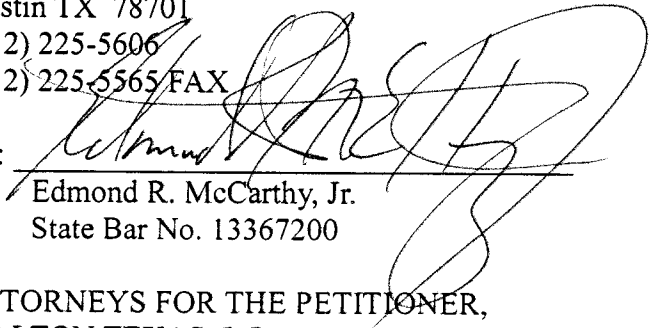
III.
CONCLUSION & PRAYER

WHEREFORE, PREMISES CONSIDERED, PUC Rules of Procedure, Section 22.181(a)-(b), the Petitioner respectfully requests that the Commission accept Petitioner's voluntarily withdrawal of its Petition and process this Docket No. 43248 for voluntary dismissal without prejudice to Petitioner to refile, and issue orders accordingly.

Respectfully submitted,

JACKSON, SJOBERG, MCCARTHY & TOWNSEND, L.L.P.

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(512) 225-5606
(512) 225-5565 FAX

By: 
Edmond R. McCarthy, Jr.
State Bar No. 13367200

ATTORNEYS FOR THE PETITIONER,
WALTON TEXAS, L.P.

CERTIFICATE OF SERVICE

I hereby certify that a foregoing Motion to Voluntarily Dismiss Walton's Petition for Expedited Release from CNN No. 20887, and for Dismissal of this Docket No. 43248, was served on the CCN Holder, and its Registered Agent, of CCN No. 20887 at the last known address as identified in the records of the Texas Secretary of State, and to all parties shown below, via certified mail, return receipt requested to the addresses shown below the on this 19th day of December, 2014:

CCN No. 20887 Holder:

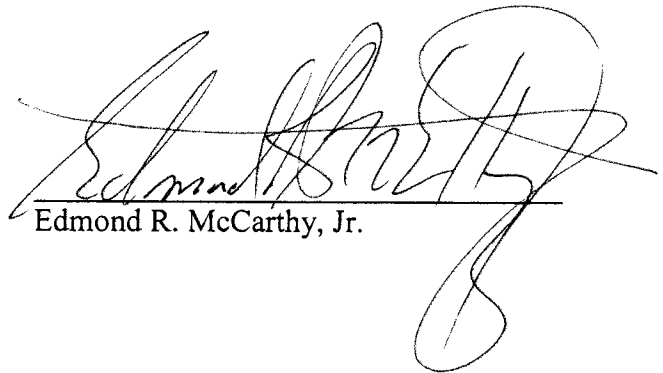
Attn: Dwight Zemp
Sweetwater Utility, LLC
220 Malibu St.
Castle Rock, Colorado 80109

Registered Agent (per SOS Records)

Sweetwater Utility LLC
c/o CT Corporation System
350 North St. Paul St.
Dallas, Texas 75201

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