



Control Number: 43452



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RECEIVED

APPLICATION OF THE TOWN OF §  
 LITTLE ELM TO AMEND ITS §  
 CERTIFICATE OF CONVENIENCE §  
 AND NECESSITY AND TO §  
 DECERTIFY PORTIONS OF §  
 CERTIFICATES HELD BY MUSTANG §  
 SPECIAL UTILITY DISTRICT AND §  
 TERRA SOUTHWEST INC. IN §  
 DENTON COUNTY (37896-C, 37897-C) §

PUBLIC UTILITY COMMISSION

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OF TEXAS  
 PUBLIC UTILITY COMMISSION  
 FILING CLERK

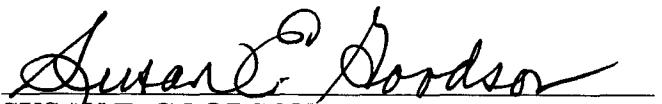
**ORDER NO. 22**  
**REQUIRING FILINGS AND ESTABLISHING DEADLINES**

This Order addresses Commission Staff's August 26, 2016 recommendation that the notice of this application provided by the Town of Little Elm be deemed sufficient; provided that, Little Elm must timely provide notice of its application to the Denton County Municipal Utility District No. 8, (DCMUD 8). Commission Staff stated that Little Elm was instructed to provide notice to DCMUD 8, but failed to provide proof that such notice was provided.

Commission Staff did identify DCMUD 8 as an entity to which notice of this application must be provided in its July 15, 2016 recommendation, and the affidavits of notice provided by Little Elm do not include DCMUD 8. However, it is not clear whether Little Elm failed to notice DCMUD 8 or failed to include DCMUD 8 in its affidavit. Further, because the 30-day intervention period begins on the last date notice is provided,<sup>1</sup> it is not appropriate to find notice sufficient and adopt a procedural schedule until all notice has been provided. For this reason, on or before **September 16, 2016**, Little Elm shall submit proof that it has provided notice of this application to DCMUD 8. Within 10 days of Little Elm submitting such proof, Commission Staff shall provide an updated recommendation regarding the sufficiency of notice provided and a proposed procedural schedule.

SIGNED AT AUSTIN, TEXAS the 31<sup>ST</sup> day of August 2016.

PUBLIC UTILITY COMMISSION OF TEXAS

  
 SUSAN E. GOODSON  
 ADMINISTRATIVE LAW JUDGE

<sup>1</sup> 16 Tex. Admin. Code § 24.106(a)(3).

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