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DOCKET NO. 43712

APPLICATION OF LAKE
LIVINGSTON WATER SUPPLY AND
SEWER SERVICE CORPORATION
AND TYLER COUNTY WATER
SUPPLY CORPORATION FOR SALE,
TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN TYLER COUNTY (37966-S)

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PUBLIC UTILITY COMMISSION
OF TEXAS

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FILING CLERK

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COMMISSION STAFF'S REQUEST FOR AN EXTENSION

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files its Request for an Extension. Staff requests that that the deadline for the applicant to file a response to Staff's recommendation or, if there are no disputed issues, for parties to file a joint proposed notice of approval be extended from August 3, 2015 to August 17, 2015. In support of its Request for an Extension, Staff states the following:

I. Background

On June 30, 2014, Lake Livingston Water Supply and Sewer Service Corporation (Lake Livingston WSC) filed an application with the Texas Commission on Environmental Quality (TCEQ). Lake Livingston WSC requested approval of the sale and transfer of its water certificate of convenience and necessity (CCN No. 10147) and the accompanying water system for the Wayward Winds Estates subdivision in Tyler County, Texas. Tyler County Water Supply Corporation (Tyler County WSC) is the purchaser/transferee. As part of the application, Lake Livingston WSC and Tyler County WSC also requested an amendment to Tyler County WSC's CCN No. 11528 to reflect the sale and transfer of Lake Livingston WSC's CCN No. 10147 and water system for the Wayward Winds Estates subdivision.

Effective September 1, 2014, the Commission began the economic regulation of water and sewer utilities. This proceeding, which was pending at the TCEQ, was transferred to the Commission for processing.

On June 24, 2015, the Administrative Law Judge entered Order No. 9, which established July 20, 2015 as the deadline for Staff to either request a hearing or file its recommendation regarding Lake Livingston WSC's application. Additionally, Order No. 9 established August 3,

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2015 as the deadline for Lake Livingston WSC to either respond to Staff's recommendation or, if there are no disputed issues, for parties to file a proposed notice of approval.

On July 21, 2015, the Administrative Law Judge entered Order No. 10, which established July 31, 2015 as the deadline for Staff to either request a hearing or file its recommendation regarding Lake Livingston WSC's application.

On July 31, 2015, Staff filed its Recommendation on Final Disposition. Staff recommended that the Commission approve Lake Livingston WSC's application and the sale and transfer transaction between Lake Livingston WSC and Tyler County WSC.

II. Request for an Extension

The Commission's procedural rules permit deadlines to be extended upon a showing of good cause.¹ There is good cause in this proceeding because Lake Livingston WSC will need additional time to review Staff's recommendation to decide whether to file a response or a joint proposed notice of approval. Thus, Staff requests that the deadline for Lake Livingston WSC to file a response to Staff's recommendation or, if there are no disputed issues, for the parties to file a joint proposed notice of approval be extended from August 3, 2015 to August 17, 2015.

III. Conclusion

Staff requests that the deadline for Lake Livingston WSC to file a response to Staff's recommendation or, if there are no disputed issues, for the parties to file a joint proposed notice of approval be extended from August 3, 2015 to August 17, 2015.

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¹ 16 Tex. Admin. Code § 22.4(b).

Date: August 3, 2015

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record on August 3, 2015,
in accordance with 16 TAC § 22.74.



Sam Chang