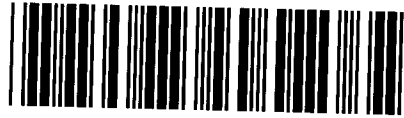


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PUBLIC UTILITY COMMISSION
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APPLICATION OF PALO DURO	§	BEFORE THE STATE OFFICE
SERVICE COMPANY, INC. TO AMEND	§	
ITS CERTIFICATE OF CONVENIENCE	§	OF
AND NECESSITY IN PARKER AND	§	
WISE COUNTIES	§	ADMINISTRATIVE HEARINGS

**APPLICANT'S OBJECTION TO COMMISSION
STAFF'S MOTION TO DISMISS**

Applicant files this motion in objection to Staff's Motion to Dismiss the application of Palo Duro Service Company Inc. to amend Water Certificate of Convenience and Necessity Number 12200 in Parker and Wise Counties. Palo Duro would rather schedule a hearing on this matter.

I. BACKGROUND

The Staff filed its Motion to Dismiss in accordance with the schedule established by the Administrative Law Judge in SOAH Order No. 5.

II. OBJECTION TO DISMISSAL

Staff has filed the Motion to Dismiss based on the fact that there are items of non-compliance listed against the Applicant in the various Texas Commission on Environmental Quality data bases. The Applicant was advised of many of these items on June 25, 2016 and has not had sufficient time to address the various items. There was an agreed order issued on April 19, 2016 as a result of an inspection performed over a year prior and documentation for the corrective actions for the violations had not been logged by the Texas Commission on Environmental Quality. A review of the violations reported reveals that many have been corrected and not "checked off", others are simple "paper work" violations which will be corrected in short order.

The Applicant has not failed to prosecute the matter, but instead has had to address many things that have already been resolved but have not yet been removed from the data bases as pending violations.

Additional time will allow the Applicant to insure that necessary documentation has been provided to all parties requiring notice.

III. CONCLUSION

Applicant respectfully objects to the dismissal of the application and request either additional time to work with TCFQ Staff to insure that notice of the corrective action is distributed or that the application move forward to hearing

Respectfully Submitted

Richard Micheletti, President
Palo Duro Service Company, Inc.



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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record July 29, 2016.



William I. Boomer, P.F.