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DOCKET NO. 44028

**APPLICATION OF THE CITY OF
THREE RIVERS TO AMEND A
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN LIVE OAK COUNTY
(37900-C)**

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PUBLIC UTILITY COMMISSION

OF TEXAS

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**COMMISSION STAFF'S REVISED RESPONSE TO ORDER NO. 8
AND PROPOSED NEW PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Commission Staff's Revised Response to Order No. 8 and Proposed New Procedural Schedule. In support thereof, Staff shows the following:

I. BACKGROUND

On April 25, 2014, the City of Three Rivers (Applicant) filed an application to amend its water certificate of convenience and necessity (CCN) in Live Oak County, Texas with the Texas Commission on Environmental Quality (TCEQ). The application was received by the Public Utility Commission of Texas (Commission) on January 2, 2015.

In Order No. 8, issued December 7, 2015, the Commission administrative law judge (ALJ) ordered Staff to file a recommendation on the amended application or request a new procedural schedule by January 8, 2016. This pleading is therefore timely filed.

II. NEW PROCEDURAL SCHEDULE

Pursuant to 16 Tex. Admin. Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Staff has not received responses from the Applicant to Staff's Third Request for Information (Staff's 3rd RFI). Pursuant to 16 TAC § 22.144(c)(1), the Applicant's responses to Staff's 3rd RFI were due on December 29, 2015, twenty days after Applicant's receipt of the request. Staff has communicated with the Applicant and understands that the Applicant has not yet received bids from contractors, which the Applicant needs in order to compile a work cost estimate that is responsive to the RFI. Staff has agreed to accept a late submission of the Applicant's responses by January 20, 2016, pending approval of the below proposed new procedural schedule. Because of this late response, Staff will require additional time for review.

Following Staff's review of the RFI responses, Staff will then require thirty days to complete final mapping, at which time Staff will provide the final map and revised certificates to the Applicant. The Applicant will then have two weeks to review these materials, provide input on any revisions, and return a signed consent. Given these timelines, Staff respectfully requests that the ALJ find good cause to extend Staff's deadline to file a final recommendation to March 25, 2016 and adopt the below revised procedural schedule:

Event:	Date:
Agreed-upon, revised deadline for the City of Three Rivers to respond to Commission Staff RFI 3-1	January 20, 2016
Deadline for Commission Staff to provide revised maps and certificates to the parties for review and consent, or propose a revised procedural schedule	March 8, 2016
Deadline for Parties to file signed consent forms with the Commission showing consent to revised maps and certificates	March 22, 2016
Deadline for Commission Staff to file a recommendation on final disposition or proposed a revised procedural schedule	March 25, 2016

Staff has communicated with the Applicant and is authorized to represent that the Applicant does not oppose Staff's proposed new procedural schedule.

III. CONCLUSION

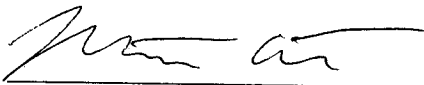
For the reasons stated above, Staff respectfully requests the entry of an order adopting Staff's proposed new procedural schedule.

Dated: January 8, 2016

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

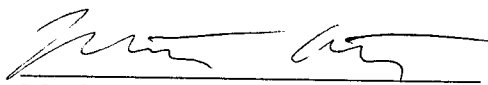
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record January 8, 2016,
in accordance with 16 TAC § 22.74.



Matthew Arth