



Control Number: 44029



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DOCKET NO. 44029

APPLICATION OF THE CITY OF  
GARRETT FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY AND  
TO DECERTIFY A PORTION OF THE  
CERTIFICATE RIGHTS HELD BY  
COMMUNITY WATER SYSTEMS IN  
ELLIS COUNTY (37969-C)

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PUBLIC UTILITY COMMISSION  
OF TEXAS  
2015 JUN 29 11:09

**STAFF'S RESPONSE TO ORDER NO. 5 AND REQUEST FOR EXTENSION**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Response to Order No. 3, and would show the following:

**I. Background**

On July 3, 2014, the City of Garrett (Garrett or Applicant) filed an application for a certificate of convenience and necessity and to decertify a portion of the certificates rights held by Community Water Systems in Ellis County with the Texas Commission on Environmental Quality.

On June 9, 2015, Order No. 5 was issued requiring Garrett to amend its application to cure the deficiencies previously noted by Staff and requiring Staff to file a supplemental recommendation on the application or propose a procedural schedule, if necessary, by August 3, 2015. Accordingly, this pleading is timely filed.

**II. Request for Extension**

Staff respectfully requests that good cause be found to extend the deadline for both Garrett's and Staff's responses to Order No. 5. Staff has been in constant contact with the Applicant to actively process the application since it was filed. Staff's review of water CCN applications is a meticulous, time intensive practice, and Staff has limited resources to process this kind of application. The Applicant has the burden of providing the required information with its application in a timely manner. Processing of the application cannot proceed until the requested items are received and reviewed.

Staff has conferred with the Applicant regarding the remaining deficiencies and both parties are confident that the deficiencies can be cured and the application processed. In order to afford the Applicant time to file the appropriate supplemental information and to allow Staff the opportunity to provide a thorough analysis of this application, Staff respectfully requests that good cause be found to extend the deadline for both Garrett's and Staff's responses to Order No. 5.

### **III. Proposed Procedural Schedule**

Due to the deficiencies in the application, Staff does not recommend a procedural schedule for the evaluation of the merits at this time. Staff recommends that Garrett be given until August 3, 2015 to cure the deficiencies identified by Staff. Furthermore, Staff recommends that the deadline for Staff to file a supplemental recommendation on the application or propose a procedural schedule, if necessary, be set as September 4, 2015.

### **IV. Conclusion**


Staff respectfully requests that an order be issued consistent with this Response.

**Dated: June 29, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director – Legal Division

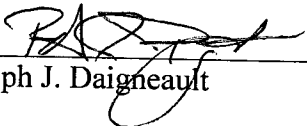
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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on June 29, 2015, in accordance with P.U.C. Procedural Rule 22.74.

  
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Ralph J. Daigneault