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# PUC DOCKET NO. 44267 RECENTED

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APPLICATION OF DOUBLE	§	PUBLIC UTILITY COMMISSION
DIAMOND DBA THE CLIFFS	§	FILING CLERK
RESORT TO OBTAIN OR AMEND A	§	OF TEXAS
WATER/SEWER CERTIFICATE OF	§	A Company of the Comp
CONVENIENCE AND NECESSITY IN	§	
PALO PINTO COUNTY	§	

## DOUBLE DIAMOND UTILITIES, INC. DBA THE CLIFFS RESORT'S UNOPPOSED REQUEST FOR AN EXTENSION OF TIME

COMES NOW, Double Diamond Utilities, Inc. dba The Cliffs Resort ("Double Diamond"), by and through its attorneys of record, and files this unopposed request for an extension of time and would show the following:

#### I. BACKGROUND

On January 13, 2015, Double Diamond filed an application to amend its water Certificate of Convenience and Necessity ("CCN") No. 12087 and its sewer CCN No. 20705 in Palo Pinto County, Texas, under Tex. Water Code Ann. §§ 13.246, 13.254 and P.U.C. Subst. R. 24.105. The requested amendment is sought to amend the CCNs to include an area developed subsequent to the original development and where services are already being provided.

On February 12, 2015, PUC Staff filed comments on the application and determined that it is not administratively complete due to material deficiencies. On April 10, 2015, Double Diamond submitted additional information requested by PUC Staff. On May 4, 2015, PUC Staff again filed comments on the application and again determined that it is not administratively complete due to material deficiencies. On May 7, 2015, the Administrative Law Judge ("ALJ") issued Order No. 2 requiring Double Diamond to amend its application in order to cure the deficiencies on or before May 29, 2015.

## II. REQUEST FOR AN EXTENSION OF TIME

Double Diamond respectfully requests a one hundred and twenty day (120) extension of the deadlines established in Order No. 4. Double Diamond's amendment application includes certain property that is currently within Possum Kingdom WSC's CCN (CCN No. 12890). Possum Kingdom WSC does not serve the area and has no objections to Double Diamond being singly certified to serve the area. Possum Kingdom is, however, federally indebted. As such, the PUC Staff has requested a letter or other documentation from the United Stated Department of Agriculture – Rural Development releasing its lien on the subject property. Double Diamond does not believe that such documentation is required to render the application administratively complete. Nevertheless, through Possum Kingdom WSC, Double Diamond is in the process of obtaining this documentation, but additional time is needed. Double Diamond understands that it may take up to four months to obtain the necessary documentation from the USDA due to USDA's own internal processes. PUC Staff is unopposed to the request for additional time for Double Diamond to amend its application.

### III. CONCLUSION

Double Diamond respectfully requests that the deadlines established in Order No. 4 be extended by one hundred and twenty days. As such, the requested deadlines are as follows:

September 28, 2015 Double Diamond to amend application to cure deficiencies

October 28, 2015 Commission Staff to file a supplemental recommendation

regarding administrative completeness

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Respectfully submitted,

JACKSON WALKER L.L.P.

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ATTORNEYS FOR DOUBLE DIAMOND D/B/A THE CLIFFS RESORT

**CERTIFICATE OF CONFERENCE** 

On May 27, 2015, I conferred with Mandeep Chatha, PUC Attorney, and the indicated that the PUC is unopposed to the Request.

Ali Abozori

## **CERTIFICATE OF SERVICE**

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

Mandeep Chatha Attorney-Legal Division Public Utility Commission of Texas 1701 N. Congress Avenue P. O. Box 13326 Austin, Texas 78711-3326

Ali Abazari