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DOCKET NO. 44333

**APPLICATION OF THE CITY OF §
DEKALB TO AMEND A WATER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN BOWIE COUNTY §**

PUBLIC UTILITY COMMISSION

OF TEXAS

2015 NOV 18 PM 3:58
PUBLIC UTILITY COMMISSION
FILING CLERK

**ORDER NO. 6
THIRD ORDER REQUIRING RE-ISSUANCE OF NOTICE AND
ESTABLISHING A PROCEDURAL SCHEDULE**

On April 20, 2015, Order No. 3 was issued in this proceeding, deeming this application sufficient, instructing the City of Dekalb (the City or DeKalb) to provide notice consistent with Public Utility Commission of Texas (Commission) Staff's April 16, 2015 filing, and establishing a procedural schedule, including a June 10, 2015 deadline for the City to file its affidavits of notice. On June 10, 2015, the City filed affidavits and other proof of notice.

On July 21, 2015, Order No. 4 was issued, deeming the notice actually provided by the City deficient, requiring the re-issuance of notice and establishing an August 20, 2015 deadline for filing affidavits of notice and copies of the actual notice provided. On August 21, 2015, the City filed additional proof of notice.

On September 25, 2015, Order No. 5 was issued, requiring the City to again re-issue notice and establishing an October 15, 2015 deadline for the City to file proof of notice. On November 17, 2015, Commission Staff responded to Order No. 5 and stated that the City has not filed proof of re-noticing as required in Order No. 5. Commission Staff recommends that the City be required to cure the noted deficiencies identified in Order No. 5 or face potential dismissal of the application.

Consistent with Commission Staff's recommendation, the City shall re-issue notice as it has been instructed and cure the deficiencies identified in Commission Staff's September 22, 2015 filing and the attached memorandum of Leila Guerrero in the Commission's Water Utility Regulation Division. The City is advised that failure to respond to Order No. 5 may result in dismissal of this application. Additionally, the procedural schedule proposed by Commission Staff shall apply:

Deadline for DeKalb to resubmit affidavits of notice and the actual notice issued	December 1, 2015
Deadline to intervene, file comments, or request a hearing	30 days after notice is issued
Deadline for Staff to file a recommendation, request for hearing, and/or an additional procedural schedule	January 7, 2015

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SIGNED AT AUSTIN, TEXAS on the 18th day of November 2015.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in cursive script, appearing to read "Susan E. Goodson", is written over a horizontal line.

SUSAN E. GOODSON

ADMINISTRATIVE LAW JUDGE