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**SOAH DOCKET NO. 473-15-3743.WS
PUC DOCKET NO. 44485**

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RATEPAYERS APPEAL OF THE §
DECISION BY THE CITY OF WILMER §
TO CHANGE WATER RATES §
PUBLIC UTILITY COMMISSION
OF TEXAS

**RATEPAYER'S REQUEST FOR EXTENSION OF DEADLINE TO RESPOND TO STAFF
MOTION FOR SUMMARY DECISION**

COMES NOW Joseph Aldrich, representing the affected Ratepayers, and files this Request for Waiver of Extension of Deadline to Respond to Staff Motion For Summary Decision. In support thereof, Ratepayers shows the following:

I. BACKGROUND

On February 24, 2015, outside ratepayers (Ratepayers) of the City of Wilmer (City) filed an appeal of the rates adopted by the Wilmer City Council. On May 7, 2015 the Commission referred the docket to the State Office of Administrative Hearings (SOAH), and on June 17, 2015, SOAH Order No. 2 was issued, which established a procedural schedule for parties to pre-file direct testimony and for a hearing on the merits. The procedural schedule set a deadline for direct testimony for the City as August 26, 2015, for Ratepayers as September 16, 2015, and for Staff as October 7, 2015. Ratepayers filed direct testimony on September 18, 2015, which was held by Central Filing Clerk for insufficient filing copies and lack of electronic filing process. No notice was given to Ratepayers to correct filing deficiencies due to an invalide service address. Central Filing states that an attempt was made to notify Ratepayer's representative at an invalid email service address, which had been corrected by Ratepayers Representative in an email to PUC Staff Attorney on March 7, 2015. Staff filed a motion for summary decision on October 6, 2015, which was received by ratepayer's about October 10, 2015. Filing error was discovered on October 16, 2015 when Ratepayer's Representative reviewed Staff's Motion for Summary Decision and determined Ratepayer's Direct Testimony had not been timely filed. Sufficient additional copies of Ratepayer's Direct Testimony and an electronic submission of same were sent via postal service on October 17, 2015 and shown to be delivered by same to PUC Central Filing on October 21, 2015. At present, Central Filing has not yet processed Ratepayer's Testimony into their Electronic Information System.

II. REQUEST FOR EXTENSION OF DEADLINE TO RESPOND

Ratepayer's request an extension of Ratepayer's deadline to respond to Staff's Motion for Summary Decision until Monday, October 26, 2015 in order to prepare and timely file a response to Staff's Motion for Summary Decision. Ratepayer's generally do not object to Staff's Motion, but do wish to file a timely response and ask that Ratepayer's Direct Testimony be considered in the decision on the

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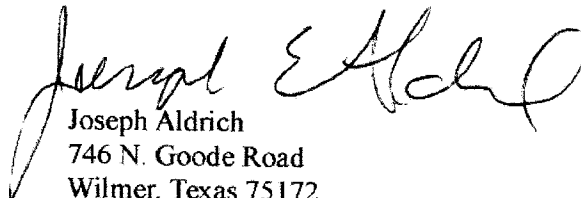
motion. Ratepayer's conclude that an extension of five calendar days should be sufficient to file a timely response.

III. CONCLUSION

Ratepayer's respectfully requests the AU issue an order consistent with the above request.

Dated: October 21, 2015

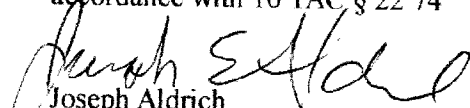
Respectfully Submitted,


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on October 21, 2015 in accordance with 16 TAC § 22.74


Joseph Aldrich