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DOCKET NO. 44721

APPLICATION OF QUADVEST, L.P.
TO AMEND CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
HARRIS COUNTY

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PUBLIC UTILITY COMMISSION
OF TEXAS

2016 MAR 29 PM 1:02
PUBLIC UTILITY COMMISSION
FILING CLERK

ORDER NO. 11
DENYING MOTION TO DISMISS AND ESTABLISHING A DEADLINES

This Order addresses Commission Staff's motion to dismiss Quadvest, L.P.'s application for failure to prosecute¹ and Quadvest's March 28, 2016 filings. On March 8, 2016, Order No. 9 was issued in this application, establishing and emphasizing a March 22, 2016 deadline for Quadvest to file proof that an application that will clear the overlap with certificated service area requested in this application and an Aqua Texas CCN had been filed with the Commission. This deadline was necessary because Quadvest appeared to misunderstand how and by whom a petition for expedited release could be initiated and Quadvest had on multiple occasions stated that the expedited releases it would seek in this application would clear the overlaps with Aqua Texas's CCN and the requested service area in this application. Quadvest did not respond to Order No. 9. Therefore, on March 23, 2016, Commission Staff moved to dismiss this application for failure to prosecute.

On March 28, 2016, Quadvest made two filings; first, a letter asking that this application not be dismissed and second, a letter from Aqua Texas consenting to decertification of the portion of its certificate that overlaps with the certificated service area requested by Quadvest in this application. Accordingly, Commission Staff's motion to dismiss this application is denied.

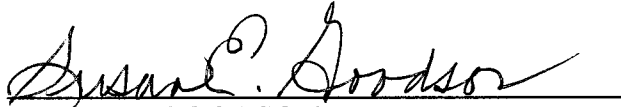
On or before **April 22, 2016**, Commission Staff shall provide a supplemental recommendation on the sufficiency of this application and notice, and propose additional procedural schedule, if appropriate. As before, if the recommendation is that this application remains deficient, Commission Staff shall comment on whether dismissal is appropriate. If Commission Staff recommends dismissal, *on or before April 29, 2016* Quadvest may respond. Quadvest is reminded that, pursuant to 16 Tex. Admin. Code § 22.71(i), unless an order establishes

¹ 16 Tex. Admin. Code § 22.181

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a different time, by 3:00pm on the due date established in an order or rule, Quadvest's filings must be received by the Commission filing clerk and stamped received in order to be timely.

SIGNED AT AUSTIN, TEXAS the 29th day of March 2016.


SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE