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DOCKET NO. 44947

APPLICATION OF DENTON COUNTY §  
MUNICIPAL UTILITY DISTRICT NO. §  
7 TO OBTAIN WATER AND SEWER §  
CERTIFICATES OF CONVENIENCE §  
AND NECESSITY IN DENTON COUNTY

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**COMMISSION STAFF'S RESPONSE TO DENTON COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 7'S MOTION TO WITHDRAW APPLICATION WITHOUT  
PREJUDICE TO REILING**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and files this Commission Staff's Response to Denton County Municipal Utility District No. 7's Motion to Withdraw Application Without Prejudice to Refiling. In support thereof, Staff shows the following:

**I. BACKGROUND**

On July 16, 2015, Denton County Municipal Utility District No. 7 (Denton County MUD 7) filed an application to obtain new water and sewer certificates of convenience and necessity in Denton County, Texas pursuant to Tex. Water Code (TWC) Subchapter G and 16 Tex. Admin. Code (TAC) Subchapter G. Denton County MUD 7 is seeking dual certification with Mustang Special Utility District.<sup>1</sup> In its application, Denton County MUD 7 included an Agreement for Dual Certification whereby Mustang Special Utility District consents to the dual certification.<sup>2</sup>

On April 4, 2017, Order No. 16 was entered adopting an amended procedural schedule in this matter. On May 31, 2017, Denton County MUD 7 filed its Motion to Withdraw Application Without Prejudice to Refiling (Motion).

**II. RESPONSE**

Pursuant to 16 TAC § 22.181(g)(1), the party that initiated a proceeding may withdraw its application, without prejudice to refiling, at any time before that party has presented its direct case. Therefore, Staff is unopposed to Denton County MUD 7's withdrawal of its application.

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<sup>1</sup> Application at 4.

<sup>2</sup> *Id.*

### III. CONCLUSION

For the above stated reasons, Staff does not oppose Denton County MUD 7's Motion.

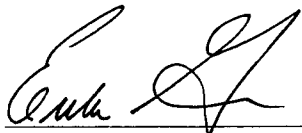
Dated: June 1, 2017

Respectfully Submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Margaret Uhlig Pemberton  
Division Director

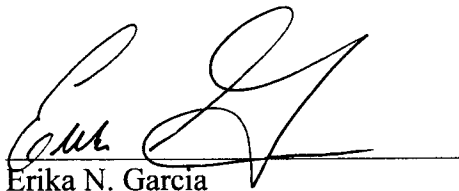
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#### **DOCKET NO. 44947 CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record June 1, 2017 in accordance with 16 TAC § 22.74.



Erika N. Garcia