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PUBLIC UTILITY COMMISSION
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**APPLICATION OF OLD TAMINA
WATER SUPPLY CORPORATION TO
AMEND ITS WATER CERTIFICATE
OF CONVENIENCE AND NECESSITY
FOR DUAL CERTIFICATION WITH
THE CITY OF SHENANDOAH IN
MONTGOMERY (37615-C)**

**PUBLIC UTILITY
COMMISSION
OF TEXAS**

OLD TAMINA WATER SUPPLY CORPORATION'S STATUS REPORT

NOW COMES Old Tamina Water Supply Corporation ("Old Tamina") and hereby files its February 1, 2017 Status Report in compliance with the Administrative Law Judge's Order No. 6 Abating Proceeding.

In Order No. 6, the ALJ granted Old Tamina's request to abate this proceeding until litigation between Old Tamina and The City of Shenandoah ("Shenandoah") is resolved.

As of today's date, the litigation is not resolved. The lawsuit is pending before the 284th Judicial District Court of Montgomery County, Texas, and is set for trial on March 6, 2017.

Defendant Shenandoah filed a Motion for Summary Judgment which was set on the Submission Docket for July 13, 2016. Old Tamina filed a timely Response to Shenandoah's Motion on July 6, 2016. The court's ruling on the motion is still pending.

On August 29, 2016, the assigned judge of the 284th District Court ordered the parties to mediation. A mediation session took place on October 21, 2016, in Houston, Texas. The mediator was the Hon. Judge John T. Wooldridge. The parties and Judge Wooldridge had scheduled a second mediation session to take place on November 21, 2016.

On November 16, 2016, the Board of Directors of Southern Montgomery County Municipal Utility District (“SMCMUD”) voted to extend a proposal to Old Tamina to provide wholesale water and wastewater services to Old Tamina. The litigation pending between Old Tamina and Shenandoah is substantially based upon Old Tamina’s assertion that Shenandoah breached an agreement to provide Old Tamina wholesale water and wastewater services. Because the possibility of entering into a contract for SMCMUD to be Old Tamina’s wholesale service provider factors into whether Old Tamina can end its litigation with Shenandoah, Old Tamina notified Shenandoah and Judge Wooldridge that the second mediation session had to be postponed. Old Tamina is currently in talks with SMCMUD regarding entering a contract for wholesale services.

A hearing on Shenandoah’s Motion for Summary Judgment took place on January 5, 2017, at the 284th Judicial District Court of Montgomery County, Texas. At the conclusion of the hearing, Judge Elizabeth Ray told the parties that she was delaying her ruling for 30 days, and she instructed the parties to continue working toward settlement. The parties met for additional settlement negotiations on January 30, 2017. The parties agreed that Old Tamina will submit a settlement proposal for Shenandoah City Council to vote on at its February 8, 2017 meeting. The settlement proposal is to include that Shenandoah will issue written authorization and support for Old Tamina’s amended water CCN and dual certification sewer CCN applications if Shenandoah City Council votes to approve the settlement.

Because the litigation between Old Tamina and Shenandoah is not yet resolved, Old Tamina respectfully requests that the Abatement of this proceeding remain in place.

Respectfully submitted,

OLD TAMINA WATER SUPPLY CORPORATION

By: 

Ramond W. Howard

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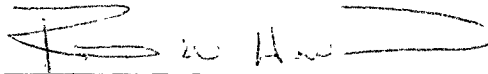
Attorney for

Old Tamina Water Supply Corporation

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CERTIFICATE OF SERVICE

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



Ramond W. Howard

VERIFICATION

STATE OF TEXAS

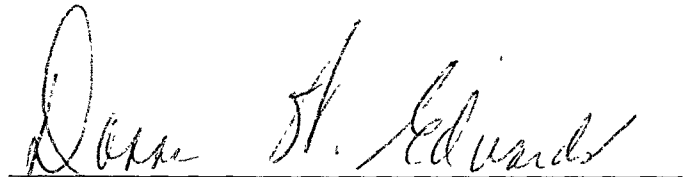
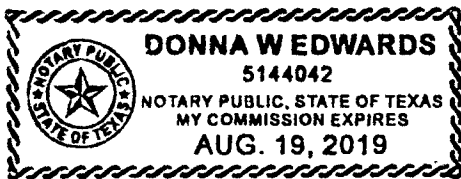
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BEFORE ME, the undersigned authority, personally appeared Ramond W. Howard, who stated, upon oath, that the statements made in the foregoing instrument are within his personal knowledge and are true and correct.



Ramond W. Howard

SUBSCRIBED AND SWORN TO BEFORE ME on the 1st day of February, 2017, by
Ramond W. Howard.



Notary Public, State of Texas