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DOCKET NO. 45656

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APPLICATION OF AQUA TEXAS, §  
INC. AND MONTGOMERY COUNTY §  
MUNICIPAL UTILITY DISTRICT NO. §  
126 FOR APPROVAL OF A SERVICE §  
AGREEMENT DESIGNATING §  
SERIVCE AREA AND CERTIFICATE §  
RIGHTS, AND TO DECERTIFY §  
CERTAIN AREAS IN §  
MONTGOMERY COUNTY §

PUBLIC UTILITY COMMISSION  
OF TEXAS

### COMMISSION STAFF'S REQUEST FOR EXTENSION

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission) representing the public interest and files this Response to Order No. 2 and Request for Extension.

#### I. Background

On February 24, 2016, Aqua Texas, Inc. d/b/a Aqua Texas (Aqua) and Montgomery County Municipal Utility District No. 126 (MUD 126) filed an application for approval of a service agreement under Texas Water Code § 13.248 (TWC), which would transfer a portion of Aqua's water certificate of convenience (CCN) No. 13203 and sewer CCN No. 21065 service areas to MUD 126, and to decertify a portion of Aqua's water CCN No. 13203 and sewer CCN No. 21065 in Montgomery County.

On March 24, 2016, the Administrative Law Judge (ALJ) issued Order No. 2 granting Staff's request for extension and requiring Staff to provide comments on the administrative completeness of the application and proposed notice. Order No. 2 also required Staff to file additional comments regarding whether this application is appropriate under TWC § 13.248 on or before April 25, 2016. Therefore, this Response and Request for Extension is timely filed.

#### II. Staff's Request for Extension

Pursuant to 16 Tex. Admin. Code § 22.4(b) (TAC), Staff may request the time for filing any documents be extended for good cause. Staff continues to work with Aqua to determine the appropriate procedure for processing this application. Aqua is in the process of supplementing the application, but needs additional time to gather necessary information from MUD 126.

Therefore, Staff requests the ALJ find good cause to extend the deadline for Staff to file comments regarding the administrative completeness of the application and proposed notice.

### **III. Proposed Procedural Schedule**

Staff recommends Aqua be given until **May 27, 2016** to supplement the application or file a status report. If the application is supplemented, Staff proposes a deadline of **June 27, 2016** to file comments regarding the administrative completeness of the application, along with a proposed procedural schedule and comments regarding whether the application is appropriate under TWC § 13.248.

### **IV. Conclusion**

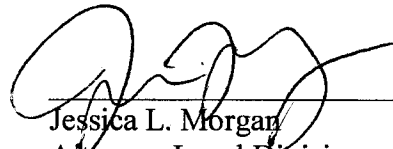
Staff respectfully requests the entry of an order consistent with the above request.

**Dated: April 22, 2016**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

Karen S. Hubbard  
Managing Attorney  
Legal Division

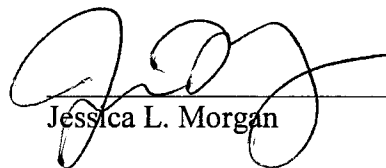


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**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on this April 22, 2016 in accordance with 16 TAC § 22.74.



Jessica L. Morgan