



Control Number: 45870



Item Number: 144

Addendum StartPage: 0

SOAH DOCKET NO. 473-16-4619.WS
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FORMAL COMPLAINT OF
ADC WEST RIDGE, L.P. AND
CENTER FOR HOUSING
RESOURCES, INC. AGAINST THE
CITY OF FRISCO

§ BEFORE THE STATE OFFICE
§
§ OF
§
§ ADMINISTRATIVE HEARINGS

MOTION TO DISMISS

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Complainants ADC West Ridge, L.P. and Center for Housing Resources, Inc. and file this Motion to Dismiss, with prejudice, and in support provide as follows:

I.

Complainants filed a complaint pursuant to PUC Procedural Rules 22.242(e) and 22.76, in an effort to secure water and sewer service from the City of Frisco ("Frisco") for certain property located within Frisco's water and sewer certificates of convenience and necessity ("CCNs"). The matter was referred to the State Office of Administrative Hearings ("SOAH") on June 14, 2016, and a preliminary hearing was held on August 2, 2016. The schedule in this case was continued on several occasions based on the agreement of the parties. SOAH Order No. 14 establishes the procedural schedule in this matter.

II.

Section 22.181(a) of the PUC procedural rules provides that upon the motion of any party, the presiding officer may recommend that the commission dismiss, with or without prejudice, any proceeding for various reasons, including the rendition of a petition or complaint as moot or obsolete. On June 28, 2017, the parties in this proceeding reached settlement of the matters subject to the complaint, thus rendering the complaint moot. Pursuant to the referenced regulation, Complainants move to dismiss their complaint with prejudice.

III.

WHEREFORE, PREMISES CONSIDERED, Complainants pray that the Honorable Administrative Law Judge issue an order dismissing this matter with prejudice.

Respectfully submitted,

JACKSON WALKER L.L.P.

By: 

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CENTER FOR HOUSING RESOURCES, INC.

CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing document was served as shown below on
this 7th day of July 2017:

Via email and U.S. First Class Mail

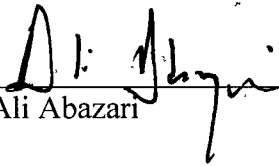
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