



Control Number: 45942



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DOCKET NO. 45942

**APPLICATION OF SWEA GARDENS
ESTATES UTILITY, INC. AND
MUNICIPAL OPERATIONS, LLC FOR
SALE, TRANSFER, OR MERGER OF
FACILITIES AND CERTIFICATE
RIGHTS IN HARRIS COUNTY** §
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PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

COMMISSION STAFF'S REQUEST FOR AN EXTENSION

COMES NOW the Staff of the Public Utility Commission of Texas ("Staff"), representing the public interest, and files this response to Order No. 4, Staff's Request for an Extension. In support thereof, Staff shows the following:

I. BACKGROUND

On May 9, 2016, Swea Gardens Estate Utility, Inc. (Swea Gardens) and Municipal Operations, LLC (Municipal Operations) (collectively, the Applicants) filed an application with the Public Utility Commission of Texas (Commission) for sale, transfer, or merger of facilities and certificate rights in Harris County. Municipal Operations seeks approval to acquire the water assets and certificate rights of Swea Gardens. These include transfer of Swea Gardens' water certificate of convenience and necessity (CCN) No. 11872, which would affect approximately two acres and 495 current customers.

In Order No. 4, issued September 8, 2016, the Commission administrative law judge ("ALJ") ordered the Applicants to file a supplement addressing the deficiencies identified by Staff in Staff's Third Administrative Completeness Recommendation. Order No. 4 also ordered Staff to file a supplemental administrative completeness recommendation by October 14, 2016. Therefore, this pleading is timely filed.

II. REQUEST FOR EXTENSION

Pursuant to 16 Tex. Admin. Code § 22.4(b) (TAC), Staff may request that the time allowed for filing any documents be extended for good cause. Staff has not received Municipal Operations' letter of credit filed as financial assurance in response to Staff's recommendation. Staff has just learned that the letter of credit was inadvertently filed in another docket, Docket No. 37919. Staff

has been in communication with the Applicants and with Central Records at the Commission to transfer the letter of credit to the present docket. Once it is transferred, Staff will need additional time to review the filing before making its supplemental recommendation on administrative completeness. Accordingly, Staff respectfully requests that the ALJ find good cause to extend Staff's deadline to file a supplemental administrative completeness recommendation by two weeks to October 28, 2016.

III. CONCLUSION

For the reasons stated above, Staff respectfully requests the entry of an order extending Staff's deadline to file a supplemental administrative completeness recommendation to October 28, 2016.

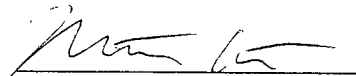
Dated: October 12, 2016

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

Margaret Uhlig Pemberton
Division Director

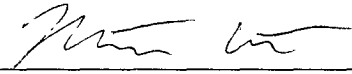
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CERTIFICATE OF SERVICE

I, Matthew Arth, attorney for Commission Staff at the Public Utility Commission of Texas, certify that a copy of this document will be served on all parties of record on October 12, 2016, in accordance with the requirements of 16 Tex. Admin. Code § 22.74.



Matthew A. Arth