



## Filing Receipt

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**DOCKET NO. 45988**

<b>APPLICATION OF OLD TAMINA</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>WATER SUPPLY CORPORATION TO</b>	<b>§</b>	
<b>OBTAIN A SEWER CERTIFICATE OF</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CONVENIENCE AND NECESSITY IN</b>	<b>§</b>	
<b>MONTGOMERY COUNTY (37616-C)</b>	<b>§</b>	

**ORDER NO. 33**  
**WITHDRAWING MOTION TO DISMISS, ABATING PROCEEDING, AND**  
**REQUIRING STATUS REPORTS**

This Order addresses Old Tamina Water Supply Corporation's August 24, 2022 status report and response to the motion to dismiss. Old Tamina stated that it would be inappropriate to dismiss the application at this time because doing so could jeopardize its federal grant for a new sewer system and it has been working to develop its own wastewater treatment plant so that it can amend its application for a sewer certificate of convenience and necessity at issue in this proceeding.

Order No. 28 filed on August 28, 2020, required Old Tamina to file status reports every 90 days. Since that time, Old Tamina has only filed three status reports on October 8, 2020, October 27, 2021, and August 24, 2022. As Order No. 28 is still in effect, by the administrative law judge's (ALJ) calculation, Old Tamina should have, as of the date of this order, filed eight status reports with the Commission.

Old Tamina stated that it engaged in discussions with various parties in an attempt to secure a path forward on the proposed project on November 30, 2021, and May 11 and August 11, 2022, but that it did not submit status reports because certain parties wanted to keep the negotiations confidential. This is not an excuse to disregard a Commission order. Old Tamina could have filed a detailed status report confidentially under 16 Texas Administrative Code § 22.71(d) or provided a status report omitting any confidential information.

Additionally, in its August 24, 2022 filing, Old Tamina requested the abatement of this proceeding until such time as agreements have been completed with various county and city authorities.

The ALJ withdraws the pending motion to dismiss in Order No. 32, grants the request to abate, and requires Old Tamina and Commission Staff to file status reports on the following schedule:<sup>1</sup>

Event	Deadline
Old Tamina deadline to file status report	November 28, 2022
Old Tamina deadline to file status report	February 27, 2023
Commission Staff recommendation on further processing of the docket and proposed procedural schedule, if appropriate	March 3, 2023

**Signed at Austin, Texas the 26th day of August 2022.**

**PUBLIC UTILITY COMMISSION OF TEXAS**



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**KATIE MOORE MARX**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>1</sup> This Order does not supersede Order No. 28 and Old Tamina must continue to provide the Commission a status report every 90 days.