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SOAH DOCKET NO. 473-16-5823.WS
PUC DOCKET NO. 46120

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CITY OF MIDLOTHIAN'S NOTICE OF § BEFORE THE STATE OFFICE
INTENT TO SERVE AREA § OF
DECERTIFIED FROM MOUNTAIN § ADMINISTRATIVE HEARINGS
PEAK SPECIAL UTILITY DISTRICT IN §
ELLIS COUNTY §

JOINT STATUS UPDATE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, on behalf of itself and the City of Midlothian (Midlothian), and files this Joint Status Update. In support thereof, Staff shows the following:

State Office of Administrative Hearings (SOAH) Order No. 10, issued February 13, 2017, abated this proceeding until the Commission issued a final order in Docket No. 45848.¹ SOAH Order No. 10 ordered that within one week after the Commission order in Docket No. 45848 became final and appealable, the parties confer and file a pleading with three agreed dates for a prehearing conference to discuss a procedural schedule going forward in this docket. The Order on Rehearing in Docket No. 45848 became final and appealable on August 23, 2017.² Therefore, this status update is timely filed by August 30, 2017.

Staff has conferred with counsel for Midlothian, and is authorized to represent that the parties are available for a prehearing conference on the following dates:

Monday, September 18, 2017
Tuesday, September 19, 2017
Monday, September 25, 2017

Staff has also conferred with counsel for Mountain Peak Special Utility District, which will not join in this status update due to the District's intention to withdraw as a party to this proceeding.

¹ *City of Celina's Notice of Intent to Provide Water and Sewer Service to Area Decertified from Aqua Texas, Inc., in Denton County*, SOAH Docket No. 473-16-5011.WS, PUC Docket No. 45848, Order on Rehearing (Jun. 29, 2017).

² Tex. Gov't Code § 2001.146(c) provides that a state agency shall act on a motion for rehearing not later than the 55th day after the date of the order that is the subject of the motion is signed, or the motion for rehearing is overruled by operation of law. The Order on Rehearing in Docket No. 45848 was signed on June 29, 2017. The 55th day after June 29, 2017 is August 23, 2017.

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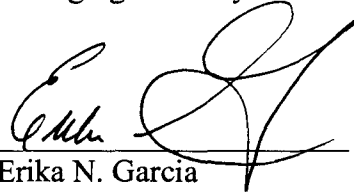
Dated: August 30, 2017

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

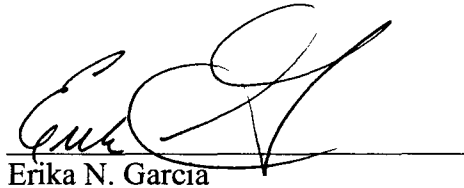
Karen S. Hubbard
Managing Attorney



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**SOAH DOCKET NO. 473-16-5823.WS
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CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record August 30, 2017, in accordance with 16 TAC § 22.74.



Erika N. Garcia