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DOCKET NO. 46436

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PETITION OF MANAGEMENT & TRAINING CORPORATION FOR REVIEW OF THE DECISION BY THE CITY OF OVERTON TO CHANGE RETAIL WATER AND SEWER RATES (BILLY MOORE CORRECTIONAL CENTER) §
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PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
FILING CLERK
OF TEXAS

**MANAGEMENT & TRAINING CORPORATION'S
MOTION TO WITHDRAW PETITION**

COMES NOW, Management & Training Corporation ("MTC") and files this Motion to Withdraw Petition, and in support thereof, would respectfully show the following:

I. INTRODUCTION AND BACKGROUND

On October 12, 2016, MTC filed a petition with the Public Utility Commission of Texas (the "**Commission**") appealing the City of Overton's (the "**City**") newly adopted water and sewer rates for the Billy Moore Correctional Center (the "**Prison**") and requesting the Commission to determine if the newly adopted rates were just, reasonable, and not discriminatory pursuant to TEX. WATER CODE § 13.043(b)(3) and 16 TEX. ADMIN. CODE §§ 24.41(b), (i) (the "**Petition**").

On October 14, 2016, the Commission Administrative Law Judge issued Order No. 1, requiring Commission Staff ("**Staff**") to file comments regarding the administrative completeness of the Petition and requesting Staff and MTC to propose a procedural schedule and file comments on how the Petition should be processed. Pursuant to Order No. 1, on November 14, 2016, MTC filed Comments and Proposed Procedural Schedule wherein MTC notified the Commission that the City and MTC had entered into discussions in an attempt to resolve the Petition and arrive at a solution that was agreeable to MTC and the City. Staff reiterated the City and MTC's status in its November 14, 2016, filing. The Commission Administrative Law Judge issued Order No. 2 on

November 17, 2016, declaring the Petition administratively complete, granting MTC and the City an additional period of time to settle the issues identified in the Petition, requiring MTC to file an update on settlement discussions, and requiring Staff to file a status update with a proposed procedural schedule.

On January 5, 2017, MTC filed an Update on Settlement Discussions and Request for an Extension of Time. In the filing, MTC explained that the parties had reached an agreement in principle and anticipated entering into a written agreement that would resolve MTC's pending Petition and reflect the agreed-to water and sewer rates the City would charge to serve the Prison. MTC also requested the Commission Administrative Law Judge provide MTC and the City additional time to finalize the written settlement agreement and resolve MTC's Petition. In Order No. 4, the Commission Administrative Law Judge requested MTC file a motion to dismiss or an appropriate alternative motion by April 17, 2017. Thus, this Motion to Withdraw Petition is timely filed.

II. WITHDRAWAL OF PETITION

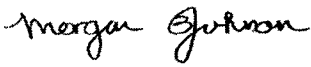
The City and MTC have reached an agreement resolving all outstanding issues identified in the Petition, including the water and sewer rates the City will charge to serve the Prison. Accordingly, pursuant to 16 TEX. ADMIN. CODE §22.181(g)(1) and consistent with the Retail Water and Wastewater Services Agreement Between the City of Overton and Management & Training Corporation (the "**Settlement Agreement**"), MTC seeks to withdraw its October 12, 2016, Petition. As stated and evidenced in Section 5.01 of the Settlement Agreement, the City is fully aware of and in agreement with the request for withdrawal.

III. PRAYER

WHEREFORE, PREMISES CONSIDERED, Management & Training Corporation respectfully requests that the Commission Administrative Law Judge grant its Motion to Withdraw Petition and issue an order dismissing this Petition.

Respectfully submitted,

MCGINNIS LOCHRIDGE

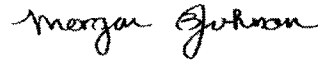
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ATTORNEY FOR MANAGEMENT &
TRAINING CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of April, 2017, a true and correct copy of the foregoing Management & Training Corporation's Motion to Withdraw Petition was sent by certified mail, return receipt requested and electronic mail to counsel of record at the following address:

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