



Control Number: 47176



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APPLICATION OF LIBERTY UTILITIES (WOODMARK) CORP. TO AMEND A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN SMITH COUNTY (BAKER PLANTATION)	§ § § § §	PUBLIC UTILITY COMMISSION OF TEXAS 2018 MAY -1 PM 12:25 CLERK
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COMMISSION STAFF'S MOTION TO COMPEL

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this Motion to Compel. In support thereof, Staff would show the following:

I. BACKGROUND

On May 16, 2017, Liberty Utilities (Woodmark) Corp. ("Liberty") filed an application to amend its sewer certificate of convenience and necessity (CCN) No. 20679 in Smith County, Texas. The total service area requested includes approximately 51 acres and either 0 or 53 current customers.

On February 13, 2018, the Administrative Law Judge (ALJ) issued Order No. 8, Staff to file a final recommendation by May 15, 2018. This pleading is therefore timely filed.

II. MOTION TO COMPEL

On March 27, 2018, Staff filed and served Liberty with Staff's 4th RFI to Liberty. Pursuant to 16 Texas Administrative Code (TAC) § 22.144(c)(1), responses were due on April 16, 2018. Staff has contacted Liberty's counsel and other representatives for Liberty to discuss Staff 4th RFI, and despite several representations that Liberty would file a response, Liberty has failed to do so. Staff's 4th RFI directly concerns the financial stability requirement of 16 TAC § 24.102(d)(6), which is a key factor the Commission must consider before granting an amendment to a CCN. Staff cannot recommend approval of Liberty's application without such information. Staff therefore requests that the ALJ compel Liberty to respond to Staff's 4th RFI.

III. CONCLUSION

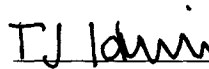
Staff respectfully requests that the entry of an order requiring Liberty to respond to Staff's 4th RFI to Liberty.

Filed: May 1, 2018

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director
Legal Division

Stephen Mack
Managing Attorney
Legal Division

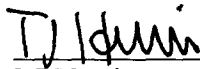


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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on May 1, 2018 in accordance with 16 TAC § 22.74.



TJ Harris