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**DOCKET NO. 47176**

**APPLICATION OF LIBERTY  
UTILITIES (WOODMARK) CORP. TO  
AMEND A SEWER CERTIFICATE OF  
CONVENIENCE AND NECESSITY IN  
SMITH COUNTY (BAKER  
PLANTATION)**

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**PUBLIC UTILITY COMMISSION**

**OF TEXAS**

**COMMISSION STAFF'S PROPOSED SCHEDULE IN RESPONSE TO ORDER NO. 9**

**COMES NOW** the Staff of the Public Utility Commission of Texas (Staff), representing the public interest and files this proposed procedural schedule in response to Order No. 9. 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 May 11, 2018, the Administrative Law Judge (ALJ) issued Order No. 9, directing parties to file a proposed amended procedural schedule by May 18, 2018. This pleading is therefore timely filed. Staff has conferred with Liberty, *and Liberty agrees with the proposed procedural schedule.*

**II. STAFF'S PROPOSED AMENDED PROCEDURAL SCHEDULE**

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. Liberty filed its response on May 16, 2018. 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. Therefore Staff requests that the ALJ adopt the following procedural schedule in order to allow Staff to review the RFI responses, request additional information if necessary, and process mapping information.

<b>Event</b>	<b>Date</b>
Deadline for Commission Staff to provide final maps, certificates, and tariffs (if applicable), to applicant for review and consent	June 22, 2018
Deadline for applicant to file signed consent forms with the Commission	July 6, 2018
If no hearing is requested, deadline for Commission Staff to file a final recommendation on the application	July 20, 2018
If no hearing is requested, deadline for parties to file joint proposed findings of fact and conclusions of law	August 3, 2018

### **III. CONCLUSION**

Staff respectfully requests the entry of an order adopting the above referenced amended procedural schedule.


Filed: May 18, 2018

Respectfully Submitted,

#### **PUBLIC UTILITY COMMISSION OF TEXAS 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 18, 2018 in accordance with 16 TAC § 22.74.

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Hunter Burkhalter