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SOAH DOCKET NO. 473-18-2486.WS  
PUC DOCKET NO. 47795

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APPLICATION OF THE CITY  
OF HUTTO TO AMEND A  
SEWER CERTIFICATE OF  
CONVENIENCE AND  
NECESSITY IN WILLIAMSON  
COUNTY

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BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

**COMMISSION STAFF'S REQUEST FOR EXTENSION OF TIME**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission) and files this Commission Staff's Request for Extension of Time and would show the following:

**I. BACKGROUND**

On November 21, 2017, City of Hutto (Hutto) filed an application to amend its sewer certificate of convenience and necessity number 20122, in Williamson County, Texas (Application). On February 27, 2018, the proceeding was referred to the State Office of Administrative Hearings (SOAH). On August 23, 2018, the SOAH Administrative Law Judge (SOAH ALJ) issued Order No. 5 and referred the proceeding to SOAH's Alternative Dispute Resolution Team Leader, Judge Howard S. Seitzman. On August 20, 2018, Judge Seitzman held a mediation at which Staff, Hutto, and several individuals who had protested and/or requested a contested case hearing on the Application (collectively, Parties) reached an agreement in principle that would have the effect of leaving only the Staff and Hutto as possible parties to any hearing that might be held on the Application.

On August 24, 2018, Judge Seitzman filed the Mediator's Initial Report on Mediation, reporting that the Parties had reached an agreement in principle, that the Parties were submitting the agreement to their respective principles for approval and execution, and that the mediation would remain open and assigned to the mediator pending the execution of the settlement documents. On September 6, 2018, the Hutto City Council approved the settlement terms agreed to by the Parties. The Mediator's Final Report on Mediation was filed on February 6, 2019.

On September 17, 2019, Hutto and Staff filed a Joint Request for Extension of Time, proposing a new procedural schedule that provided Hutto with additional time to respond to

Requests for Information (RFIs) propounded by Staff and adjusting the remaining procedural schedule dates accordingly.

On September 24, 2019, the SOAH ALJ issued Order No. 15, granting the motion and requiring Hutto and Staff to file (1) a status report, (2) a Joint Motion to Remand and Joint Proposed Order, or (3) a final Proposed Hearing Schedule no later than October 28, 2019. On October 9, 2019, the SOAH ALJ issued Order No. 16, granting the motion and requiring Hutto and Staff to file (1) a status report, (2) a Joint Motion to Remand and Joint Proposed Order, or (3) a final Proposed Hearing Schedule no later than December 16, 2019. Therefore, this pleading is timely filed.

## **II. REQUEST FOR EXTENSION OF TIME**

Pursuant to 16 TAC § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. Hutto and Staff's Joint Request for Extension of Time included a deadline of November 7, 2019 for Staff to file its final recommendation or to request a hearing. Staff and Hutto have been working diligently to acquire and evaluate the significant amount of information that Staff requires to develop its final recommendation. However, Staff has requested additional information and documentation from Hutto that will require additional time for Hutto to provide the additional documentation and for Staff to evaluate that documentation before formulating its final recommendation. Therefore, Staff respectfully requests an extension of its November 7, 2019 to December 12, 2019, in order to allow time for Staff to obtain and evaluate the documentation Hutto will provide to Staff and for Staff to formulate its final recommendation. Staff is authorized to represent that Hutto is unopposed to this motion.

### III. PROCEDURAL SCHEDULE

Staff and Hutto propose the following procedural schedule:

Deadline for Staff to File a Final Recommendation or Request a Hearing	December 12, 2019
Deadline for Hutto to Request a Hearing	January 9, 2019
<i>If a hearing <u>is</u> requested</i> , deadline to file Joint Proposed Hearing Schedule	January 27, 2019
<i>If a hearing is <u>not</u> requested</i> , deadline for Staff and Hutto to file a Joint Motion to Remand to the Commission, and a Joint Proposed Order, including Detailed Findings of Fact, corresponding Conclusions of Law and Order Paragraphs	January 27, 2019

### III. CONCLUSION

Staff respectfully requests the issuance of an order consistent with the above recommendation.

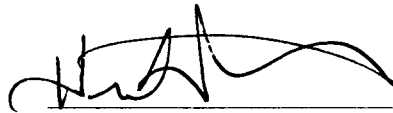
Dated: November 6, 2019

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 November 6, 2019, in accordance with 16 TAC § 22.74.



Heath D. Armstrong