



Control Number: 47795



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RECEIVED

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

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FILING CLERK

**APPLICANT'S REQUEST FOR EXTENSION OF TIME**

**COMES NOW** the Applicant, City of Hutto (Applicant), and files this 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 All 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.

On December 12, 2019, Staff requested an extension of time to file its final recommendation as Staff had requested additional information and documentation from Hutto that would require additional time for Hutto to provide the additional documentation and for Staff to evaluate that documentation before formulating its final recommendation by January 15, 2020. On January 14, 2020, the Staff of the PUC issued its Final Recommendation that the revised Application be approved. On February 5, 2020, the Administrative Law Judge of SOAH remanded the matter back to the PUC.

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

Pursuant to 16 TAC § 22.4(b), Applicant may request that the time allowed for filing any documents be extended for good cause. Staff and Hutto have worked diligently to prepare a Joint

Proposed Order including conclusions of law and ordered paragraphs; however, Applicant and Staff need additional time to prepare more items due to the length of this matter and the numerous changes that occurred during the processing of this Application. Therefore, Applicant respectfully requests an extension of its February 21, 2020, deadline to file its final recommendation to March 6, 2020. Applicant is authorized to represent that Staff is unopposed to this Motion.

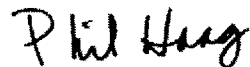
### **III. CONCLUSION**

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

Dated: February 20, 2020.

Respectfully submitted,

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ATTORNEYS FOR CITY OF HUTTO

**PUC DOCKET NO. 47795**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on February 20, 2020, in accordance with 16 TAC § 22.74.

*Phil Haag*

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Phil Haag  
State Bar No. 08657800