



Control Number: 47795



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



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

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PUBLIC UTILITY COMMISSION

OF TEXAS

COMMISSION STAFF'S REQUEST FOR REVISED PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission) and files this Staff's Request for a Revised Procedural Schedule, 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 February 5, 2019, the SOAH ALJ issued SOAH Order No. 19, dismissing the SOAH docket and remanding the case to the Commission for its consideration of Staff's Final Recommendation.

On May 5, 2020, the Commission ALJ issued Order No. 7, requiring Staff to file a response regarding the total service area acreage recommended by Commission Staff by May 13, 2020.

II. STAFF'S REQUEST FOR REVISED PROCEDURAL SCHEDULE

Staff has been in contact with representatives for Hutto and has determined that the correct acreage for the approved development agreements provided by Hutto (Attachment 1) and attached to Commission Staff's Response to Order No. 6 filed on May 4, 2020, is 6,349 acres rather than the 9,454 acres represented. Consequently, Staff requires additional time to determine, based on the locations of the approved development agreements within the requested service area, whether Staff's total recommended service area acreage and associated mapping needs to be revised. Therefore, Staff proposes the procedural schedule below for the further processing of this docket.

III. PROCEDURAL SCHEDULE

Staff has consulted with Hutto and the parties propose the following procedural schedule:

Deadline for Staff to File a Response Regarding the Total Acreage Recommended by Staff	May 20, 2020
Deadline for Hutto to respond or Request a Hearing	May 27, 2020

III. CONCLUSION

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

Dated: May 14, 2020.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Rachelle Nicolette Robles
Division Director

/s/Heath D. Armstrong

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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 14, 2020, in accordance with 16 TAC § 22.74.

/s/Heath D. Armstrong

Heath D. Armstrong