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DOCKET NO. 47795

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

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**UPDATE ON MEDIATION AND UNOPPOSED MOTION TO EXTEND TIME**

COMES NOW, City of Hutto, Texas (“**Hutto**”) and files this Update on Mediation and Unopposed Motion to Extend Time. In support thereof, Hutto shows as follows:

**I. BACKGROUND**

Hutto filed an application with the Public Utility Commission of Texas (the “**Commission**”) on November 21, 2017, to amend its sewer certificate of convenience and necessity number 20122, in Williamson County, Texas (the “**Application**”). On February 27, 2018, the proceeding was referred to the State Office of Administrative Hearings. On August 23, 2018, the Administrative Law Judge (“**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 that concluded with Hutto, Commission Staff, and the Boehm Alliance reaching an agreement in principle.

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 recommending the agreement to their necessary principles, and that the mediation would remain open and assigned to the mediator pending execution of the settlement documents. In Order No. 5, the ALJ stated that the case shall be returned to the ALJ by September 28, 2018, unless extended by order of the presiding ALJ.

## **II. UPDATE ON MEDIATION AND MOTION TO EXTEND TIME**

On September 6, 2018, the Hutto City Council approved the settlement terms that Commission Staff, Hutto, and the Boehm Alliance agreed to during the August 20, 2018 mediation subject to the execution of a mutually acceptable settlement agreement. The Commission Staff, Hutto, and the Boehm Alliance have now reached an agreement on the maps underlying the Application and will begin drafting a proposed settlement agreement. Therefore, Hutto, the Boehm Alliance and Commission Staff respectfully request that the ALJ find good cause to provide the parties an additional twenty-eight (28) days to finalize the settlement discussions, prepare all related documents and obtain approval from the necessary principles.

Hutto is authorized to represent that the Boehm Alliance and Commission Staff agree to the request for additional time in this docket.

## **III. CONCLUSION**

For the above-stated reasons, the parties respectfully request that the ALJ enter an order extending the September 28, 2018 deadline until October 26, 2018.

Respectfully submitted,

MCGINNIS LOCHRIDGE



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Morgan Johnson  
State Bar No. 24083264  
600 Congress Ave., Suite 2100  
Austin, Texas 78701  
[mjohnson@mcginnislaw.com](mailto:mjohnson@mcginnislaw.com)  
(512) 495-6030 (direct)  
(512) 505-6330 (fax)

**ATTORNEY FOR CITY OF HUTTO, TEXAS**

**CERTIFICATE OF SERVICE**

I certify that the foregoing document has been mailed, emailed, hand delivered, or sent by facsimile to all parties of record in accordance with the Orders issued in this proceeding on this 28<sup>th</sup> day of September, 2018.

A handwritten signature in cursive script that reads "Morgan Johnson".

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Morgan Johnson