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SOAH DOCKET NO. 473-18-2486.WS

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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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PUBLIC UTILITY COMMISSION
OF TEXAS

STATUS REPORT ON MEDIATION

NOW COMES the City of Hutto, Texas (“Hutto”), and files this Status Report and would show the following:

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 and on August 23, 2018, the Administrative Law Judge (“ALJ”) 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 principals, 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. Subsequent to Order No. 5, Hutto and the Boehm Alliance filed several motions requesting an extension of time to finalize all settlement related documents. On

February 6, 2019, Judge Seitzman filed a Mediator's Final Report on Mediation, explaining that the case was to be returned to the Presiding ALJ since the parties had executed the settlement documents. However, Hutto filed a motion on February 6, 2019, requesting additional time and clarifying that the Boehm Alliance and Hutto had prematurely notified Judge Seitzman that the Settlement Agreement was finalized because additional revisions were necessary.

II. STATUS REPORT


At this time, the Settlement Agreement has been executed by the majority of the parties and lacks one signature. Hutto anticipates obtaining the final signature on or before February 27, 2019.

III. CONCLUSION

For the above-stated reasons, Hutto respectfully requests that the ALJ enter an order extending the February 20, 2019 deadline until February 27, 2019.

Respectfully submitted,

McGINNIS LOCHRIDGE



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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 20th day of February, 2019.



Morgan Johnson