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

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<b>APPLICATION OF THE CITY</b>	<b>§</b>	<b>BEFORE THE STATE OFFICE</b>
<b>OF HUTTO TO AMEND A</b>	<b>§</b>	
<b>SEWER CERTIFICATE OF</b>	<b>§</b>	<b>OF</b>
<b>CONVENIENCE AND</b>	<b>§</b>	
<b>NECESSITY IN WILLIAMSON</b>	<b>§</b>	<b>ADMINISTRATIVE HEARINGS</b>
<b>COUNTY</b>	<b>§</b>	

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

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

**I. BACKGROUND**

On November 21, 2017, 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 “the 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 March 4, 2019, the SOAH ALJ issued Order No. 9, adopting the Joint Proposed Procedural Schedule submitted by the parties which required Staff to file a final recommendation or before April 19, 2019.<sup>1</sup> 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. Staff plans to file discovery requests in the form of Requests for Information (RFIs) in order to obtain from Hutto sufficient evidence to justify the inclusion of certain portions of the requested area in Hutto's CCN territory, responses to which would not be due until May 15, 2019. Staff respectfully requests an extension of its April 19, 2019 deadline to May 24, 2019 in order to allow time for Hutto to file its responses to Staff's RFIs and for Staff to review the information contained in those responses prior to filing its recommendation. Staff has discussed the need for this Extension of Time with Hutto and Hutto is unopposed.

## **III. CONCLUSION**

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

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<sup>1</sup> April 19, 2019 was a day that the Commission was not open for business, in which event the deadline runs until the end of the next day on which the Commission is open for business, which is Monday, April 22, 2019.

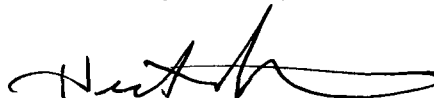
Dated: April 22, 2019

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 April 22, 2019, in accordance with 16 TAC § 22.74.



Heath D. Armstrong