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PUC DOCKET NO. 48350

**APPLICATION OF THE CITY OF
DAYTON FOR CERTIFICATES OF
CONVENIENCE AND NECESSITY IN
LIBERTY AND HARRIS COUNTIES**

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**BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS**

CITY OF DAYTON’S UNOPPOSED MOTION FOR EXTENSION OF TIME

COMES NOW, the City of Dayton (“City”), and files this Unopposed Motion for Extension of Time (“Motion”). In support thereof, the City would respectfully show as follows:

I. BACKGROUND

On May 8, 2018, the City filed with the Public Utility Commission of Texas (“Commission”) its application to obtain water and sewer Certificates of Convenience and Necessity in Liberty and Harris Counties. This matter was referred to the State Office of Administrative Hearings (“SOAH”) for a contested case hearing, but it was later dismissed from the SOAH docket and remanded back to the Commission. On August 25, 2020, Commission Staff filed its Recommendation on Sufficiency of Mapping Revisions (“Recommendation”), recommending that the City be required to file certain supplemental materials identified in the memorandum of Alicia Maloy (“Memo”). On August 28, 2020, the Commission Administrative Law Judge (“ALJ”) entered Order No. 14, setting a deadline of September 25, 2020 for the City to file the supplemental materials identified in the Memo, and a deadline of October 26, 2020 for Commission Staff to file a recommendation on the sufficiency of the materials filed. On September 25, 2020, the City filed an Unopposed Motion for Extension of Time, requesting that the ALJ grant a 30-day extension, until October 26, 2020, of the City’s deadline to file the supplemental materials identified in the Memo, and a corresponding 30-day extension, until November 25, 2020, of Commission Staff’s deadline to file a recommendation on the sufficiency of the materials filed. Therefore, this Motion is timely filed.

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II. MOTION FOR EXTENSION OF TIME

The City respectfully requests that the ALJ grant (i) a 30-day extension of its deadline to file the supplemental materials identified in the Memo, and (ii) a corresponding 30-day extension of Commission Staff's deadline to file a recommendation on the sufficiency of the supplemental material filed by the City. Pursuant to 16 Texas Administrative Code §§ 22.4(b) and 22.144(c), the time for filing such documents may be extended upon a showing of good cause and that the need for the extension is not caused by neglect, indifference, or lack of diligence. Good cause exists for the requested extension because, since filing the Unopposed Motion for Extension of Time on September 25, 2020, the City has continued working in conjunction with Commission Staff to cure the mapping deficiencies identified in the Memo, but still requires time to revise and/or finalize the required supplemental materials.

The City has communicated with counsel for Commission Staff regarding this Motion, and such counsel represents that Commission Staff is unopposed to the relief requested herein.

III. CONCLUSION AND PRAYER

For the above-stated reasons, the City of Dayton respectfully requests that the Administrative Law Judge issue an order granting this Unopposed Motion for Extension of Time, thereby extending the City's deadline to file the supplemental materials identified in the Memo to Wednesday, November 25, 2020, and Commission Staff's deadline to file a recommendation on the sufficiency of such material to Tuesday, December 29, 2020.

Respectfully submitted,

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ATTORNEYS FOR THE CITY OF DAYTON

CERTIFICATE OF CONFERENCE

The undersigned counsel certifies that she has conferred with legal counsel for Commission Staff regarding this filing and that such counsel agrees to this Motion for Extension of Time.



Maris M. Chambers

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on October 26, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

A handwritten signature in cursive script that reads "Maris Chambers". The signature is written in black ink and is positioned above a horizontal line.

Maris M. Chambers