



Control Number: 48350



Item Number: 146

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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 February 5, 2021, 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 February 8, 2021, the Commission Administrative Law Judge ("ALJ") entered Order No. 18, setting a deadline of March 5, 2021 for the City to file the supplemental materials identified in the Memo, and a deadline of April 5, 2021 for Commission Staff to file a recommendation on the sufficiency of the materials filed. Therefore, this Motion is timely filed.

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), the time for filing such

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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 the City is currently working in conjunction with Commission Staff to cure the mapping deficiencies identified in the Memo, and requires additional time to implement the instructions received from Commission Staff before finalizing 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 Monday, April 5, 2021, and Commission Staff's deadline to file a recommendation on the sufficiency of such material to Wednesday, May 5, 2021.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE &
TOWNSEND, P.C.**

816 Congress Avenue, Suite 1900
Austin, Texas 78701
(512) 322-5800
(512) 472-0532 (Fax)

DAVID J. KLEIN
State Bar No. 24041257
dklein@lglawfirm.com


MARIS M. CHAMBERS
State Bar No. 24101607
mchambers@lglawfirm.com

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 March 5, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.



Maris M. Chambers

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