



Control Number: 49154



Item Number: 50

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DOCKET NO. 49154
SOAH DOCKET NO. 473-19-5677.WS

**RATEPAYERS' APPEAL OF THE
DECISION BY LAGUNA MADRE
WATER DISTRICT TO CHANGE
RATES**

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§
§
§

**STATE OFFICE OF
ADMINISTRATIVE HEARINGS**

2019 NOV 12 AM 10:33

**LAGUNA MADRE WATER DISTRICT'S MOTION FOR EXTENSION OF TIME
TO SUBMIT IT'S DIRECT TESTIMONY**

TO THE HONORABLE GABRIEL P. SOTO:

COMES NOW, Laguna Madre Water District (herein "*LMWD*"), and files this Motion for Extension of Time to Submit it's Direct Testimony pursuant to Texas Administrative Code § 22.4(b).

I.

1. The deadline to submit written testimony by LMWD in this case was November 15, 2019. LMWD's written testimony consists of over 300 pages of documents. LMWD sent the original and thirteen physical copies of the document to the Public Utility Commission by Federal Express for overnight delivery on November 14, 2019. See the confirmation slip attached hereto as **Exhibit "A"**.

2. On Monday, November 18, 2019, LMWD was made aware the package did not arrive. Upon contacting Federal Express, it was learned that the package arrived in Memphis, TN, instead of Austin, TX, and that the package was empty, with the contents apparently lost.

3. On today's date, November 18, 2019, LMWD is preparing thirteen new sets of physical copies of the document and are sending such to the Public Utility Commission as soon as possible.

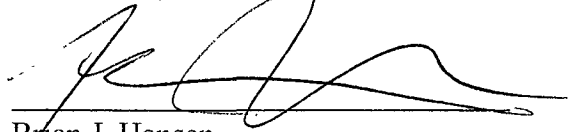
4. There is good cause for such extension of time and that the need for the extension is

not caused by the neglect, indifference, or lack of diligence of LMWD. This motion is being filed as soon as LMWD has learned of the failure of Fed Ex to deliver the documents.

5. Further, the written testimony was provided to Appellant timely by email. LMWD has contacted Appellant, and Appellant has no objection to this request for extension.

WHEREFORE, PREMISES CONSIDERED, Laguna Madre Water District, respectfully requests the Public Utility Commission grant a one (1) week extension of the deadline to provide written testimony from the November 15, 2019 deadline as set forth in its Scheduling Order to November 22, 2019.

Respectfully Submitted,



Brian J. Hansen

State Bar No. 24072139

Fryer & Hansen, PLLC

1352 West Pecan Boulevard

McAllen, Texas 78501

Telephone: (956) 686-6606

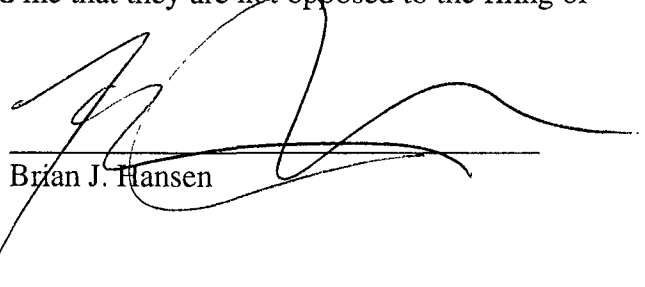
Facsimile: (956) 686-6601

Email: Email@fryerandhansen.com

*Attorney for Respondent Laguna Madre
Water District*

CERTIFICATE OF CONFERENCE

On the 18th day of November, 2019, the undersigned contacted all other counsel to confer about the foregoing Agreed Motion for Extension of Time for Laguna Madre Water District to Submit its Direct Testimony and they have informed me that they are not opposed to the filing of this motion.



Brian J. Hansen

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on November 18, 2019, in accordance with 16 TAC § 22.74 as follows:

Via Email: liliana.elizondo@roystonlaw.com

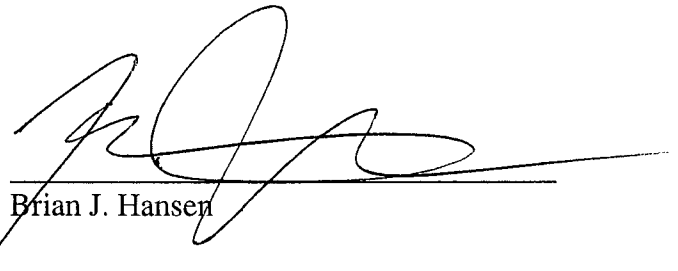
Liliana Elizondo
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Attorney for Public Utilities Commission of Texas

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Stephen Journeay
Public Utilities Commission of Texas
P.O. Box 13326
Austin, Texas 78711-3326
Commission Counsel for Public Utilities Commission



Brian J. Hansen

EXHIBIT “A”



Package
US Airbill

FedEx
Tracking
Number

8115 8273 9610

MUR3

Form
ID No.

0215

From Please print and press hard.

Date 11/14/19 Sender's FedEx Account Number 1797-0223-1

Sender's Name BRIAN J. HANSEN Phone 954 686-6606

Company FRYER & HANSEN PLLC

Address 1352 PECAN BLVD

City MCALLEN State TX ZIP 78501-4352

Your Internal Billing Reference LMWD/SPI

To Recipient's Name CENTRAL RECORDS Phone

Company Public Utilities Comm of TX

Address 1701 N. CONGRESS, Ste 8-100

Address

City Austin State TX ZIP 78701

0127107347



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4 Express Package Service

* To most locations.

Packages up to 150 lbs.
For packages over 150 lbs., use the
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☐ FedEx First Overnight
Earliest next business morning delivery to select
locations. Friday shipments will be delivered on
Monday unless Saturday Delivery is selected.

☐ FedEx Priority Overnight
Next business morning. Friday shipments will be
delivered on Monday unless Saturday Delivery
is selected.

☒ FedEx Standard Overnight
Next business afternoon.
Saturday Delivery NOT available.

2 or 3 Business Days

☐ FedEx 2Day A.M.
Second business morning.
Saturday Delivery NOT available.

☐ FedEx 2Day
Second business afternoon. Thursday shipments
will be delivered on Monday unless Saturday
Delivery is selected.

☐ FedEx Express Saver
Third business day.
Saturday Delivery NOT available.

5 Packaging

* Declared value limit \$500.

☐ FedEx Envelope* ☐ FedEx Pak* ☐ FedEx Box ☐ FedEx Tube ☒ Other

6 Special Handling and Delivery Signature Options

Fees may apply. See the FedEx Service Guide.

☐ Saturday Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

☐ No Signature Required
Package may be left without
obtaining a signature for delivery.

☐ Direct Signature
Someone at recipient's address
may sign for delivery.

☐ Indirect Signature
If no one is available at recipient's
address, someone at a neighboring
address may sign for delivery. For
residential deliveries only.

Does this shipment contain dangerous goods?

One box must be checked.

☒ No ☐ Yes
As per attached
Shipper's Declaration

☐ Yes
Shipper's Declaration
not required.

☐ Dry Ice
Dry Ice, 9, UN 1845 x kg

Restrictions apply for dangerous goods — see the current FedEx Service Guide

☐ Cargo Aircraft Only

7 Payment Bill to:

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☒ Sender
Acct. No. in Section
1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

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lbs. \$.00

*Our liability is limited to US\$100 unless you declare a higher value. See back for details. By using this airbill you agree to the service conditions on the back of the airbill and in the current FedEx Service Guide, including terms that limit our liability.

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