



Control Number: 49230



Item Number: 26

Addendum StartPage: 0



**DOCKET NO. 49230**

**APPLICATION OF TIMBERLANE  
WATER SYSTEM, INC. AND SIMPLY  
AQUATICS, INC. FOR SALE,  
TRANSFER, OR MERGER OF  
FACILITIES AND CERTIFICATE  
RIGHTS IN SABINE COUNTY** §  
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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**COMMISSION STAFF’S REQUEST FOR EXTENSION & MOTION TO REQUIRE  
ELECTRONIC SERVICE**

**COMES NOW** the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this request for extension. In support thereof, Staff shows the following:

**I. BACKGROUND**

On February 15, 2019, Simply Aquatics, Inc. and the Timberlane Water System, Inc. (collectively, Applicants) filed an application for sale, transfer, or merger of facilities and certificate rights in Sabine County, Texas. Specifically, the Applicants seek to transfer Timberlane's facilities and service area under water Certificate of Convenience and Necessity (CCN) Number 12336 to Simply Aquatics. The requested transfer includes approximately 13 acres and 47 current customers.

On March 6, 2020, Order No.10 was issued, establishing a deadline of March 19, 2020, for parties to file a joint motion to admit evidence and proposed order. Therefore, this pleading is timely filed.

**II. REQUEST FOR EXTENSION**

Pursuant to 16 Tex. Admin. Code (TAC) § 22.4(b), Staff may request that the time allowed for filing any documents be extended for good cause. In order to allow to further analyze the sale, Staff respectfully requests an extension of time until April 9, 2020. Accordingly, Staff requests that its deadline to file a joint motion to admit evidence and proposed order regarding the application be extended to April 9, 2020.

### **III. MOTION TO REQUIRE ELECTRONIC SERVICE**

Pursuant to 16 Texas Administrative Code (TAC) § 22.74(c), the presiding officer may require service by email on motion of a party. On March 16, 2020, the Commission issued an Order Suspending Rules in Docket No. 50664, Issues Related to the State Disaster for the Coronavirus Disease 2019. The Order stated in relevant part: “all parties must file any pleading or document with the Commission solely through the Interchange on the Commission's website and provide notice, by email, to all other parties that the pleading or document has been filed with the Commission, unless otherwise ordered by the presiding officer.”<sup>1</sup> Accordingly, Staff requests that the Commission ALJ issue an order requiring service by electronic mail in this docket. Staff further requests that the Order direct any party to this proceeding who has not previously provided an email address to file a notice informing the parties of the email address to be used for service.

### **IV. CONCLUSION**

Staff respectfully requests the entry of an order consistent with the above.

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<sup>1</sup> *Issues Related to the State of Disaster for the Coronavirus Disease 2019*, Docket No. 50664, Order Suspending Rules (March 16, 2020).

Date: March 19, 2020

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

Rachelle Nicolette Robles  
Division Director

/s/ Rashmin J. Asher  
Rashmin J. Asher  
State Bar No. 24092058  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326  
(512) 936-7216  
(512) 936-7268 (facsimile)  
rashmin.asher@puc.texas.gov

**DOCKET NO. 49230**

**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 19, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Rashmin J. Asher  
Rashmin J. Asher