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DOCKET NO. 49277

APPLICATION OF THE CITY OF FORT WORTH FOR A SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY IN TARRANT, DENTON, WISE AND PARKER COUNTIES

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BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS

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PUBLIC UTILITY COMMISSION  
FILING CLERK

**CITY OF FORT WORTH’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO SUPPLEMENT THE APPLICATION**

COMES NOW, the City of Fort Worth (the “City”), by and through its undersigned attorneys of record, and files this Unopposed Motion for Extension of Time to Supplement the Application (the “Motion”). In support thereof, the City would respectfully show as follows:

**I. Background**

On March 1, 2019, the City filed with the Public Utility Commission of Texas (the “Commission”) an application for a sewer Certificate of Convenience and Necessity in Tarrant, Denton, Wise, and Parker Counties (the “Application”). The requested service area consisted of 261,819 acres and 600,851 customers. On October 16, 2019, however, the City filed supplemental information constituting an amendment to the original Application (the “Application Amendment”), which significantly reduced the requested service area and number of affected customers. Commission staff (“Staff”) filed a “Supplemental Recommendation on Administrative Completeness of the Amended Application and Proposed Notice” on December 18, 2019, recommending that the Application Amendment be found administratively incomplete, and that the City be ordered to file additional supplemental information addressing the deficiencies identified in Staff’s December 18, 2019 “PUC Interoffice Memorandum” (“Staff’s Memo”). On December 20, 2019, the Administrative Law Judge (“ALJ”) issued Order No. 9 in this Docket, finding the Application Amendment administratively incomplete, and ordering the City to provide

supplemental information to cure the deficiencies described in Staff's Memo on or before January 20, 2020.

The Commission, however, was not open for business on January 20, 2020. As such, 16 Texas Administrative Code ("TAC") § 22.4(a) dictates that the filing period designated by the ALJ "runs until the end of the next day on which the [C]ommission is open for business." Therefore, this motion is timely filed.

## **II. Unopposed Motion for Extension of Time to Supplement Application Amendment**

The City hereby respectfully requests that it be granted a 30-day extension of time, until Thursday February 20, 2020, to supplement the Application Amendment as required by Order No. 9. Pursuant to 16 TAC § 22.4(b), as long as the need for an extension is not caused by the party's neglect, indifference, or lack of diligence, it may request that the time allowed for filing any documents be extended for good cause. Since Order No. 9 was issued on December 20, 2018, the City has been diligently working in coordination with Staff to correct the mapping deficiencies described by Staff's Memo. While this collaboration has already resulted in greatly improved mapping content, the City is awaiting Staff's response to proposed final supplemental maps and digital data submitted by the City for Staff review on January 10, 2020. The City has communicated with counsel for Staff regarding this Motion, and such counsel represented that his client is unopposed to this Motion.

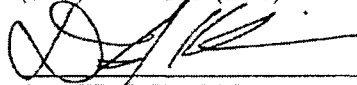
## **III. Conclusion & Prayer**

Based on the foregoing, the City respectfully requests that the ALJ grant a 30-day extension of time, until Thursday, February 20, 2020, for the City to supplement the Application in accordance with Order No. 9, and to grant all other relief as is necessary and proper to effectuate the requests contained herein.

Respectfully submitted,

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**ATTORNEYS FOR THE CITY OF FORT  
WORTH**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was transmitted by fax, hand-delivery and/or regular, first class mail on this 21st day of January, 2020 to the parties of record, in accordance with 16 Texas Administrative Code § 22.74.



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David J. Klein