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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

CITY OF FORT WORTH’S AGREED 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 Agreed 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 an application with the Public Utility Commission of Texas (the “Commission”) to obtain a sewer Certificate of Convenience and Necessity (“CCN”) in Tarrant, Denton, Wise, and Parker Counties, Texas (the “Application”). The City amended the Application on October 16, 2019 (the “Amended Application”), and subsequently filed its First Supplement to the Amended Application on February 20, 2020. On March 19, 2020, Commission Staff filed a “Supplemental Recommendation on Administrative Completeness of the Amended Application and Proposed Notice,” recommending that the Amended Application be found administratively incomplete and that the City be ordered to file supplemental information. Specifically, Commission Staff recommended that the City be required to cure deficiencies identified in a March 16, 2020 “PUC Interoffice Memorandum” (“Staff’s Memo”). On March 24, 2020, the Administrative Law Judge issued Order No. 11 in this Docket, finding the Amended Application administratively incomplete, and ordering the City to provide the

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supplemental information requested in Staff's Memo on or before April 20, 2020. Therefore, this Motion is timely filed.

II. Agreed Motion for Extension of Time to Supplement Application

The City hereby respectfully requests that it be granted a 30-day extension of time, until Wednesday, May 20, 2020, to supplement the Amended Application as required by Order No. 11. Pursuant to 16 Tex. Admin. Code § 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. 11 was issued on March 24, 2020, the City has been diligently working in coordination with Commission Staff to correct the mapping deficiencies described by Staff's Memo. The City has prepared final supplemental maps and digital data for Commission Staff's review, but logistical difficulties and more urgent matters associated with the COVID-19 pandemic have hindered both Commission Staff's availability to review the revised mapping data and the City's ability to transmit finalized maps to the Commission. The City has communicated with counsel for Staff regarding this Motion, and such counsel represented that his client agrees with this Motion.

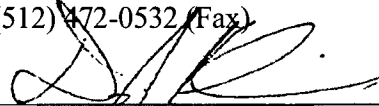
III. Conclusion and Prayer

Based on the foregoing, the City of Fort Worth respectfully requests that the Administrative Law Judge grant a 30-day extension of time, until Wednesday, May 20, 2020, for the City to supplement its Application in accordance with Order No. 11, 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
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CERTIFICATE OF CONFERENCE

The undersigned counsel certifies that he has conferred with Commission Staff's legal counsel regarding this Motion and that such counsel agrees to the relief requested herein.



David J. Klein

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 20th day of April, 2020 to the parties of record, in accordance with 16 Texas Administrative Code § 22.74.



David J. Klein