

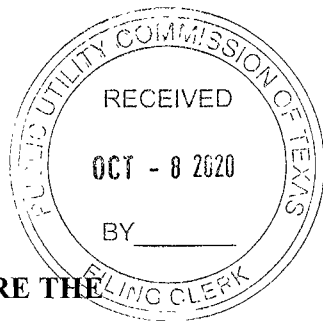


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DOCKET NO. 49277

**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
RESPOND TO ORDER NO. 17**

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 Respond to Order No. 17 (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 in Tarrant, Denton, Wise, and Parker Counties, Texas (the "Application"). The City filed an Application Amendment on October 16, 2019, a First Supplement to Amended Application on February 20, 2020, and a Second Supplement to Amended Application on May 19, 2020 (the Application, as amended and supplemented, is the "Amended Application"). On August 31, 2020, the City of Weatherford ("Weatherford") filed a request to intervene in this proceeding, indicating that the service area sought under the Amended Application (the "Requested Area") extended into Weatherford's extraterritorial jurisdiction ("ETJ"). On September 4, 2020, Robert and Betty Browder (the "Browders") filed a letter requesting that their property be excluded from the Requested Area (the "Opt-Out Request"). The Administrative Law Judge ("ALJ") issued Order No. 15 on September 14, 2020, granting intervention by Weatherford. On September 25, Commission Staff issued its First Request for Information ("RFI") to the City. On September

29, 2020, the ALJ entered Order No. 17, establishing a deadline of October 12, 2020 for the City to file revised mapping documentation to cure certain deficiencies identified in a PUC Interoffice Memorandum, dated September 28, 2020 (the “Memo”). Specifically, Staff’s Memo recommended that the City be required to resolve, if possible, the concerns raised by Weatherford and remove the properties identified in the Browders’ Opt-Out Request from the Requested Area. Therefore, this Motion is timely filed.

II. Agreed Motion for Extension of Time to Respond to Order No. 17

The City hereby respectfully requests that it be granted a 30-day extension of time, until Wednesday, November 11, 2020, to file the revised mapping required by Order No. 17. Pursuant to 16 Texas Administrative Code §§ 22.4(b) and 22.144(c), the time for filing such 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 both (i) cure the mapping deficiencies identified in the Memo and (ii) prepare the maps and digital data requested in Commission Staff’s First RFI. The City needs additional time to revise and/or finalize the required materials, as applicable, upon completion of Commission Staff’s ongoing review thereof. The City further requests that the ALJ grant a corresponding 30-day extension, until Wednesday, December 9, 2020, of Commission Staff’s deadline to file a recommendation on the sufficiency of the revised mapping filed by the City in response to Order No. 17.

The City has communicated with counsel for Commission Staff regarding this Motion, and such counsel represented that his client is not opposed to 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, November 11, 2020, for the City to supplement its Application in accordance with Order No. 17, 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 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.



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 October 8, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.



Maris M. Chambers