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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 FILING CLERK

PUBLIC UTILITY COMMISSION

OF TEXAS

**JOINT MOTION TO MODIFY PROCEDURAL SCHEDULE**

COME NOW, the City of Fort Worth (the “City”), and Staff of the Public Utility Commission of Texas (“Commission”), representing the public interest (collectively, “Movants”), and file this Joint Motion to Modify Procedural Schedule (the “Motion”), and, in support thereof, would respectfully show as follows:

**I. BACKGROUND**

On March 1, 2019, the City filed an application with 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, a Second Supplement to Amended Application on May 19, 2020, and a Third Supplement to Amended Application on November 12, 2020 (the Application, as amended and supplemented, is the “Amended Application”). On January 8, 2021, Commission Staff filed its Final Recommendation, recommending that the Amended Application not be approved at this time. Order No. 18, issued on October 12, 2020, established a deadline of January 15, 2021 to request a hearing. Therefore, this Motion is timely filed.

**II. JOINT MOTION TO MODIFY PROCEDURAL SCHEDULE**

Movants hereby respectfully request that the Procedural Schedule established by Order No. 18 be modified as follows:

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Event	Date
Deadline for Commission Staff to file an amended final recommendation (if applicable)	March 16, 2021
Deadline to request a hearing	March 23, 2021

Pursuant to 16 Texas Administrative Code § 22.4(b), “the time for filing any documents may be extended, upon the filing of a motion, prior to the expiration of the applicable period of time, showing that 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.” Good cause exists for the requested extension because the City is currently working in conjunction with Commission Staff to address the concerns identified in Commission Staff’s Final Recommendation.

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 Movants respectfully request that the Administrative Law Judge enter an order adopting the Procedural Schedule proposed above, and grant all other relief as is necessary and proper to effectuate the requests contained herein.

Respectfully submitted,

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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 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 January 13, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.



David J. Klein