



Control Number: 49280



Item Number: 6

Addendum StartPage: 0

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Petition of Previllage, LLC to Amend HMW *
Special Utility District's Water Certificate of *
Convenience and Necessity in Harris County *
by Expedited Release *

PUBLIC UTILITY COMMISSION
Before the Public Utility Commission
of Texas
FILING CLERK

Proof of Service, Motion to Extend Filing Date and Supplement to Motion to Dismiss Application to Decertify

Comes now the HMW Special Utility District of Harris and Montgomery Counties("HMW"), filing its Proof of Service, Motion to Extend Filing Date and Supplement to Motion to Strike Application to Decertify (the "Application"), and states as follows:

I.

HMW reasserts its Motion to Dismiss("Motion") filed in response to the sworn to decertify property in Montgomery County, Texas, within HMW's Certificate of Convenience No. 10342(the "CCN"). See PUC Documents No. 1 and No. 5.

II.

The undersigned counsel hereby certifies that the Motion and related Notice of Appearance (PUC Document No. 4) were mailed to the PUC Central Records address, and served on the applicant and the PUC staff, by U.S. First Class Mail on March 28, 2019.

III.

The PUC logged in and receipted the Motion and Notice of Appearance at 9:06 a.m. on April 2, 2019. While actual delivery to the PUC likely occurred earlier, and possibly the previous day, HMW nevertheless requests an extension of ten hours of the initial filing deadline for appearances and requests to intervene.

Further, it would be inequitable to hold HMW to a deadline to respond to an application that is defective on its face and for which the PUC Staff has determined that it did not receive proper service.

6

IV.

In addition, HMW's Motion to Dismiss is both appropriate and timely filed under both of the PUC's procedural orders. As set forth in the Motion, Paragraph 3. of the sworn application is clearly false, whether deliberately or by inadvertence. The Affiant's statements are contradictory and it is impossible to determine what property, if any, to which the Applicant may refer.

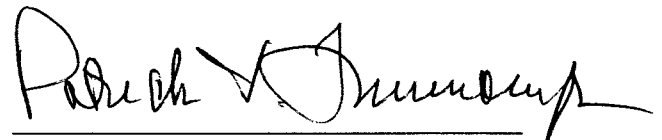
V.

Accordingly, the Application is defective on its face and fails to meet the requirements of Texas Water Code, Section 13.254(a-1) through (a-8). Neither does it identify the property to which the Application applies. Moreover, while HMW concurs with the finding that HMW was not properly served, the Application is fundamentally defective for the reasons noted in the Motion. The proper remedy is to strike and dismiss the Application.

Wherefore, premises considered, HMW moves the PUC to grant its Motion to Extend Filing Date and to Strike and Dismiss Application to Decertify, and grant other and further relief as the Commission deems proper under applicable law.

Respectfully submitted,

Law Offices of Patrick F. Timmons, Jr., P.C.

A handwritten signature in black ink, appearing to read "Patrick F. Timmons, Jr.", written over a horizontal line.

Patrick F. Timmons, Jr.

1503 Buckmann Ct

Houston, Texas 77043

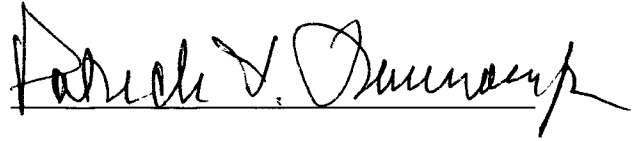
o. (713) 465 7638

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Certificate of Service

I hereby certify that a true copy of the foregoing Motion to Intervene was served on the Applicant and the PUC staff on this 3rd day of April, 2019, by U.S. First Class Mail, as provided by 16 TAC Section 22.74.

A handwritten signature in black ink, appearing to read "Patrick F. Timmons, Jr.", written over a horizontal line.

Patrick F. Timmons, Jr.